anticipating that the Soviets would betray the first nuclear test ban.

"It was wrong in foolishly believing that Khrushchev would not send his nuclear missiles into Cuba. It was wrong in thinking that the Soviets would not build supermegaton weapons. It was wrong in believing that the Soviets would stop building missiles when they achieved parity. It was wrong in thinking that the Soviets have 'mellowed.' . . . There is no record of the McNamara crowd ever being right in evaluating Soviet capabilities or intentions."

In this particular testimony, she is directing her fire against the book sponsored by Sen. Edward Kennedy, D-Mass., released to the press on May 6, of which she says that "the dozens upon dozens of typographical errors in the 'hastily printed' report are exceeded only by its errors of historical fact, of logic, and of strategic analysis, and by its internal inconsistencies." Yet it is this sort of specious political reasoning that seems to be tipping the scales in the congressional mails, against the deployment of what is really a pilot operation.

The Safeguard system will determine how best to capitalize on the $5 billion already expended in research on the antimissile system, which even if not 100 per cent successful (which nobody expects it to be) will save a minimum of 50 million American lives in the event of nuclear attack. It also will serve as a powerful deterrent to such an attack by the simple fact that it exists.

The clamor against the Safeguard system is a part of what Rep. L. Mendel Rivers, D.-S.C., another dedicated patriot, has characterized aptly as "a fatigue of spirit, malaise of the soul" resulting from our confusing military preparedness with the causes of war.

Americans, he says, "are fatigued with the necessity of national defense—the necessity not only to keep a large force of missiles, ships, and men, but to keep it ready, to keep it ever modern, to keep it in an adequate state of repair . . . This fatigue has led to a striking out against the military forces that defend us. Our military are attacked instead of the threat which makes the military forces necessary."

We must face the fact that powerful forces in this country are making strenuous efforts to turn public opinion away from facing up to stringent national security requirements. One of the arguments most often heard is that we must put more of our resources into meeting domestic needs, and hence must take funds away from military programs. There are two fallacies here: one, that the percentage of resources devoted to national defense is increasing; the other, that funds not spent on military defense are automatically available for more laudable purposes.

As to fallacy No. 1, the percentage of U.S. total goods and services spent on national defense is almost exactly the same as it was a decade ago—8.8 per cent in the year ending June 30, as compared with 8.7 per cent in 1960.

As for fallacy No. 2, Uncle Sam himself does not have a fixed income; the federal government produces nothing. Everything it has comes out of the hides of the taxpayers, who, if relieved of the requirement to buy new ships or tanks or airplanes, may not be prone to buy urban renewal instead.

In any case, as noted cogently by Mendel Rivers: "We have to have our national defense as a first requirement to create a framework within which our other serious problems can be solved." We evade this fact only at our extreme peril.

ANALYSIS OF U.S. POLICY IN ASIA

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 1969

Mr. OTTINGER. Mr. Speaker, this is a critical time not only in terms of the directions our policies will take with respect to Vietnam, but also in terms of our present and future commitments in all of Asia.

An excellent analysis of the alternatives our Nation and its leaders face has been written for the New York Times by C. L. Sulzberger. It is worthy of immediate and careful consideration by everyone concerned with American foreign policy in general, and our commitments in Asia, in specific.

The article follows:

FOREIGN AFFAIRS: MORE OUT OF LESS

(By C. L. Sulzberger)

SEATTLE.—United States policy seeks to Vietnamize the Indochina war as quickly as possible by turning over to the Saigon Government responsibility for defending itself. Apart from political convenience suitable to the frazzled American mood, the object is to disengage from what has become a basic commitment.

WITHDRAWAL NOW?

Whether this can be achieved remains difficult to forecast. Hanoi has given no real indication it will permit withdrawal in either orderly or honorable fashion despite illusions carefully cultivated by those who, convinced the war is ruining the U.S. social fabric, are prepared to believe anything.

Yet it is worth considering whether the policy, should it succeed, might not anyway prove counterproductive. In the long run it could bring about more not less U.S. entanglement in Southeast Asia. For we are feverishly building the wrong kind of Vietnamese military force in order that Saigon can take over the burden from American troops as rapidly as possible.

We are foisting a complex, heavily mechanized and automatically armed military machine on a country that cannot finance, industrially sustain, or technically man such an establishment. In the hope of fairly swift departure from South Vietnam we are creating there a system bound to tie it to us for years to come.

For if Saigon is to take over the burden of a "Vietnamized" war it will have to depend on American equipment, spare parts, money and technical assistance—and this situation must continue indefinitely.

Already we have seen a similar trend in South Korea where U.S. involvement remains critical and extensive. South Korea has a very large army but it relies upon an American alliance and the continued presence of two American divisions plus weapons, parts, techniques and gadgetry that, despite a continuing economic boom, Seoul couldn't sustain alone.

Paradoxically, the means by which Washington seeks to reduce short-range Asian commitments actually insure their long-range continuance. The South Vietnamese Army, like the South Korean Army, is a microcosmic reflection of our own military establishment.

The North Vietnamese Army is much more of an infantry force rendered effective by highly trained soldiers, skilled tactics, and weapons that can mostly be repaired or reproduced by the local economy. Thus, North Vietnam is better adapted to stand on its own feet after the war.

U.S. involvement in Asia has brought differing commitments in the Philippines, Okinawa, Taiwan, South Korea, South Vietnam, Thailand, Laos, and Japan. We are pledged to protect these areas under accords that are in no way harmonious. The strategic key is Okinawa which we have promised to return to Japan although we don't yet know how to provide a substitute for our bases and nuclear arsenal there.

JAPANESE OBLIGATIONS

Japan, which has an inadequate and constitutionally restricted defense establishment, is obligated under the Yoshida-Acheson agreement of Sept. 8, 1951, to support U.N. military actions in the Far East—meaning any U.S. military action in South Korea. Washington cleverly maintains the legal fiction that its commanding officer there is a U.N., not a U.S., general—thus keeping Japan tied to a commitment it isn't really obliged to maintain under its U.S. Security Treaty.

American Far East policy developed from a series of lurches starting with the 1943 Cairo Conference which promised Taiwan to China and involved us in the contest between Mao Tse-tung and Chiang Kai-shek.

Subsequently we pledged the return of Okinawa to Japan and simultaneously made it the keystone of our East Asian defenses. We made Japan forswear rearmament in a constitution we imposed and thereby insured that we would have to protect that country indefinitely.

It is pointless to argue that if the United States doesn't keep forces in Japan, that country will rearm, allowing a militaristic class to seize control. In fact the Japanese gain immensely from these curious arrangements, spending a widow's mite on defense and using the consequent economic advantage in world markets.

TIME TO ANALYZE PLANS

Obviously it is time to reexamine our Asian commitments. While doing so, it would be wise to study the implications of contemplated policies which, in the name of reducing our involvement in Asia, could actually extend its duration. I am in no sense arguing for withdrawal but I am arguing that policy-makers should analyze the ultimate meaning of their plans.

HOUSE OF REPRESENTATIVES—*Wednesday, June 11, 1969*

The House met at 12 o'clock noon.

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

Thou shalt do that which is right and good in the sight of the Lord; that it may be well with thee.—Deuteronomy 6:18.

Eternal God, our Father, with reverent hearts we pause in the midst of the day's duties to lift our spirits to Thee, unto whom all hearts are open, all desires known, and from whom no secrets are hid. Cleanse the thoughts of our hearts by the inspiration of Thy Holy Spirit that we may love Thee more perfectly, serve our country more fully, and lead our people more diligently.

During these difficult days let us not add to the problems we face by our own ill will and our selfish endeavors, rather help us to become part of the solution by our own good will and our unselfish efforts to lead our people to wider areas of understanding, tolerance, and friendliness.

Direct the leaders of our Nation, our

President, our beloved Speaker, and all the Members of Congress. Grant unto them wisdom and strength that, upholding what is right, and standing by what is true, they may follow Thy holy will and fulfill Thy purpose for mankind: through Jesus Christ our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

OKLAHOMA PRESS ASSOCIATION SUPPORTS NEWSPAPER BILL

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

Mr. EDMONDSON. Mr. Speaker, as you know, I am one of 100 House sponsors of the Newspaper Preservation Act, which would exempt from antitrust action joint operating arrangements whereby two newspapers, individually owned and having individual editorial voices, combine certain mechanical and business functions. I support this legislation because it does truly preserve independent and competitive editorial voices in 22 American cities where otherwise one of the newspapers would have become a victim of the steadily increasing costs of newspaper production.

With this in mind, it is with deep gratitude that I received a telegram from the Oklahoma Press Association endorsing this legislation. It is good to have this kind of support at home, where I have many true friends among the editors and publishers. I would like to read this telegram, if I may:

> The Board of Directors of the Oklahoma Press Association, on behalf of its member daily and weekly newspapers, unanimously endorse and urge favorable action by the Congress on H.R. 8765 or S. 1520. We note that you and all other members of the Oklahoma delegation are authors of this legislation and we commend you for your efforts to permit the continuation of joint operating newspapers as defined in this legislation and for the continued preservation of separate and independent editorial expression in the communities so affected.

The telegram is signed by Ben Blackstock, secretary-manager of the Oklahoma Press Association.

Mr. Speaker, this grassroots support is heartening and illustrates the understanding the newspaper editors and publishers have of the urgent need for this legislation.

SCARE TACTICS ON THE SURTAX SHAMEFUL AND IRRESPONSIBLE

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

Mr. VANIK. Mr. Speaker, yesterday, Treasury Secretary David M. Kennedy declared in the public press that the conditions in the country "might require the imposition of wage and price controls."

On Friday, Presidential Counselor Arthur F. Burns said that devaluation of the dollar was among possible dire circumstances of congressional failure to go along with the surtax.

These suggestions were mentioned but never seriously presented before the Ways and Means Committee. The utilization of these scare tactics is shameful and irresponsible.

There are other and more acceptable means of meeting the problems of skyrocketing interest rates. Federal deposits might very well be moved from banks which have profitably parlayed interest rates into institutions which encourage homebuilding at interest rates controlled by VA and FHA restrictions.

In addition to repealing the investment credit, perhaps Congress should suspend the use of accumulated credits for tax purposes in tax year 1969 and, perhaps, 1970.

Perhaps the time has come for Congress to adopt a national usury law to limit the allowable interest rate to levels of moral decency, if any remains in money matters.

In any event, Congress should not allow the administration to bully through the surtax to create a surplus for the principal benefit of those who propelled the country into its present inflationary debacle.

PRESIDENT NIXON PRODUCES RESULTS IN THE VIETNAM SITUATION

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

Mr. WYMAN. Mr. Speaker, I become sick and tired of those carping demagogs who criticize President Nixon's announcement that 25,000 troops will be returned from Vietnam as "tokenism." The American people understand that this progress on the long road back is the direct result of President Nixon's decision to honor his commitment in the recent election campaign as well as to keep faith with our overall national security needs which impel the conclusion that at the earliest possible moment the defense of South Vietnam must be undertaken by South Vietnamese and not by Americans.

The fact is that President Nixon is bringing Americans home. The record of action by prior administrations is precisely the opposite. Under them Americans were sent overseas to combat by the hundreds of thousands, and tragically, to combat in a war in which American policy was not to use its full capability to win or even to protect the lives of the boys it ordered to fight there.

Mr. Speaker, the hard truth is that the "tokenism" critics are hurting badly because at long last our new President is acting to undo the awful mess prior Presidents committed us to. Those that want us out of Vietnam on an honorable basis at the earliest possible moment—whom I believe are the overwhelming majority of our citizenry, young and old alike—rejoice at the positive action of President Nixon which sees the first meaningful step being taken down the long road home.

PERSONAL ANNOUNCEMENT

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

Mr. DULSKI. Mr. Speaker, during the week of May 26 I was absent from Washington on official business by leave granted previously by the House.

Had I been present and voting, I would have voted "yea" on rollcall Nos. 65, 66, and 69. On rollcall No. 68, I would have voted "nay."

PERMISSION FOR COMMITTEE ON MERCHANT MARINE AND FISHERIES TO FILE REPORT ON H.R. 265

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries may have until midnight tonight to file a report on the bill H.R. 265.

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

There was no objection.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House. A call of the House was ordered.

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

[Roll No. 79]

Anderson, Ill.	Edwards, Calif.	Moorhead
Anderson, Tenn.	Feighan	Murphy, N.Y.
Ashbrook	Fish	O'Konski
Ashley	Ford, William D.	O'Neill, Mass.
Ayres	Fraser	Patman
Bates	Garmatz	Pelly
Biaggi	Gettys	Powell
Bow	Goldwater	Pryor, Ark.
Brasco	Hays	Railsback
Burton, Utah	Hébert	Riegle
Carey	Helstoski	Ronan
Carter	Jacobs	Scheuer
Celler	Kee	Sikes
Chappell	Kirwan	Smith, N.Y.
Chisholm	Kuykendall	Springer
Clark	Kyros	Stratton
Clay	Landgrebe	Stuckey
Collier	Leggett	Teague, Calif.
Culver	Lennon	Teague, Tex.
Cunningham	Long, La.	Thompson, N.J.
Dawson	Lowenstein	Tunney
Dingell	Mann	Whitten
Downing	Matsunaga	Wilson, Charles H.
Dwyer	Mills	Wold

The SPEAKER. On this rollcall 360 Members have answered to their names, a quorum.

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

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On May 28, 1969:

H.R. 2948. An act for the relief of Maria Prescilla Caramanzana;

H.R. 3464. An act for the relief of Maria Balluardo Frasca;

H.R. 6269. An act to provide for the striking of medals in commemoration of the 300th anniversary of the founding of South Carolina; and

H.R. 8188. An act to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the city of Wichita, Kans.

On June 3, 1969:

H.R. 9328. An act to amend title 37, United States Code, to provide special pay to naval officers, qualified in submarines, who have the current technical qualification for duty in connection with supervision, operation, and maintenance of naval nuclear propulsion plants, who agree to remain in active submarine service for one period of 4 years beyond any other obligated active service, and for other purposes.

PERMISSION FOR COMMITTEE ON RULES TO FILE PRIVILEGED REPORT

Mr. COLMER. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file a certain privileged report.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

LIMITATIONS ON USE OF PUBLIC PROPERTY

Mr. COLMER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 436 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 436

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1035) limiting the use for demonstration purposes of any federally owned property in the District of Columbia, requiring the posting of a bond, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Mississippi (Mr. COLMER) is recognized for 1 hour.

Mr. COLMER. Mr. Speaker, I yield the customary 30 minutes to the gentleman from Tennessee (Mr. QUILLEN); and pending that, Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I do not intend to address the House at any length upon this matter.

As the reading of the rule by the Clerk indicates, this is an open rule providing for 2 hours of general debate on the bill, H.R. 1035, which is a bill that would prescribe certain limitations, and in fact certain prohibitions, upon the use of Federal property in the District of Columbia.

Mr. Speaker, I think we might just as well be candid about it and state that this bill was provoked by the sad spectacle that we had here last year when a certain group moved into the District of Columbia and took over by permit the use of the Mall down here in the so-called Resurrection City. I would like to use another word.

Mr. Speaker, in the history of our country, with one exception, public property in the District of Columbia has never been used by any group for encampments on such public property. That exception occurred many years ago when the Boy Scouts of America organization was given a permit to camp on District of Columbia and U.S. property.

Last year, when the group to which I have referred came here, it cost the taxpayers of this country somewhere between $1 and $2 million to clean up after those people had abandoned the Mall area where they had encamped. That was a sad spectacle, Mr. Speaker. It was a sad spectacle from more than one point of view. A great many good people were deluded into coming to the District of Columbia under the pretense of getting something from the Federal Government. I know of my own knowledge that a great many of those people who came here were so disillusioned that they left and went home. Yet there were the usual troublemakers who did bring about some trouble and who absolutely disregarded the law.

All this bill would do would be to prohibit certain uses of Federal property here in the District of Columbia by any group, regardless of who they are. It would prohibit them from coming in here and taking over Federal property for camps at the expense of the taxpayers and disrupting the orderly procedure here in the seat of government.

Last year, at the height of the encampment to which I have referred, when efforts were being made to get those people to go home and quit disrupting our seat of government and destroying public property, the Committee on Public Works, taking cognizance of the situation, reported out a bill, which cleared the Rules Committee and was reported to the House for consideration. However, the bill was never activated. It was never called up.

Today we are considering the bill. We are considering it in a different climate, a climate in which the emotion that was present at that time does not now exist. So there is nothing discriminatory about the bill. It merely provides that no organization—Boy Scouts, poor people, the American Legion, the Veterans of Foreign World Wars—no one can use the property for camping or establishing a so-called city.

I know objection has been raised to this bill because some people have said it would infringe on the right of free assembly and free speech.

I do not believe that is true at all. This Federal City, after all, is the seat of the Federal Government. The property belongs to all the people. All the people have a right to come to Washington and to enjoy it, without having the scenery marred by these unseemly things that happened on a previous occasion. We have thousands of people in the District today—and some of them are here in the galleries—who want to view their Federal City and to enjoy it without the extraneous disturbances and the marches upon Washington.

Since I am mentioning the word "marches," I want to point out there is nothing in this bill that will prohibit a march—a peaceful demonstration—provided the participants do not camp in or sit in, such as we had last year, overnight on Federal property.

Mr. Speaker, I urge adoption of the rules and the belated enactment of this legislation.

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

Mr. COLMER. I yield to my friend, the gentleman from Florida (Mr. HALEY).

Mr. HALEY. Mr. Speaker, I want to say to my friend, the gentleman from Mississippi, that I support this rule and I support this bill. If any person within the sound of my voice or in this Congress of the United States had seen the disgraceful situation which developed in our Nation's Capital a year ago. I am sure he also would support this bill.

However, Mr. Speaker, I realize the limitations on the Committee on Public Works, from which this bill comes, but I hope the passage of this bill will not interfere in any respect with the bill that many of us have cosponsored and introduced to make a law similar to this bill apply to all the public lands and the public parks of the United States.

The gentleman from Mississippi has well said that the Capital City lands are owned by the Federal Government, and are for all the people of the United States, and they should not be deprived of the use of these lands.

We had here a city within a city, a situation where the Park Police could not go in, where the police authority of the District of Columbia could not function. When we bring in the other bill which will apply to all the lands owned by the people, intended for their use and recreation and enjoyment, I hope we will have the support not only of this committee, but also of every Member of this House of Representatives. It is a piece of legislation which is greatly needed. We should never again allow a situation to develop such as we had last year.

Mr. COLMER. Mr. Speaker, I thank the gentleman from Florida for his usual splendid contribution to the debate in this House. I remind the gentleman from Florida that this Member of the House is aware of the bill that was reported last year, but which was not considered. I understand it has been reported again this year, by the Interior and Insular Affairs Committee, of which the gentleman is a valuable member.

I concur with the statement made by the gentleman from Florida.

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

Mr. Speaker, as the distinguished chairman of the House Rules Committee has so ably said, H.R. 1035 establishes a limitation on the use of public property within the District of Columbia.

The bill will be presented under an open rule, with 2 hours of general debate, upon the adoption of House Resolution 436.

The purpose of the bill is to insure that the public grounds within the District of Columbia will be open to use and enjoyment by all Americans. To ensure this result, the bill proposes to place restrictions on the issuance of permits of use of such public grounds in the future.

The bill prohibits the issuance of any permit by a Federal or District of Columbia officer to use any real property within the District of Columbia for camping, sleeping, sitting in, or any other overnight use, or for erecting any temporary buildings thereon. This is an absolute prohibition except for the proviso that no governmental use or activity on the public property is limited or restricted by the bill.

Any permit issued for a demonstration, or other activity is not to be construed to permit any of the prohibited overnight uses previously mentioned.

Further, in issuing any permit, if the issuing officer has reason to believe that any damage to the real property or persons will occur, he must require the posting of a surety bond to cover all possible damage repair costs or liability for personal injury which may follow from the granting of such permit.

Finally, the bill revokes all outstanding permits of use which could not be granted after the enactment of this bill.

Last year the committee reported H.R. 16981, a bill which I wholeheartedly supported and which was very similar except for one omission in the present bill. H.R. 1035 deletes the provision creating a Joint Committee on Grievances whose sole function was to receive petitions of citizens who desire to lodge grievances officially with the Congress.

Mr. Speaker, this bill is long overdue, and I urge the adoption of this rule.

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

Mr. QUILLEN. I am happy to yield to the distinguished gentleman from Iowa.

Mr. GROSS. Two rules in 2 days, open rules without any waivers of points of order or any other restrictions upon the consideration of legislation, is almost more than the gentleman from Iowa can bear. I want to thank the Rules Committee for these two rules in 2 days to consider legislation on a wide-open basis, but with the warning against three of them in 3 days. That would be too much to bear, I fear.

Mr. QUILLEN. I thank the gentleman. I should like to say it is my hope we will have more open rules without any limitations.

Mr. COLMER. Mr. Speaker, does the gentleman from Tennessee have any further requests for time?

Mr. QUILLEN. Mr. Speaker, I have no further requests for time.

Mr. COLMER. Mr. Speaker, I yield myself a couple of minutes.

I do this, Mr. Speaker, in order to quarrel with my good friend from Iowa, a man with whom I seldom find myself in disagreement, one of the greatest legislators and one of the men who contribute as much if not more than anyone else in this body for the welfare of this country and the perpetuation of its ideals and its philosophy as conceived by the Founding Fathers and written into that immortal charter, the Constitution of the United States.

Now, I am not yielding to my friend yet, because I am satisfied he would be perfectly happy to just let me leave the record there in full praise of him without quarreling with him, as I said I was going to do when I started out.

Mr. Speaker, I did not hear my friend the other day—and I know he will correct me if I misstate the hearsay evidence that I received—state that he was complaining about the number of closed rules that came out of the little, unimportant committee up here, the Committee on Rules. I do not know just how far he went with that, but again my attention was diverted today when he said something in a colloquy with my friend from Tennessee (Mr. QUILLEN). I just want to say to my friend from Iowa first that in my more than a quarter of a century of service on that committee I have never supported a closed rule. Now, that in itself, of course, does not answer the gentleman, but I would ask the gentleman to enumerate, if he so desires, the number of closed rules that have been reported out in this session, and I will give him a moment to consider that while I further chastise him.

Now, Mr. Speaker, we do not grant many closed rules up there, and when we do, as I said a moment ago, it is over the objection of this humble member of that committee. The only rules that have been granted, that I can recall just offhand in a closed fashion—a gag rule, as my friend calls them, and with which definition I agree—have been revenue bills. Everybody in the leadership around here seems to be in concurrence on the bringing out of closed rules on revenue matters. I have always taken the position—and I take this opportunity to restate it—that this body of elected officials of the people has as much right to consider a bill and are just as capable of considering a bill here on the floor of the House as are the Members of the other body on the other side of the Capitol.

I know, Mr. Speaker, my friend does not want to state something that is not correct, but if he will use his influence with his leadership over there and with the minority representatives on the Committee on Ways and Means, I will promise him I will continue to use mine over here, although I have never been very successful in that. I just wanted to get the record straight here that we do not as a rule grant closed rules. I know my friend does not want to leave the record in such confusion.

I now yield to my friend from Iowa.

Mr. GROSS. I hope my good friend from Mississippi understood when I spoke to the gentleman from Tennessee (Mr. QUILLEN) a few moments ago on the subject of this being an open rule that I did not use the word "closed" or the phrase "closed rule." I was complimenting him, and I now compliment the distinguished chairman of the committee, for having brought out two rules in 2 days without any restrictions in them.

Now, it is a question of what is considered to be a closed rule. As far as I am concerned the waiver of points of order on a bill, or any important part of a bill, is in the nature of a closed rule; that is, up to a point. I say again that it is a question of what we mean by "closed rules." And, I would have to say to my friend, the gentleman from Mississippi (Mr. COLMER), that about every other rule that has come out of the Committee on Rules so far this year has had some kind of restriction in it, if my memory serves me correctly. I would be glad to go back and look at the rules that have been issued, but in my opinion altogether too many of them have carried some restriction upon the full consideration of bills that the rules of the House would otherwise provide. Insofar as the personal reference by the gentleman from Mississippi is concerned, I am overwhelmed by his graciousness. And, if I have ever said anything in an unkind manner in the few years that I have been around here of the Committee on Rules or its chairman, I hereby retract it.

Mr. COLMER. I thank the gentleman, Mr. Speaker, for his retraction. I do not yield to him to correct me on that either.

Mr. Speaker, I have no further requests for time.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. GRAY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1035) limiting the use for demonstration purposes of any federally owned property in the District of Columbia, requiring the posting of a bond, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Illinois.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 1035, with Mr. FLYNT in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Illinois (Mr. GRAY) will be recognized for 1 hour, and the gentleman from Florida (Mr. CRAMER) will be recognized for 1 hour.

The Chair recognizes the gentleman from Illinois (Mr. GRAY).

Mr. GRAY. Mr. Chairman, I yield such time as he may consume to the very distinguished chairman of the House Committee on Public Works, the gentleman from Maryland (Mr. FALLON).

Mr. FALLON. Mr. Chairman, H.R. 1035, reported by the Committee on Public Works, is almost identical to sim-

ilar legislation reported by this committee last year on which a rule was granted but which was not considered for floor action by this body.

The legislation before us today is simple legislation. It would prohibit the use of any real property within the District of Columbia either Federal, federally controlled, or controlled by the District of Columbia to be used for camping, sleeping, sitting in, or overnight occupancy or for constructing or erecting any temporary building or structure on such property. It would also require in cases where the issuing agency deemed it necessary that for all other uses of real property owned or controlled by the Federal or District government within the District that where a permit was to be issued for any other use of the real property that the permitting officer would have the power if he deemed damage of some type would occur as a result of the issuance of such a permit to require the posting of a bond to indemnify the Government before such permit would be issued.

This, in essence, is what the bill does. It is a simple bill. It does not infringe on the right of any American to petition his Government, to demonstrate in the District of Columbia or to peacefully protest as he sees fit. It is a bill that is based on the premise that the national shrines and treasures in the District of Columbia belong to all Americans and should be preserved for the use of all Americans.

It was needed last year. It is needed this year. I recommend its passage.

Mr. GRAY. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, the House Committee on Public Works takes no great pride in bringing forth this proposed legislation today, primarily because we are distressed that it has become necessary because of certain events to make it necessary that legislation be reported to this body for action. But unfortunately we believe as a committee it is necessary that Congress take some action to prohibit camp-ins and sleep-ins, erection of temporary facilities and so forth on Government property in the District of Columbia. That is why we present for your consideration today the bill, H.R. 1035. This bill is not aimed at any particular group.

Mr. Chairman, the public buildings and grounds of the United States are the property of all the people of this great country. Washington, D.C., epitomizes what this Nation stands for. It is here that the people have placed the monuments, the statues, and other important works that points to our purpose as a Nation. We must guard all of these great assets. It is the personal responsibility and the personal duty of we, the elected Representatives, to see that this Nation's Capital is preserved for generations yet unborn.

Mr. Chairman, last year the House Committee on Public Works held extensive hearings on similar legislation, H.R. 16981, and reported it out of the subcommittee and full committee and obtained a rule thereon.

But because of certain temperaments in the House, the bill was not acted upon.

We come today with the valuable information of hindsight. You have heard the old saying that hindsight is better than foresight. If we had passed that legislation last year while it was pending we could have saved the American taxpayers more than $1 million. More importantly, we could have alleviated human suffering in the mud and in the squalor down in what has now become known as Resurrection City.

But more than what we saw as an ill-fated camp-in on the Mall, more than that, my friends, is the fact that other Americans were denied the same opportunity to camp. We have received by the administration and in the Congress more than 3,000 letters from your constituents and my constituents asking for permission to camp on Government property in the District of Columbia. The answer has been an unequivocal "No, No, No, you are not permitted to camp."

So I say to the Members today that we have been operating on a double standard of morality. We have said to one group it is perfectly all right to desecrate our monuments, it is perfectly all right to pollute the pools, it is perfectly all right to tear up the sod down on the beautiful green between all of the concrete and our fine statues and our fine buildings, but to the Boy Scouts or American Legion or any other group or individual that wants to camp we have said "No." This bill would correct that injustice. This bill would treat everyone in America alike, regardless of race, creed, or color.

Mr. Chairman, this is a very simple bill. It has one section with three subsections, (a), (b), and (c). I shall explain what the bill does.

Subsection (a) precludes and prohibits any agent of the Federal Government or the District of Columbia government from issuing a permit to camp, sleep in, or construct temporary shelters or facilities anywhere on Government property in the District of Columbia.

Subsection (b) would very simply say that if you are going to peacefully demonstrate, if you are going to march, if you are going to petition your Government, we say you certainly have a right to do so, and if there is any doubt in the issuing agent's mind, he must require the posting of a bond for any damage that might occur to such property during such activities.

Third, subsection (c) says that if a permit has already been issued before this legislation becomes law, and that permit is not consistent with this law, it is automatically revoked. It is just that simple.

Mr. Chairman, I want to say to those who will speak in opposition to this bill, and to those of you who are here on the floor, that this bill allows—and I repeat—it allows official Government functions. You say what would these be? During an inauguration we might see the need for the erection of a tent or something in connection with the inauguration, or in the Cherry Blossom Festival, which is an official celebration put on by the government of the District of Columbia, might see the need to erect something such as a tent or in case of National Guard troops being stationed here, this would permit the Federal Government to construct any type of tent or other facility to house official Government functions.

So, Mr. Chairman, we believe we have been liberal in that regard. We believe if it is an official Government function. either by the District of Columbia government, or the Federal Government, that they should have that right. The President would have that right as the Commander in Chief if he felt we needed such facilities constructed.

Mr. Chairman, I understand an amendment will be offered to give the President that authority. It is already contained in the bill.

My friends, I want to give you the official costs given to us by the National Park Service for the Resurrection City camp: $220,119 were direct costs by the National Park Service before restoring the site on the Mall to its original condition. This does not include the cost of resodding.

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

Mr. GRAY. I would be delighted to yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, I thank the gentleman for yielding.

I would ask the gentleman if he would give us that figure again?

Mr. GRAY. I would be delighted to do so.

The official figure presented to our committee by the Director of the National Park Service was $220,119 just for restoring the site.

This did not include, I would say to my friend, the cost of resodding the entire area which I understand was in excess of $100,000. To show you why we must legislate on this, instead of allowing the administration to handle this administratively, the National Park Service has charged off the cost of resodding to normal—and I repeat—normal wear and tear.

When you consider other costs for police and other services it will cost the taxpayers in excess of a million dollars plus, we estimate, an additional million dollars or more from the private sector and the national chain stores providing such things as food and other goods and services.

That is just a ball park figure, I would say to my friend, the gentleman from Iowa, but it is far in excess of $2 million not including the human suffering endured by the people who camped there.

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

Mr. GRAY. I am delighted to yield further to my friend.

Mr. GROSS. I thank the gentleman for yielding.

I assume that in the course of the hearings it was established who gave permission to set up this camp on Government grounds?

Mr. GRAY. It was. This permit was issued by the regional director of the National Park Service with the concurrence of the Solicitor and the Secretary of the Interior. Also the Department of Justice, the District of Columbia Government, and a representative of the General Services Administration who were

all in conference. But the actual permit was issued by the National Park Service.

Mr. GROSS. And what was the—if the gentleman will yield further——

Mr. GRAY. I am delighted to yield to the gentleman.

Mr. GROSS. What was the bond that was set for any damage that might occur?

Mr. GRAY. I am sorry to report to my friend, that the bond was a pittance of $5,000. That bond has been forfeited, in addition to other costs billed to the permittee, the Southern Christian Leadership Conference, has been billed for $71,000. The $5,000 bond has been withdrawn and it will be subtracted. They have been asked to make up the balance of the $71,000. It was turned over to the Department of Justice as early as last October and nothing has been paid on it.

In direct answer to the gentleman's question, it was a $5,000 bond.

Mr. GROSS. What about the $71,000 for the damage?

Mr. GRAY. These figures have been given to us by the Park Service and were not broken down but they merely stated in the testimony that $71,000 was the part attributed to cover the destruction caused by the permittee.

They did not break that down. I do not know how you can reconcile the figures any way you look at it because these direct costs of $220,119 are attributed to the damage at Resurrection City. If we want to be fair about it, we would have to say that the permittee should be required to bear all the damage costs.

Mr. GROSS. Is the gentleman saying that there has been no restitution whatsoever?

Mr. GRAY. Nothing other than the $5,000 bond, plus some $15,000 to $20,000 by the sale of the used lumber in the camp.

Mr. GROSS. I understand that the Park Service——

The CHAIRMAN. The time of the gentleman from Illinois (Mr. GRAY) has expired.

Mr. GRAY. Mr. Chairman, I yield myself 5 additional minutes.

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

Mr. GRAY. I yield to the gentleman.

Mr. GROSS. I thank the gentleman for yielding.

I understand that the Park Service resodded the very substantial area with Windsor grass, which I understand is, if there is such a thing left as gold, pure gold in the family of grasses.

Mr. GRAY. The gentleman is absolutely correct. My understanding is that it cost far in excess of $100,000.

I think the Congress has a responsibility as to these public buildings and grounds and we should treat everyone alike and not have a situation like this destructive use of the Mall which caused so much damage and so many dollars of cost here. I think the best thing to do is to prohibit it. Then we will not have any more problems.

Mr. GROSS. Did the committee in its hearings consider the disposition of the Mississippi mules that were corralled there?

Mr. GRAY. No; we do not deal with horses and buggies. We only look that way.

Mr. GROSS. If the gentleman will yield further——

Mr. GRAY. I am delighted to yield to the gentleman from Iowa.

Mr. GROSS. I wish to commend the gentleman from Illinois, and the committee for this bill. It is long overdue. It is too bad we did not have it a year ago.

Mr. GRAY. I agree implicitly with the gentleman. In closing, I would say, without question, that this bill needs to become law. It is very difficult to go back to your congressional district and explain to people who want to come here as to why they cannot camp, when they saw what took place here last year. The only way to do it is to pass legislation prohibiting the use of this property for any camp-ins, sleep-ins, or the erection of temporary facilities. We bring this bill for your consideration today with the recommendation that it pass and become law as soon as possible. Thank you.

Mr. STEIGER of Arizona. Mr. Chairman, will the gentleman yield?

Mr. GRAY. I am delighted to yield to the gentleman from Arizona.

Mr. STEIGER of Arizona. I would like to commend the gentleman for what is obviously an articulate statement on the bill. Since the RECORD is blind as to vision, I should simply like the RECORD to show that the gentleman's articulate demonstration is equaled only by his sartorial splendor. I congratulate the gentleman. He has gladdened the hearts of Good Humor men everywhere in the country.

Mr. GRAY. I would say in response that I was supposed to wear my camping regalia. I did not have any, so I brought my sailing suit.

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

Mr. GRAY. I yield to the distinguished gentleman from Virginia (Mr. MARSH).

Mr. MARSH. Mr. Chairman, I rise in support of H.R. 1035, and I wish to commend the gentleman in the well and members of his committee for reporting this legislation to the floor of the House.

Some weeks ago, it was my privilege to offer a statement at the hearing on this legislation. At that time, I appeared in behalf of House Joint Resolution 157, which I had offered to accomplish the purpose of the legislation now before us.

In the 90th Congress, I joined in sponsorship of House Joint Resolution 1256, which had similar objectives, and I should like to repeat, at this time, a portion of the comment I made to the committee in the 90th Congress: As a Virginian, under the surveillance of the shades of Jefferson, Madison, and Mason, I want to make plain that my sponsorship of this resolution is not to be construed as favoring an abridgement of the rights guaranteed by the first amendment to the Constitution which include "the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

What is sought by this resolution, rather, is that these rights be exercised in a manner which does not contravene other rights assured by the Constitution or statute, and, most importantly, that there not be inhibition of the orderly conduct of the public business at the seat of government.

As I said in this Congress, in my statement to the committee on behalf of House Joint Resolution 157, I believe H.R. 1035 is an appropriate remedy.

While I have offered House Joint Resolution 157, which is among the proposals under consideration, I have no pride of authorship in its language. It is my conviction, however, that some of the occurrences of recent years, creating problems of public safety, sanitation, and unanticipated costs to the taxpayers, indicate the need for clarification of the permitted uses of public land at the seat of government for public assembly.

As a matter of fact, I am given to understand that some of the officials of agencies charged with responsibility for the administration of such lands would welcome congressional guidance.

The Congress would not want to circumscribe unduly, I am sure, the basic rights of citizens to assemble, or to petition their Government, but indiscriminate group camping, or the establishment by private groups of their own gathering places for organized demonstrations on a continuing basis on public ground obviously cannot be permitted. Such license impinges unduly on the orderly operations of the National Government and, indeed, on the individual freedom of movement of citizens of the District of Columbia not involved in such campouts or similar demonstrations.

Mr. GRAY. The gentleman from Virginia always makes a valuable contribution. I am glad to yield to him.

The CHAIRMAN. The Chair recognizes the gentleman from Florida (Mr. CRAMER).

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

I rise in support of this legislation; obviously, since I am the author of it. I am sorry this bill was not before the House last year in early May. If it were passed at that time, it would have had the effect of preventing the public officials concerned from issuing the permit for Resurrection City which resulted in the loss, as our distinguished chairman has said, of in excess of $1 million of Government money—and that is substantiated in the RECORD. I asked Mr. Castro, of the Park Service, whether the figure quoted in the newspapers of over $1 million of Government costs was correct, and Mr. Castro said, "It was over that figure."

But in addition, as the distinguished gentleman has indicated, over $1 million was contributed by different businesses and charitable institutions. I do not know how many millions of dollars—it would be difficult to estimate—was lost to the business people of this community. Hotel and motel occupancy was down 30 percent. Restaurant and other business receipts were down as much as 40 percent. So how many tens of millions of dollars during that period of time, both before and during the 6 weeks, and the few months thereafter, was lost is difficult to estimate. But certainly it was in the tens of millions of dollars.

So I believe the history of this legislation and what happened after the legislation was not considered at the last

session, fully justified introduction of the bill in the first instance, its report out of the committee, its report through the Rules Committee last year before Resurrection City was actually established and the permit granted. The judgment of our committee was correct then, and it is eminently and even more correct now. I include the action of the Rules Committee. We saw what happened then. We know the risk that was taken.

So we have a bill before us today that does what? I do not think there is any question about its constitutionality, although some have raised that question, because we can continue to have whatever petitions of the Government, through marchers or whatever, as the Government here wishes to give a permit for, so long as the marchers or petitioners put up a bond in the case there is an imminent danger of destruction of property. But we cannot have overnight camping, we cannot have a separate city set up for 6 weeks inside the District of Columbia, into which the local law-enforcement officers are not permitted to enter except when the residents there want to let them in.

This bill will also outlaw future campins or overnight camping, but it will permit the orderly petitioning of the Government by legitimate organizations.

As I have just evidenced, it will save substantial amounts of money. It will always be the policy of the District of Columbia, as it was up until Resurrection City in 1968 and as it was understood up until that time, that there will be no permit granted for overnight occupancy—and there never was. The only exception to that was a specific Boy Scout jamboree in 1937, which was permitted by congressional action. Subsequent to that, there never was a camp-in permitted until Resurrection City came along.

So we are reinstating, in effect, the previous proper judicious policy that should have been followed with respect to Resurrection City—but which was not followed.

We permit proper Government activity specifically in the legislation and specifically provide for that.

The public interest in this legislation is obvious. All publicly owned land should be made available to all people and should not be occupied by any specific exclusive group.

We should also avoid the risk, such as we had in Resurrection City, of health hazards. We cannot afford to have again in the District of Columbia, we cannot afford to run the risk again of a camp-in that is potentially explosive within the city, the Nation's Capital, wherein a potentially explosive group or any militant revolutionary, could light the flame or light the fuse and potentially disrupt the Government of the United States that belongs not only to all the people but which also has the duty of governing all the people in this country of ours.

We have the duty as the congressional body, the legislative body in America, to preserve law and order. This is an essential element in that respect.

What were some of the experiences in Resurrection City which indicated the necessity for this legislation, the necessity to prevent such an occurrence in the future?

A permit was granted over the protest of many of us. The participants agreed in that permit to certain terms. They agreed to certain things that were deemed to be absolutely essential for the health and safety of all the community, of all the District of Columbia, of all the people whom we have a duty to protect. That agreement was violated in many major instances, but particularly in the instances which I will indicate.

Here is the agreement that was entered into and here is the agreement that was violated with impunity. The reason I cite it is that it shows the impossibility of having such a large group of people come in with the announced intention of disrupting the Government, having them located at a place which is the solar plexis of the Capital of the United States, located on the Mall itself, and subject to disruption at any time.

It shows this cannot be done without disruption and violation of any agreement they might enter into.

The only conclusion we can come to is that we should not give such a permit in the future.

Here are instances of violations. They agreed not to burn trash. Yet big barrels of trash were burned constantly. They were warned constantly but burned constantly anyway in Resurrection City, to the detriment of all the people of the area.

They were told not to swim in the Reflecting Pool, because it was contaminated. What could we expect, when the Government located the camp right on the border of the Reflecting Pool? The children and others were swimming constantly. The pool was contaminated. What in the world would have happened had there been sickness, had there been an epidemic started? The risk was there. The Government permitted the risk to be located there.

They did not hook up with the sewers, as they agreed to.

They would not let the police in to police the place, as they agreed to.

They did not maintain order, as they agreed to.

These are just some examples as to why this cannot be permitted to happen again.

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

Mr. CRAMER. I yield to the gentleman from North Carolina.

Mr. MIZELL. I should like to relate to this body an experience I had as an individual, being in the Washington area at the time of Resurrection City, with my wife and a friend of my wife and her daughter, a 12-year-old young lady who was interested in getting some pictures of some of the historical monuments in our Nation's Capital. Being caught in the flow of traffic, we were forced by Resurrection City. Without any provocation whatsoever a man inside of the enclosure—about my size, I would say—picked up a bottle and threw it through the window of the car immediately behind ours, and hit a lady in the face. The lady's face was cut and there was a lot of blood, and we followed the car into the police station, the checkpoint they had, and offered to go back and identify the man who threw the bottle. The police let us know that they were not permitted to go inside the enclosure.

I do not believe that the citizens of this country should have to tolerate this type of thing within the Capital of our great Nation. So I urge the passage of this bill simply for the protection of our people who want to visit their Nation's Capital.

I thank the gentleman for yielding.

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

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

Mr. SCHERLE. I thank the gentleman for yielding. As a cosponsor of similar legislation last year, I compliment the authors of this bill and the committee for doing a very splendid job, which is very timely and very needed.

I insert the following remarks at this point in the RECORD:

The "Resurrection City" of A-frame plywood and plastic huts built by the so-called Poor Peoples Campaign has taken shape near the Capitol between the Washington Monument and the Lincoln Memorial.

In order to see what was happening there for myself, I went to the "city"—which I prefer to call "Insurrection City"—and talked with some of its residents.

The once-grassy site had long since been beaten into hard-packed earth by the comings and goings of many people. The huts were painted with slogans such as "Sleep By Day, Creep By Night," "Stray Vietcong Cobras Committee," "The Great Society" and "Black Power—We are Death To Whitey."

The camp appeared deserted during the day as its residents explored Washington, attended Congressional committee hearings, planned or took part in demonstrations, slept or talked with friends. On a warm day, three teen-age boys were seen floating in the Reflecting Pool on air mattresses.

Both at the camp and in downtown Washington, opportunistic young hustlers begged for "contributions," which they promptly pocketed.

Two reporters said they were surrounded by eight to 10 campaigners who waved sticks and demanded "donations." The reporters paid.

Angered by reports that the "city" was littered with beer cans and that there were frequent fights, Rev. Jesse Jackson, the city manager of "Insurrection City," declared that anyone possessing alcoholic beverages would be sent home. This did not stop drinking outside the camp, however.

Small groups of the "squatters" invaded District of Columbia public schools to demand that principals dismiss classes and call the students to special assemblies on the campaign. The principals refused.

Washington ruled that the campers were not eligible for D.C. welfare payments. Arrangements had been made by the State of Delaware, however, to deliver payments to its residents living in the camp.

Persons entering the camp are carefully screened apparently because the leaders feel they do not have full control of all within the city. The mood among the campers frequently has been rebellious with young participants arguing with one another, campaign officials and reporters.

Residents of the camp represent many philosophies from nonviolence to militant lawlessness. All do not belong to the Southern Christian Leadership Conference or pledge loyalty to it or its goals.

Many members of Congress are concerned that the loose control by the SCLC will be

broken by the militants and that the campaign will degenerate into violence, destruction and bloodshed.

The words of one camper to a member of my staff typifies the attitude of many: "We shall overcome, and we will do it with violence!"

INSURRECTION CITY

The Southern Christian Leadership Conference's plywood and plastic "squatter's" city near the Capitol and the people who are its occupants have become Washington's number one tourist attraction.

A second visit to the camp last week revealed that torrential rains had turned the once-grassy park into a quagmire of ankle-deep—and in some places, knee-deep—mud. A few wooden walkways had been built to help the residents move about.

A visitor to the camp first sees a pile of donated used clothing left unprotected during the days of rain. The aroma of worn, wet clothing pervades almost the entire camp.

Despite SCLC Chairman Rev. Ralph Abernathy's decree that alcoholic beverages were not to be brought into the camp, empty beer cans and wine bottles were clearly visible.

On a sunny day residents of the "city" picnicked, played baseball or football or just relaxed. Trumpet lessons were given in the tent "cultural center" and a puppet show for the children was staged under the trees.

When the rains returned, one resident, long since soaked through declared that he would stay in his shanty until it floated and then he would "row up to the White House."

A large delegation of campers took time out from demonstrating at the Agriculture Department to have lunch in the building's cafeteria. There they ran up a $292.66 bill and walked out without paying.

Another contingent, meanwhile, marched to Capitol Hill to demand that Congressmen do something about the jet airplane noise over their camp. Insurrection City is in the flight path of airplanes going to and from Washington National Airport.

The first mass arrests of the campaign were made outside the Longworth House Office Building, in which my office is, after marchers refused to leave the office of Rep. Wilbur Mills, chairman of the House Ways and Means Committee. When Rev. Abernathy apologized to "his people" for not being on the scene, a young camper retorted, "We just ain't got no leadership in this camp. If they're going to lead, then they need to come out of that comfortable motel and live down here with us." Rev. Abernathy since has moved into the muddy city.

The non-Negroes participating in the campaign—about 100 of them—have been segregated from the others and harassed by them. Some have become thoroughly disenchanted and left the camp.

Some others in the camp have become disillusioned too. They are those who were swept up by the movement and now wake up to find that they are in a strange city with no money and are entirely dependent on the SCLC for food, shelter and transportation.

People within the camp generally do not answer questions freely. They usually refer the questioner to their leaders.

The leaders frankly admit they do not run the campaign democratically. "Nobody's had an equal voice here yet because we haven't had a chance to set up a democratic process," declared Rev. Andrew Young, a campaign official.

The camp is a dictatorship and the people inside are political pawns. Most do not know why they are in Washington other than that they are demanding a "better life."

Many specific demands have been made, among them a proposal that the Government create three million jobs. The most outrageous of all, though, is a demand for a guaranteed annual income of $4,000 for each family regardless of whether members work.

Rev. Abernathy's strength as leader of the SCLC depends upon the success of the campaign. His image and stature are on the line—he must produce or lose control.

With more and more groups within the camp becoming discontented and with the dissidents clamoring for a voice, it now appears that Abernathy will fail.

THE "POOR" PEOPLE

Overheard on the Resurrection City loudspeaker: "Would Rev. James Bevel (Southern Christian Leadership Conference director of nonviolence) please move his Jaguar. It is blocking the gate."

WASHINGTON SHANTY TOWN

The fifth week of the "Poor Peoples Campaign" finds the shanty town along the Reflecting Pool in a state of decay. Its effort is fractured. The many differences among the leaders eliminate all possibility of discipline or focus for the campaign.

Population of the city has dwindled to approximately 500. Almost daily, a chartered bus leaves the campground carrying campaigners who have become disillusioned or who are needed at home.

A strong and unpleasant odor pervades the entire camp.

The chaos in body and spirit—hooliganism, bickering, squalor becoming unsanitary, dispiriting boredom, aimless demonstrations—reflects the confusion at the top.

Campaigners demonstrating at one Government department or another frequently do not know what they are protesting or what corrective action they want.

When asked specifically what they want, the marchers say "down with the system, down with injustice." Few of those who remain are real poor people. Instead there are the chronic welfare types, tough, insolent, sullen and uncommunicative. They are warm bodies with a sense of resentment toward America.

Rev. Ralph Abernathy, Southern Christian Leadership Conference chairman, occasionally wanders through the camp insulated from its residents and reporters by the marshals surrounding him. He spends most of his time, however, in a comfortable Washington motel.

Both marshals and residents curse, threaten and strike visitors.

Two reporters known personally, one from the Washington Post and the other from the Washington Star, were beaten up by the "poor people." A $750 walkie-talkie was stolen from the Post reporter.

Sen. Edward S. Muskie of Maine while visiting the camp was lunged at by a man who was drunk. The man was subdued by marshals. Alcoholic beverages in the camp supposedly were banned several weeks ago.

When a Washington plumber gave his time free to lay sewer pipe and asked for volunteer help, he was told by one man, "Brother, I came down here to get away from shovels."

Three youths were arrested in the Smithsonian Institution for jostling and annoying tourists. One, who was carrying a knife, was sentenced to 360 days in jail. Another youth from the shanty city was charged with a knife-point hold-up near the White House.

The feeling grows in Washington as the expiration date of the SCLC's camping permit approaches and the planned mass march on the Nation's Capital nears, that the campaign may waste away in empty rhetoric. Others fear that Dr. Martin Luther King's "dream" may now degenerate into a tragic nightmare for the Capital and the Nation.

In any case, the taxpayer will pick up the clean-up tab.

SOLIDARITY DAY

To cries of "Soul Power" some 50,000 demonstrators marched last week in support of the so-called "Poor Peoples Campaign."

In numerous speeches, leaders of the campaign warned that Resurrection City would not be abandoned until demands for guaranteed employment and income had been met. Also included in the speeches were numerous references to the "cruel and evil" war in Vietnam.

Hundreds of demonstrators dangled their feet in the Reflecting Pool between the Washington Monument and the Lincoln Memorial as they listened to speeches. Others waded in the pool and children swam.

The mood was much as march organizer Sterling Tucker had predicted. "This is a last call to save America . . . I must caution America and especially the Congress, once more that this time we must listen to the voices of Solidarity Day . . . They are nonviolent voices. But there is anger in the voices of the people," he had warned.

The anger flared into a heated confrontation with police only hours after the peaceful, orderly Solidarity Day demonstration. Police reported 17 assaults during the night in Resurrection City. One man was hospitalized after his throat was slit. A campaign marshal also was hospitalized after a board-wielding battle with another marshal.

Tourists frequently have been assaulted within the past week and robberies in the area around the shanty town have increased.

A member of my staff was warned by police that he would not be protected as he walked around the perimeter of Resurrection City. The same evening, two ministers and two New York City policemen doing volunteer work were beaten among the huts.

District residents and tourists now have become afraid to go near the shanty town. It has become a festering sore in Washington that threatens to spread to other major tourists areas in the Nation's Capital.

Even many who originally had supported the encampment are calling for its end.

SQUATTER'S CAMP

As the mud slowly began to dry in the Southern Christian Leadership Conference's squatter's camp here, a new leader took over warning that "the picnic is over" and promising a step-up in militancy.

"If the police want to use those clubs, we're going to give them a chance to use them," said Hosea Williams, newly appointed "Leader of Direct Action."

Announcing that "the time has come for us to get the hell out of this mud and get on Capitol Hill and disturb some things," Williams ordered a poll of the campaigners to determine how many were willing to be arrested and jailed.

Williams backed up his threats of mass civil disobedience with a promise to bring 30,000 additional demonstrators to Washington if those now here are arrested or if the Government tries to evict them from Resurrection City when their camping permit expires June 16.

Since the step-up in activity, it seems that never, day or night, is there a time when sirens cannot be heard.

Soon after the change in policy, a man from California identified with the Poor Peoples March was arrested and charged with the shooting murder of three Marine lieutenants in a Washington hamburger shop following a minor argument.

A second member of the campaign was charged with burglary after police said he and another man broke into a Washington store and carried out a stereo set.

Most important though, is the fact that leaders cannot agree on specific goals for the campaign. One set was issued by Bayard Rustin, who is organizing the mass demonstration planned for June 19. These promptly were denounced by Williams.

Meanwhile, the House Public Works Committee sent to the floor of the House a bill, of which I am sponsor, that prohibits camping on public property in Washington after June 16, when the campaign's permit expires. This measure, if enacted, would require that the SCLC clear the Resurrection City site. It remains to be seen if the Park Police have the guts to enforce this law.

A "town meeting" was held in the shanty town last week after residents complained that they had no voice in the campaign. One disgruntled man was overheard saying bitterly: "If this city hall is going to be like the other city halls, we might as well burn it down now."

While all this goes on, a baby grand piano sits on a stage constructed next to the Reflecting Pool—which now is a wading pool—taking whatever weather comes.

NO CAMPING HERE

An Indiana family planning a trip to Washington, D.C., wrote to their congressman, Rep. Richard L. Roudebush, and told him that since they could not afford to pay for a hotel they would like to camp on or near the Mall.

Rep. Roudebush's office sought a camping permit for the family from the Interior Department. He received this terse reply: "The National Park Service does not have a camping area within the city of Washington."

Meanwhile, the Southern Christian Leadership Conference continues to camp on Federal park land. Why should a Government agency give preferential treatment to certain Americans? The Park Service should practice what it preaches.

THE CLEAN-UP

The District of Columbia and the Interior Department have estimated the cost to the taxpayer of the so-called Poor Peoples Campaign here will be about $1 million.

Most of this was spent to pay police overtime for patrolling near the shanty town. Other expenditures included the cost of dismantling the huts, repairing and replacing shrubs and trees, sodding the site and removing defacement from the D.C. War Memorial, which was within camp borders.

Meanwhile, the District Government has promised to reimburse the Travelers' Aid Society the more than $11,000 it spent last week giving campaign participants a free bus ride home. This action was taken despite the fact that many "poor people" were known to have accepted tickets from Travelers' Aid, cashed them and stayed in Washington.

The District has shown further bad judgment by permitting Southern Christian Leadership Conference Chairman Rev. Ralph Abernathy to hold an extravagant press conference in the D.C. jail following his arrest at the U.S. Capitol.

To allow reporters, photographers and radio and television crews into the jail only makes a mockery of Abernathy's being imprisoned.

Mr. CRAMER. I thank the gentleman.

In further amplification of what was said by the gentleman from North Carolina, one could cite example after example after example, though I do not believe it is necessary to do so. Even the cameramen and news reporters who covered the situation were permitted to go in by the leaders at a certain hour and only at a certain hour, and they had some horrendous experiences. As one example, one person had his camera equipment stolen from him. There was an effort to recover it, but it never succeeded. There were all sorts of incidents of this nature going on inside the encampment.

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

Mr. CRAMER. I yield to the gentleman from Texas.

Mr. WRIGHT. I thank the gentleman for yielding.

I should like to congratulate the gentleman on the excellent statement he is making and upon the leadership he and our subcommittee chairman, the gentleman from Illinois (Mr. GRAY) have given in perfecting this legislation.

Does not the gentleman agree that it would be a mistake to regard this bill as aimed at any particular group, since it is the establishment instead of a uniform policy which will actually treat all groups exactly alike? Is it not clearly our purpose to relieve and prevent the Secretary of the Interior, or any other responsible official having jurisdiction over Federal property, from having to make a separate determination in each case as to what group should or should not be permitted to use this public property?

I believe the gentleman probably agrees with me that a very dangerous and potentially explosive precedent has occurred in the permitting of one group to do this. I believe he agrees that our purpose is to prevent favoritism and to shield all groups from charges of favoritism. What now could the Secretary of the Interior say, for example, to use simply an illustration, if the Ku Klux Klan were to come and ask for the same identical rights?

What would be his response if, for example, the John Birch Society or the Young Democrats or the Young Republicans or the American Legion or any other political or religious or fraternal group were to ask the same privilege? How would he deny it to one and give it to another?

To saddle upon the shoulders of a Federal official the responsibility for making a judgment in each case as to which group was sufficiently important to warrant such a privilege and which was not would seem to me to be directly contrary to the basic principle of equal justice under the law. So I think the gentleman from Florida will probably agree with me that this is not a bill aimed at any particular organization but, rather, one aimed at determining a clear and uniform policy which will avoid a multitude of problems that can be foreseen in the future.

Mr. CRAMER. I think the gentleman has made a very valid and vital point. I wish he would add the SDS to that list he indicated of those to be excluded.

Mr. WRIGHT. If the gentleman will yield, I would be willing to have that list revised and extended ad infinitum.

Mr. CRAMER. On the other point that the gentleman raised, I would like to read from the record the comment made in answer to a question I asked of Mr. Herzog who is in charge of the Park Service. He said:

> I want you to know, Mr. CRAMER, that I would be quite pleased for the Congress to consider this legislation, because we very deeply think that the Congress has the responsibility of setting the policy for public lands.

That I hope will answer the questions that anyone asks as to whether or not the setting of this policy by the Congress is opposed, for instance, by those who presently set the policy, at least in the first instance. Mr. Herzog is the gentleman who does that in this case. I think that the gentleman from Texas has made a very valuable contribution.

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

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

Mr. WALDIE. I thank the gentleman for yielding.

I support the objective of the bill, but I do have some questions about the language which I find on page 2, lines 5 and 6, which says:

> Nothing in this Act shall be construed to prohibit any governmental activity.

Can you tell me, first, what governments are referred to in the words "governmental activity?" Second, I would like to know if the Cherry Blossom Festival is a governmental activity of the type that would be permitted under the language of this bill.

Mr. CRAMER. The language relating to governmental activity refers back to the description of governments involved in this legislation, which appears on page 1—the District of Columbia, the U.S. Government, the government of the District of Columbia. These are the governments it refers to, and it is contained in exactly the same section. It could not be construed otherwise in my opinion.

Now, with relation to the second question that the gentleman asked, with regard to the Cherry Blossom Festival, it is my opinion that the Cherry Blossom Festival is, under the language of this legislation, with the government agency that presently approves such a festival from a permit standpoint, not relating to the construction of facilities. When such a permit is granted, that agency could itself construct the necessary facilities which are needed and control them in order to accomplish the objectives of the Cherry Blossom Festival, which is, after all, the aim of this legislation.

Mr. WALDIE. May I go two questions further? Is the granting of the permit the action that vests the activity with the sanction of governmental activity under the terms of the bill?

Mr. CRAMER. The legislation prohibits only camping in and destruction of facilities. The granting of permits is given to the same authorities who presently have that right.

Mr. WALDIE. Is camping in or constructing facilities prohibited if it is a governmental activity?

Mr. CRAMER. No, it is not. It is not prohibited by the exclusion that the gentleman from California just read on page 2, lines 5 and 6, which reads:

> Nothing in this Act shall be construed to prohibit any governmental activity.

This is further spelled out in the report itself which relates to specific governmental activities where they are necessary. For instance, emergency care can be authorized. They may have to set up emergency tent services. The military may occupy publicly owned property. Governmental activities are specifically excluded.

Mr. WALDIE. If the District of Columbia granted a permit to the Southern Christian Leadership Conference for an activity similar to Resurrection City, would that, under the terms of this bill, thereby become a governmental activity?

Mr. CRAMER. They would be violating

the law in doing so. The record is replete. The record of the committee report and the bill itself is replete with evidence that that is the intention of the Congress in this legislation.

Mr. WALDIE. Mr. Chairman, if the gentleman will yield further, perhaps I am satisfied to have the gentleman from Florida say that that is the intent of the will of Congress. However, I do not see in the bill the activities it would cover. It would appear to me based upon the language of the bill that the activity would become a governmental activity. Perhaps I misread the bill. I appreciate the gentleman's explanation of the bill.

Mr. CRAMER. It is very clear as to the intent on the part of the author of the bill, and I am sure the committee, and it is so stated in the committee report.

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

Mr. CRAMER. Yes, I yield to the gentleman from Illinois.

Mr. MIKVA. If that is so, then I assume, for example, the National Park Service could not grant a permit to the Cherry Blossom Festival to sleep overnight or to do any of the other activities that are proscribed at the top of page 2 of the bill; is that a correct statement and interpretation?

Mr. CRAMER. The District of Columbia or any other agency could permit the erection of certain facilities such as a platform, but no overnight camping facilities, in my opinion.

Mr. MIKVA. If the gentleman will yield further, in other words, it is the frank intention and frank language more than the intent that no authorization, permit or otherwise, will permit anyone to sleep overnight?

Mr. CRAMER. That is right.

Mr. MIKVA. Or to permit any other overnight occupancy on any real property owned or controlled by the District of Columbia for the Federal Government; is that correct?

Mr. CRAMER. Other than for Government activities; that is correct. If they want to permit camping for other purposes, that would have to be considered. They will give consideration to designating certain sites for the general public outside the District of Columbia.

Mr. MIKVA. Would the gentleman then tell me where is the exception in this bill for the buildings that are owned by the District of Columbia for housing purposes?

Mr. CRAMER. There is no problem with regard to that, because it is a governmental activity.

Mr. MIKVA. But the sleeping by the individual tenant, with all due deference to the gentleman—and I read the report—and as I read the report it was made quite clear that the Government would not recognize a proscribed activity.

As I read the bill, sleeping-in overnight or any kind of overnight activity is a proscribed activity and cannot be authorized.

I know it was not the intention of the gentleman or of the committee, but it seems to me you have created a problem for every tenancy of real estate where the Government owns the building and where it is used for sleeping purposes.

Mr. CRAMER. The gentleman is not correct.

Mr. McEWEN. Mr. Chairman, would the gentleman yield to me at this point in order to attempt to clarify the situation?

Mr. CRAMER. Yes, I yield to the gentleman.

Mr. McEWEN. I would say to my colleague from Illinois that on page 2 of the bill the prohibition, as I read it, is against temporary buildings.

As I understand the question which the gentleman from Illinois has raised it relates to the permanent structures. This legislation is directed at a prohibition against temporary buildings.

Mr. MIKVA. Would the gentleman from Florida yield for one further question?

Mr. CRAMER. I yield to the gentleman for a further question.

Mr. MIKVA. I call the gentleman's attention to line 1 on page 2 which makes one of the proscribed activities sleeping and on line 2 of page 1 makes one of the proscribed activities overnight occupancy.

I, therefore, suggest if the report is accurate—and I think it is—and if the language of the bill as I read the English language is correct, the passage of this bill would make it illegal for anyone to sleep overnight on real estate owned by the District of Columbia, which would include all housing projects owned by the District, and the District cannot authorize it or make it legal, because the report simply says the Government cannot make legal sleeping overnight in the parks or any other real estate owned by the District of Columbia.

Mr. CRAMER. The exception specifically says on page 2, lines 5 and 6:

Nothing in this act—

Including what the gentleman just read—

shall be construed to prohibit any governmental activity.

Mr. GRAY. Mr. Chairman, will the gentleman from Florida yield to me at this point?

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

Mr. GRAY. Mr. Chairman, I wish to try to help to clarify this matter. We are dealing with permits here. A permit is not required to sleep in any building in Washintgon, private or public.

We say here you cannot issue a permit for sleep-ins or camp-ins. So I know the gentleman from Illinois is well intentioned when he raises this point, but this prohibition would not include any building owned by either private owners or Government activity buildings in Washington—only those areas where a permit is required for such use.

Mr. CRAMER. The gentleman is correct, and on those two grounds the gentleman who raised the question is incorrect.

The CHAIRMAN. The gentleman from Florida has consumed 24 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. GRAY. Mr. Chairman, I yield 3 minutes to the very distinguished chairman of the Committee on Interior and Insular Affairs, the gentleman from Colorado (Mr. ASPINALL).

Mr. ASPINALL. Mr. Chairman, every once in a while we have a matter of committee jurisdiction creep up in some of our legislation. The question which I wish to ask at this time has to do with a matter of jurisdiction because the Department of the Interior having jurisdiction over national parks facilities, of course, comes under the jurisdiction of the Committee on Interior and Insular Affairs of the House.

Mr. Chairman, the legislation we are considering today is somewhat similar to other legislation which was reported last year and has once again been reported favorably by the Interior and Insular Affairs Committee. For this reason I should like to direct a question or two to the gentleman from Illinois (Mr. GRAY) regarding the relationship between these two bills. The bill now under consideration prohibits the issuance of a permit to camp, sleep, or construct a temporary structure on any land in the District of Columbia that is owned by the Federal Government or by the District of Columbia. This prohibition includes, of course, the National Capital Parks. The legislation out of our committee, House Joint Resolution 247, prohibits the issuance of a permit for these purposes on any part of the national park system which extends throughout the United States except in areas that are regularly designated for camping. In other words, the bill we are now considering contains an absolute prohibition against camping on Government property in the District of Columbia, which includes the parks. House Joint Resolution 247, on the other hand, which applies to the entire national park system, prohibits camping only in the parts of the national park system that are not regularly designated for camping and open to camping by the public generally. At the present time no campsites are set aside for camping in the national capital parks. Except for the fact that the bill we are now considering would be more restrictive with respect to the District of Columbia, there is no conflict between it and the legislation ordered reported by the Committee on Interior and Insular Affairs. Now my question: Does the gentleman from Illinois agree with this interpretation and does he see any reason why the enactment of both bills would not be in order during this session of the Congress?

Mr. GRAY. Mr. Chairman, if the gentleman will yield, the gentleman is eminently correct in his analogy of the two bills. There is no conflict. This bill deals only with the District of Columbia. The gentleman's resolution deals with the entire National Park Service.

Mr. ASPINALL. Mr. Chairman, I thank the gentleman very much for his reply.

Mr. GRAY. Mr. Chairman, I yield 2 minutes to the gentleman from Louisiana (Mr. CAFFERY).

Mr. CAFFERY. Mr. Chairman, I wish to join the distinguished chairman and the other distinguished members of the

committee who have lent their support to this most important bill.

We live in a changing world and there are many differences in our people. But we must not exaggerate these differences. We must not permit a polarization of this country. We must not permit this country to divide into splinter groups. We cannot permit this country to become a Nation of compartments. We must unify ourselves and become one strong Nation. We must live together because we cannot live apart.

Washington, D.C., belongs to all of the people of this Nation. This great city fixes the temper and sets the tone of thinking throughout the land. We must guarantee that all our citizens have access to their Government, its agencies, and to the public property and grounds wherein these bodies reside. We must hear opinions; we must listen to reason; we must change in many things because the winds of change are upon us; and yet we must be determined that we will stand as firm as an anvil under the hammer. But we cannot, we must not, we shall not permit a breakdown of our laws that would allow any group to usurp the freedom of access that is the right of all the people of this Nation. We must all abide by our laws with firmness and reverence.

Violence has no place in a free society. If this Nation is to become a Nation of harmony, then Washington must become a city of harmony. Let this Congress echo itself as a voice of temperance. This bill is a step in the right direction. I urge its passage.

Mr. CRAMER. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana (Mr. ZION).

Mr. ZION. Mr. Chairman, I join these gentlemen who have been so concerned about the problems in our Capital City and I submit that they were introduced as the result of Resurrection City, sometimes referred to as "Insurrection City."

I think that legislation is necessary, but I feel it is unfortunate that it is so required. The gentleman from Louisiana is an Eagle Scout and one who hopes to attend the National Jamboree in Idaho this summer. I would say to him, I was one of the Scouts attending the 1937 National Jamboree here in Washington and encamped under the shadow of the Washington Monument. We had a tent city at that time with 40,000 Boy Scouts and adult leaders. We handled our sanitation and other problems very well. The record shows that the amount of sickness and the amount of accidents and the amount of crime in the District was considerably lower as the result of the encampment of 40,000 Boy Scouts and their leaders. This is in direct contrast to the situation that occurred here last year.

When the gentleman from Louisiana says it is not the purpose of this legislation to differentiate or to deny some people of our country access to our Capital Grounds, I would say unfortunately it is indeed the purpose of this legislation. I would say to my good friend and fellow Eagle Scout that the passing of this legislation does not preclude Congress from again at a future date permitting an encampment such as the very successful National Jamboree of 1937.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GRAY. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I would not take exception to the remarks of my good friend and neighbor from Indiana (Mr. ZION) except to point out that in the encampment to which he referred in 1937, that was authorized by a specific act of Congress. That was not a permit. All we are doing here is repealing the authority of the administration to issue permits.

If once again Congress, in its wisdom, as they did in 1937, feels that the Boy Scouts should camp here in the District of Columbia, that right could be given. So I want to point out to my colleagues that that was a specific act of the Congress that permitted that encampment in 1937.

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

Mr. GRAY. Mr. Chairman, I yield 5 minutes to a valued member of the House Committee on Public Works, the gentleman from New York (Mr. MCCARTHY).

Mr. MCCARTHY. Mr. Chairman, as you can see from the report, I have joined with the gentleman from Wisconsin (Mr. OBEY) in filing minority views on the bill before us today. We feel that this measure has been rushed through without adequate consideration, through the Rules Committee only yesterday, and now on the floor today—and I think that is rather speedy action.

Basically now we should make clear that anybody who wants to use any federally owned or District-owned parkland or other property in the District of Columbia must get a permit to do so. The executive branch: the Interior Department, the various other departments, and the District of Columbia have the discretion in whether to grant that permit or to withhold that permit. I personally feel that the permit for Resurrection City should not have been granted. I think simply on sanitary grounds alone it should not have been granted. They never, until the very end of the venture, tied in to the water and sewer lines down there, and we all know it was a sea of mud.

But that is not the point. It seems to me the point is that the administration has discretion in whether to grant these permits or not. I personally do not think that the Congress should slam the gate or erect obstacles on a presently existing avenue for legal petition. To me this simply plays into the hands of militants who say: "There is no legal avenue to a redress of grievances." As it is now, they come and request a permit. If the executive branch turns it down for good reasons, well, so be it, but I do not think that Congress should take it upon itself in this difficult period of saying, "No, you cannot do it, permits or no."

As a matter of fact, as I interpret this bill, it would forbid spectator tents for the cricket games down at Hains Point. It would preclude the camping that is going on right now at Hains Point. It would forbid shelters for the President's Cup races. And it would forbid the Boy Scouts from overnight camping, even though perhaps a special law could be enacted for a huge Boy Scout jamboree. We are taking care of the huge jamborees. We have taken care of the Cherry Blossom Festival in this measure. But we are saying to people that this one avenue for lawful petition in the District of Columbia, our Nation's Capital, has been blocked by the Congress of the United States. I do not think this is a wise thing in the present mood. I think the executive should retain the discretion it has. They can grant the permit or not grant the permit.

As I said, I do not think the Resurrection City permit should have been granted. Well, the same way in the future. There are legitimate reasons for granting such a permit. I think they have to be considered on a case-by-case basis. But if we enact this bill, and if the other body does also—although it seems unlikely now that they will follow suit—then we have slammed this door shut. My basic reason for dissenting is that I believe the discretion should be left with the executive branch. Let them make the decision, but the Congress should not close this door.

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

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

Mr. OBEY. Mr. Chairman, there are a number of reasons why I oppose this bill, and I ask that before the Members do anything else they make certain that you do, indeed, understand exactly what this bill will do.

It has two parts.

First, it contains a prohibition against the granting of a permit for: First, camping; second, sleeping; third, sitting-in; fourth, other overnight occupancy; and fifth, constructing temporary structures.

Second, in issuing permits for any other use of Federal property, it provides that if the administrative authority believes damage may occur, to protect property he may require the posting of a reasonable bond.

Now this certainly does not seem bad on the surface. Why would anyone want to oppose it? I believe that Congress would do well to oppose it for a number of reasons.

First, let us look at the outright ban on camping by congressional direction proposed in the bill.

I want to make it clear that I do not by personal inclination like the idea of camping on memorial grounds. I believe that camping sites on the grounds of the Lincoln and Jefferson Memorials are a disfigurement to the landscape of this city.

Why then would I oppose this section of the bill? Simply because I would prefer that if a permit is to be denied in the interest of public health and safety it be denied by an administrative authority and not by Congress.

Why? Simply because irresponsible militants who encourage the use of violent and unlawful means to seek redress of grievances will try to use this law to convince moderates and some others that Congress is intentionally throwing up

more roadblocks in the path of those who want to petition Government by peaceful means.

I would prefer, if a permit is to be denied, that it be denied by an administrative authority on public health grounds rather than by Congress on, what some will say, are political grounds.

Congressional action would be a symbolic act which will be put to effective use by militants, and I do not believe that it would be wise for Congress to present them with that symbol.

I also believe the second portion of the bill to be defective in several ways. The second portion says—in instances other than overnight camping, the person with the authority to issue a permit may require the posting of bond in an amount he deems to be reasonable.

What is wrong with that? Several things.

First, it contains a potential for uneven administration of the law.

Second, the posting of a bond implies that any group may obtain a permit for the use of public grounds—no matter how much potential damage may occur—if it can afford to pay for that damage. That is an un-American position. It bases the right to demonstrate and the right to petition not on rational grounds, but rather on the ability to pay.

This committee's own hearings last year noted:

> Statutes and ordinances which require that permits be obtained from local officials as a prerequisite to the use of public places, in the absence of narrowly drawn, reasonable, and definite standards for the officials to follow, must be invalid.

I ask you where in this bill are those necessary standards defined or set out?

If ever, by congressional direction, we are to require the posting of a bond, should not the standards for that decision be clearly spelled out? Would not that be a more reasonable way to delegate authority?

For these reasons I believe this section of the bill to be unwise. In fact, from the standpoint of equal administration of justice, it would probably be more fair to make an outright prohibition rather than to post a bond. At least the right to protest would not be doled out by administrative authority on the basis of ability to pay.

I would like to make one more point.

I believe congressional action of this type would be a reflection upon our confidence in the Department of the Interior and the Nixon administration. Congress should have enough confidence in the administration to allow discretionary authority to deny or grant a permit to remain in its hands. I am confident they will use good judgment.

In summary, therefore, I believe that passage of this bill in its present form would be unwise because: First, it would provide less fuel to the militants' fire if, in the event a decision is in fact made not to grant another permit of this nature, that determination is made by the administrative authority on grounds of health and public peace and convenience rather than by Congress on grounds which could be construed by some as being political; second, the second portion, relating to the posting of bond, does not provide clear standards defining either what factors must be present to reasonably believe that damage may occur or in describing how an administrative authority is to arrive at a proper bond level; third, the requiring of bond results—whether intended to or not—in basing the right to protest and demonstrate on ability to pay; and fourth, the Congress should have enough confidence in the Nixon administration to continue in its hands the discretionary power which it now possesses to grant or deny such a permit.

Mr. McCARTHY. I agree with all those points, especially the first and fourth. I think the Executive should retain discretion to turn down these permits on grounds of public safety and sanitation, as I mentioned. I think it was a mistake for the Interior Department to grant a permit for Resurrection City. I mentioned that never until they left did they tie into the water and sewer lines. We all know Resurrection City was a sea of mud.

The fourth point is especially pertinent right now.

I certainly have confidence in the new administration, enough confidence to think it will be wise in exercising discretion as to granting of the permits. I do not want to tie the hands of the new President and his departments and just close the door to this.

I might say on that point, I will have an amendment to offer under the 5-minute rule which would restore to the Executive much of this power. Under Executive order it could waive the provisions of this bill if in his discretion he feels it would be wise.

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

Mr. McCARTHY. I yield to my distinguished colleague, the gentleman from New York (Mr. PIRNIE).

Mr. PIRNIE. Mr. Chairman, I thank the gentleman for yielding.

I also thank the gentleman for expressing greater confidence in the current administration than in the previous administration.

Mr. McCARTHY. I did not make that inference.

Mr. PIRNIE. If I understood the gentleman correctly, he said he did not agree with the granting of the permit to Resurrection City.

Mr. McCARTHY. Yes, that is what I said.

Mr. PIRNIE. So I do not assume he would grant it now, but apparently the gentleman has confidence that it would not now be granted by the administration for such a purpose.

Mr. McCARTHY. I think the Executive will judge each case on its merits, and he might grant it. As I say, I think it was a mistake in that case. I trust the Executive would have better judgment.

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

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

Mr. PIRNIE. Mr. Chairman, I am just calling attention to the restriction imposed with respect to overnight camping and living on the property which is involved here. The gentleman in the well has indicated very clearly that for sanitary and other reasons such use is inappropriate.

Mr. McCARTHY. Yes.

Mr. PIRNIE. When the Congress sees fit to establish in various areas so many standards on sanitation and improper conduct, does the gentleman see anything improper in doing it here with respect to an area over which we do have control?

Mr. McCARTHY. I do. I believe the administration should have the discretion. I mentioned some cases of cricket matches, where there are temporary structures. There are campers right now at Hains Point. This would throw them out. There could be no shelters for the President's Cup races.

What I am saying is there are cases and there are cases, and somebody down the street ought to have discretion to grant the permit or not. I do not think Congress should just come down and say "No." Then we would be also shutting off avenues of peaceful dissent.

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

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

Mr. PUCINSKI. Mr. Chairman, does the gentleman know whether or not the parks in Buffalo permit camping overnight?

Mr. McCARTHY. I do not know.

Mr. PUCINSKI. I think the gentleman would be interested to know that most communities in the country, including Chicago, with which I am very familiar, already have local ordinances barring sleeping in the parks overnight. As a matter of fact, one of the great problems we had during the ill-fated convention was that we had a city ordinance which barred sleeping in the parks overnight. This was a city ordinance which the mayor could not set aside.

People said we ought to let the young people sleep there. The mayor of Chicago very properly pointed out he could not set aside that ordinance.

We do have these ordinances in most communities over the country, so I do not know why we should have any different standard in the District of Columbia.

Mr. CRAMER. Mr. Chairman, I yield 4 minutes to the gentleman from New York (Mr. McEWEN).

Mr. McEWEN. Mr. Chairman, in rising in support of this legislation, I welcome the opportunity to commend my chairman for the consideration he saw this bill receive and my colleague from Florida, the author.

I would say to my dear friend and colleague from New York, who referred to this legislation as having been rushed through, that my recollection of the history of this legislation is it rather did not rush through our committee or to the floor of this House. I was one, Mr. Chairman, who joined with the distinguished gentleman from Florida, the distinguished gentleman from Iowa and others in introducing similar legislation over a year ago.

I commend both the gentleman from Florida, the sponsor of this bill, and our chairman, for continuing to consider and urge the enactment of this legislation. Rather than being rushed through the

committee, I would say to my colleague from New York, my recollection is that we had a bill similar to this reported by our committee, and then after the permit was issued on Resurrection City we amended that bill and put in a provision with regard to no renewals or extensions of permit, and that bill again was reported by our committee, and I believe given a rule by the Rules Committee. I do not know just where it was rushed to from that point.

We had hearings both last year and this year on this subject and on this specific legislation. I believe, rather than having been rushed through, it has been thoroughly and carefully considered.

To the best of my knowledge for nearly two centuries, Mr. Chairman, the people of this country have petitioned the Congress for redress of grievances, and not until 1968 had this gentleman ever heard anyone suggest that a corollary right of petitioning the Congress was to camp in, squat in, or sit in on any Federal property. I do not believe, Mr. Chairman, that any American felt his rights were abridged for nearly 200 years in not permitting camping in and sitting in on Federal property. I am sure under this bill after it is enacted, as I am confident it will be, no citizen will feel his rights have been abridged.

Finally, Mr. Chairman, I would just refer again to what either the chairman of our subcommittee or the gentleman from Florida (Mr. CRAMER) referred to, in respect to the Director of the Park Service, Mr. Hartzog, when he said, and I quote:

> I think that the Congress has the responsibility for setting the policy for public lands.

I am delighted that my colleague from New York has confidence in the present administration, but I share the view of Mr. Hartzog, the Director of our Park Service, that this is a proper area for Congress to set policy and that the executive need not be put in any position of feeling it has to yield to demands for any permit for this type of action.

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

Mr. McEWEN. I yield to my colleague from New York.

Mr. McCARTHY. I thought it was interesting yesterday that the distinguished chairman of the Rules Committee said that this would make the job of the administration a lot easier because they could simply say "We cannot give you a permit because the Congress said 'No'." I suppose in that sense it would help the new administration, but I would prefer to see some discretion left down there. These are the tough decisions they can make.

Mr. McEWEN. I would remind my colleague it was somewhat difficult in 1968 to pinpoint exactly where this decision was made. My colleague, I am sure, remembers that there was a five-man committee. The rollcall did not appear to have been of record as to just how the vote was made and who made it.

Our good friend, Mr. Castro, of the Park Service, had the privilege of being the director who signed the permit and had the pleasure of coming before the committee, but we do not exactly know who made the decision.

Mr. GRAY. Mr. Chairman, I yield such time as he may consume to a very valuable member of the Committee on Public Works, the gentleman from Oklahoma (Mr. EDMONDSON).

Mr. EDMONDSON. Mr. Chairman, I thank the gentleman for yielding.

I want to rise in support of this legislation. The gentleman from New York (Mr. McCARTHY) is far and away my favorite McCarthy in Washington, I will guarantee you that, but I think his statement that this has not been carefully considered legislation is not really supported by the record. Legislation along this line has been the subject of extensive hearings. As a matter of fact, two committees of this body have considered legislation along this line and hearings have been held both in the 90th Congress as well as in this Congress. I believe the product is a product that can be supported with confidence by the Members of this body on both sides of the aisle. I was a cosponsor of legislation similar to this in the House Committee on Interior and Insular Affairs in the last Congress. I believe either committee's approach would meet the problem we have right now, but one of them is certainly in the best interests of the country. I hope this legislation will be adopted by an overwhelming vote today.

I thank the gentleman for yielding to me.

Mr. CRAMER. Mr. Chairman, I yield 3 minutes to the gentleman from Iowa (Mr. KYL).

Mr. KYL. Mr. Chairman, the purpose of this legislation, as well as the bill which has been approved by the Committee on Interior and Insular Affairs, is primarily to guarantee general public access to all those areas which are dedicated to that purpose; and, secondarily, to protect these properties against unreasonable destruction.

Mr. Chairman, this is certainly not a new subject. Today, we have paid too much attention to specific motivations. We can note, for instance, that for very many years we have had similar problems of guaranteeing public access in areas across the Nation. We have had similar problems of administrative difficulty, others of which are being resolved right now. As an illustration, only today we have an announcement from the Department of the Interior that the Government, rather than private concessionnaires, will operate the campgrounds in national parks. This is only a part of the same general administrative problems we have. We cannot handle the business of managing our public use areas on a case-by-case basis. It is impossible to do so and still retain equity for all of the people of the country.

It is specious to argue that the Congress does not have the authority to do this. We have functioning a commission on public land laws which has gone thoroughly into the matter of administrative procedures and administrative authorities. There is no question concerning congressional prerogative. This measure which we seek to approve today, I repeat, is only a part of a very broad program. It is not motivated specifically by such things as a camp-in on the mall of the District of Columbia. We will have other problems of this nature from time to time as we try to protect the rights of the citizens generally to use the areas that are owned by the United States, and to use them under the same rules as apply to all other citizens of the United States. At the same time we must protect these values for the people of the future.

Mr. Chairman, we do have the authority to pass such a bill. This legislation is needed, because otherwise we have an administrative monstrosity. This legislation and the bill which has been approved by the Committee on Interior and Insular Affairs both should be approved by this session of Congress.

Mr. GRAY. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Missouri (Mr. RANDALL).

Mr. RANDALL. Mr. Chairman, I appreciate the gentleman yielding time to make a few comments.

Mr. Chairman, I rise in support of H.R. 1035, with the feeling that it is a step in the right direction but does not go far enough. Rather than taking time under the 5-minute rule, I shall point out now, that I had prepared an amendment which would have required an applicant for a permit to post a bond before the permit could be issued. I shall not introduce this amendment because there will be another bill coming along later, House Joint Resolution 247, which will be a better vehicle because it will have nationwide application.

I think this is the time to mention that at the beginning of this session I introduced H.R. 563 which does not take much calculation to figure out is a much lower numbered bill than H.R. 1035 by the gentleman from Florida which we are now considering today. Perhaps my measure was passed over by the Committee on Public Works because it was too restrictive. My measure provided a permit for the use of public-owned lands in the District of Columbia could be issued only with the approval of the House and Senate Committees on the District of Columbia by resolution. In another bill, H.R. 566 which I introduced there appeared the requirement that a bond must be posted in an amount sufficient to restore these lands to the original condition existing prior to their use for demonstrations.

I have noted that some of the previous speakers feel that H.R. 1035 would cut off the right of protest and even limit in some unexplained way the right of free speech.

My reply to these Members is that they should take time to witness the spectacle going on right over here on the center steps of the East front of the Capitol today. No one is interfering with that peaceful expression where some lady is reading the casualty lists of the war in Vietnam. That has been going on for several hours—but we do not want her to camp there all night or we do not want her to deface public property.

We have accomplished something by this bill which will hopefully be passed today. If we pass this legislation now we will not find ourselves again in the posi-

tion where we were last year with Resurrection City.

The memories of some of you may be too short to remember the barrage of mail which hit our offices in the summer of 1968. I for one do not want to go down that road again and ever experience another Resurrection City. Here in the District of Columbia are located some of our most sacred and hallowed monuments. Last year we had a mob that created a sort of instant slum area of temporary buildings right up against the reflecting pool in the very shadow of the Washington Monument. H.R. 1035 does prohibit the issuance of permits for camping, sleeping, sitting-in, or other overnight occupancy on any real property in the District of Columbia owned by the U.S. Government.

I am sure we have all heard our constituents coming here this year say, "It is so good to feel that once again we can visit our Nation's Capital. We hope a thing like Resurrection City will never happen again."

I understand that there is now pending a suit by the Department of Justice to try to recoup some of the losses which were suffered down at Resurrection City. The taxpayers should not have to pay the bill. But a better way of doing it rather than to have to file suit after damage has been inflicted is to require valid bond—a bond that has some collateral or surety back of it posted to stand good for the damage without the necessity of a lawsuit.

Mr. Chairman, I commend the gentleman from Illinois (Mr. GRAY) and the Committee on Public Works for going a part of the way. Maybe we can go the rest of the way to make the bond requirement mandatory when the House considers House Joint Resolution 247, which would have nationwide application rather than restricted to the District of Columbia as is true of H.R. 1035.

Mr. GRAY. Mr. Chairman, I yield such time as he may consume to the gentleman from North Carolina (Mr. FOUNTAIN).

Mr. FOUNTAIN. Mr. Chairman, I rise in support of H.R. 1035. It represents long-overdue legislation.

Mr. RYAN. Mr. Chairman, I believe that the bill before the House today, H.R. 1035, is unnecessary, unwise, and raises serious constitutional issues.

It would prohibit any officer or employee of the United States or of the District of Columbia from issuing a permit for "camping, sleeping, sitting in, or other overnight occupancy, or for constructing or erecting any temporary building or structure" upon property within the District of Columbia which is owned by or under the control of the U.S. Government or the government of the District of Columbia. In addition, the bill would require the posting of a bond by individuals or groups seeking to use such property for any purpose not prohibited by this legislation.

It is explicitly clear from the report of the committee on H.R. 1035 that this bill has been drafted specifically in response to the Poor People's Campaign of last year. It is both an attempt to prevent future use of federally owned land in the District of Columbia by groups like the Poor People's Campaign and an ex post facto reprimand of the decision of then Secretary of Interior Udall to grant the use of West Potomac Park to the campaign. By the admission of its sponsors, the bill is intended to make impossible the use of parks in the District for a future Resurrection City.

Contrary to the criticism implicit in this legislation, I believe that the Department of Interior and the National Park Service should be commended for their handling of the Poor People's Campaign. The granting of West Potomac Park to the campaign was, to my mind, an important demonstration of the right of the people—regardless of their economic status—to peacefully assemble and petition Congress, as is guaranteed in the Bill of Rights of the Constitution.

Would the sponsors of this resolution have preferred a confrontation between several thousand poor people and their thousands of supporters and the police over the use of public park land for their campaign to spur Congress to action—a confrontation that would inevitably have ended in violence? I think it is to the credit of the Department of Interior—and, we should not forget, to the flexibility it now possesses to administer these parks—that such a confrontation did not occur. This bill would deny the flexibility which an administration should have to deal with a variety of situations.

I am concerned about the possible threat to fundamental freedoms which this bill poses. The first amendment of the Bill of Rights states:

> Congress shall make no law . . . abridging . . . the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

Why should the national parks in the District, which are, after all, paid for and supported out of public moneys, not be available under reasonable regulations for peaceable assembly and the petition of Congress? There are already special regulations governing the use of the National Capital parks which provide a permit may be denied if "the event will present a clear and present danger to the public health and safety."—36 CFR 50.19C.

By prohibiting camping and the other activities cited, this bill really seeks to deprive American citizens of limited economic means of the opportunity to use land acquired and maintained by public funds as a place of assembly.

In effect, it sets a requirement for petitioning Congress; namely, that the petitioner be able to afford a hotel or motel room. It tells the poor that lobbying is acceptable if the lobbyist can pay his own way. But if he is poor and deprived and oppressed, if he does not have $15 or $20 per night for an air-conditioned Washington hotel or motel, he will be restricted in lobbying for laws necessary to meet his needs.

The chairman of the Subcommittee on Public Buildings and Grounds said during the course of hearings on this bill that—

> It is now clear that if this proposed legislation had been law last year we could have saved untold days of human suffering by hundreds of people who lived in mud and squalor and several millions of dollars in money." (Report on H.R. 1035, p. 3)

What the chairman failed to mention was that the people who were willing to live in the mud of Resurrection City—I do not believe they lived in squalor—have lived in mud and squalor all of their lives, and that that is precisely why they were in Washington to petition Congress for assistance.

It is regrettable that Congress does not take as compassionate a view of the day-to-day existence of the poor as it does of the conditions in which they lived during the course of their campaign to better their lives.

Requiring the posting of a bond as a condition for using federally owned land in the District for any purpose not prohibited by this legislation places a restriction upon the freedom of those with limited means to petition the Government for redress of grievances, since it bases the right to petition on the ability to post a bond. In this feature also, then, the bill raises serious constitutional problems.

During the past summers our Nation has witnessed "civil disorders" involving those for whom America—and more specifically, Congress—has failed to provide even the hope of sharing in our national abundance. Each time, as national leaders have decried the disorders, they have pointed to the existence of legitimate means of social protest in our democracy—those functioning mechanisms for redress of grievances which exist within the framework of our Government. Denying the use of National Capital parks to groups seeking to petition the Government for redress of grievances would close off an important avenue of legitimate protest, and, by so doing, increase the possibility of confrontation. In this sense the bill is counterproductive.

Instead of reacting by infringement of legitimate means of protest guaranteed under the Bill of Rights, Congress should attack the underlying conditions of want and hunger and enact meaningful legislation to eliminate poverty in this Nation. For the true tragedy is that the bill before us today, which would restrict the abiilty of the poor to present their case to Congress, is the only kind of response Congress seems capable of making to the urgent and legitimate needs of the poor of this country.

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

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

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) in the case of any real property within the District of Columbia which is owned by or under the control of the United States Government or the government of the District of Columbia, no officer or employee of the United States or of the District of Columbia shall issue a permit for or authorize or otherwise permit the use of (including any renewal or extension of any such permit, authorization, or permission) any such real property for camping, sleeping, sitting in, or other over-

night occupancy, or for constructing or erecting any temporary building, structure, or appurtenance to such property for any such activity or any similar activity.

(b) In issuing permits or in granting permission for any other use of such real property (including any renewal or extension of any such permit, authorization, or permission) any officer or employee of the United States or of the District of Columbia having power to issue a permit or to give such permission shall, where he has reason to believe that damage may occur, require that the applicant post a money or surety bond or furnish insurance, in an amount determined by such officer or employee to be reasonable, to indemnify or insure the United States for the cost of repairing any damage or restoring the premises to its condition immediately prior to such use and to save the United States harmless from any injury to property or persons caused by the applicants' use of such real property.

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

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

There was no objection.

COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Committee amendment: On page 2, line 2, strike out the comma and all that follows down through and including the period on line 4 and insert in lieu thereof the following: "or structure upon such property. Nothing in this Act shall be construed to prohibit any governmental activity."

AMENDMENT TO THE COMMITTEE AMENDMENT OFFERED BY MR. M'CARTHY

Mr. McCARTHY. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment to the committee amendment offered by Mr. McCARTHY: On page 2, line 4, insert immediately before the period the following: "providing that where special circumstances exist the President is authorized to waive the provisions of this section in order to carry out the purposes of this section."

Mr. McCARTHY. Mr. Chairman, this might be described as the President Nixon amendment. This is to give the President of the United States or his agents the discretion that I spoke of earlier. It simply provides that where special circumstances exist the President can waive the restrictions of this bill.

As mentioned before, this is a very stringent measure. This would cut off, for instance, spectator tents at the cricket games at Haines Point—and I might say that the whole bill to me is not cricket—it would prohibit camping now going on at Haines Point, shelters for the President Cup Races, and Boy Scout overnight camping.

Mr. Chairman, I believe that the public parks and public grounds in the District of Columbia could be utilized for such activities as I have just cited and that this meat-axe approach, this sharp cutoff of activities is not in the public interest.

I believe the discretion should be left with the President. In view of the wording of this bill, of course, this is cut off. Under my amendment he would retain at least some discretion so that where special circumstances in the view of the administration prevail, that the provisions of this proposed law could be waived.

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

Mr. GRAY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I shall be very brief. This proposed amendment would simply transfer the jurisdiction for issuing permits from the Secretary of the Interior to the President. There is no need to throw this monkey on the back of the President. We are elected Representatives, and we represent the people at this level, and it is our responsibility as lawmakers to serve the wishes of this country in setting public policy on our public buildings and grounds.

The gentleman from New York is merely transferring that responsibility from one Department over to the White House. If you are against camp-ins, sleep-ins, and the erection of temporary shanties in Washington, you will oppose the amendment offered by the gentleman from New York; if you want to allow such things then you would support his amendment. It is just that simple.

I ask that the amendment be rejected.

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

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

Mr. CRAMER. Mr. Chairman, I join the gentleman in opposition to the amendment for the reasons the gentleman has given for his opposition to the amendment, and for the numerous other reasons given in opposition to this amendment before.

In view of the effort to get consideration of this bill underway, I again join in the remarks made by the gentleman from Illinois in opposition to the amendment.

Mr. GRAY. I thank my distinguished friend from Florida.

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

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

Mr. BINGHAM. I thank the gentleman for yielding, and I wonder, Mr. Chairman, if I could address a question to the gentleman from Florida.

Do I understand from the opposition of the gentleman from Florida to the amendment that the gentleman does not have confidence in the President of the United States making sensible decisions in this regard?

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

Mr. GRAY. I yield to the gentleman.

Mr. CRAMER. The gentleman full well knows that I have ultimate confidence in the President—President Nixon—and I am delighted to see so many Members on the other side of the aisle expressing equal confidence, and in particular the gentlemen from New York (Mr. McCARTHY and Mr. BINGHAM). I hope that he will be President for 8 years. I have full confidence in him. I do not think anyone would argue that he is going to President in perpetuity.

But I would like to see this law on the books as it is and as voted out. It does not turn over to any President this discretion which properly places it at the administrative level for permits outside of the prohibited camping overnight occupancies and building of structures. Congress should mandate against these as this bill accomplishes.

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

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

Mr. BINGHAM. I thank the gentleman.

Mr. Chairman, I might say with all due respect to the gentleman from Florida that that was a fine speech. But I can only interpret his opposition to the amendment as a feeling that he cannot trust the President of the United States to do the sensible thing.

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

Mr. GRAY. I yield to the gentleman.

Mr. ASPINALL. Mr. Chairman, I do not want to engage in anything that has to do with a partisan approach to this particular matter.

After all, the public property of the United States comes under the jurisdiction of Congress. Let us keep that in mind. It is not under the jurisdiction of the executive department unless Congress so determines. It is up to the Congress of the United States to say where the administrative responsibility will lie. Let us keep that in mind so far as the Forest Service of the Department of Agriculture and the National Park Service and the Bureau of Land Management of the Department of the Interior.

This is the way it should be. It should not be placed with the President and the President should not have the authority to issue down a statement without publication of what he desires.

Mr. Chairman, I oppose the amendment.

Mr. GRAY. The distinguished gentleman from Colorado (Mr. ASPINALL), the chairman of the committee, makes a very important point and I appreciate the contribution he has made.

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

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

Mr. KYL. Mr. Chairman, I too do not want to engage in any kind of partisan discussion at this time. But whether you give this authority to the President or to the Secretary, the law ultimately is in the same hands. As a matter of fact, an important point to make here in debate is this, I do not think there is anyone in this body today who can tell who made the decision to give the permit which has been the subject to debate and discussion today. Apparently, there is no one who knows.

Mr. GRAY. The permit was issued by the Secretary of the Interior. But it was in consultation with about five other Government agencies. I would point out to my friend, the gentleman from Iowa, that what we are doing here is prohibiting any President whoever he may be,

the Secretary of Interior or anyone else from issuing a permit. We are trying to treat everyone equally.

Mr. BINGHAM. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I think the McCarthy amendment is a good one because it would take some of the sting out of this bill. But judging from the reaction of the Members, and especially of the distinguished chairman of the Committee on Interior and Insular Affairs, I do not expect that this amendment will pass.

So, now I would like to say a word about the bill itself. I think the Resurrection City operation was from many points of view an unfortunate one. My own view is that Reverend Abernethy himself recognized it as such before he got through. Certainly it did not work out the way he hoped it would. So, I do not expect such an operation would be repeated.

However, the passage of this bill without this amendment would be regarded around the country by the alienated and by the poor as simply another indication that they have no chance to be heard and it is going to be considered by them as a slap in the fact to their aspirations. I think it will contribute to a rise in the disturbances and the feelings of alienation.

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

Mr. BINGHAM. I yield to the gentleman.

Mr. McCARTHY. I am glad the gentleman has made that point. I think this is really a critical point—in other words, is this Congress really today in this difficult time going to slam the door in their face? That is the interpretation that is going to be placed on this legislation throughout the country—that we are taking this power away from the executive department—granted that it has been delegated as the distinguished chairman of the Interior Committee said—but it has been delegated. They have it now. So around the country they will say Congress is slamming the door on one avenue of peaceful dissent.

You can say all you want to about Resurrection City. Nonetheless, it was legal. They did get a permit and now we are saying, "You cannot get any permits to come to the Nation's Capital and utilize the facilities here to petition your elected representatives." I repeat. I don't believe it's wise for the House to pass this bill. The avenue should be left open. The discretion should be left with the White House and its appointed agency heads.

Congress should not say "No." I just do not think it is wise. The bill has been rushed through. It was considered in the Committee on Rules only yesterday. Here we have it on the floor, with only a handful of Members present on the floor today. It is a very important matter. It is going to be construed that Congress closes the door on legal and peaceful petition. It will play into the hands of extremists who advocate illegal disruption and even violent measures. I hope the amendment will prevail. It would take some of the edge off this unfortunate bill.

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

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

Mr. KYL. It is not my purpose to engage in any debate. I cannot speak for the Congress of the United States, but I can speak for myself. So far as I am concerned, these people who feel maligned should have the constructive rather than the negative view, because what I intend to say to these people today is this: You have a perfect right to use all the public lands of the United States every day of the year exactly in the same fashion which is afforded every other citizen. That, and only that is the intention that I put in this legislation.

Mr. BINGHAM. I thank the gentleman for his contribution. My point is, How is it going to be interpreted among the alienated and the unfortunate of this land?

Mr. WRIGHT. Mr. Chairman, I rise in opposition to the amendment.

Let us be abundantly clear about what we are doing. This bill is not a slap in the face of any group. This bill is not aimed at any particular group. This bill is aimed at fairness to all Americans. It treats all Americans and all political groups, present and future, exactly the same. This bill is aimed to guarantee that every American has the same right and that no political group will be given privileges which may be denied to other groups. The purpose of this bill is to see that the President and his appointees are not forced to face the untenable responsibility of deciding which Americans get a certain right and which Americans do not get that same right.

It is altogether possible that a mistake may have been made, not under the present administration, but under the previous administration, in granting a permit to one group to use Federal properties for the purpose of making a big and prolonged public demonstration in mass numbers in an attempt to overwhelm and impress the U.S. Congress with the rightness of its cause. But I am not here to argue that point. All I say is that the precedent has opened a Pandora's box of clearly foreseeable problems.

I take the position that the Congress of the United States does not have to be overpowered by vast physical numbers to listen to the dispossessed. I think my voting record is pretty clear with respect to the dispossessed, the disadvantaged, the disinherited of our land. They are welcome in my office at any time. They are welcome in my home, and many have been there. They have behaved in my presence with decency and dignity, and I have treated them with courtesy. They are welcome to talk with me as a Member of Congress anywhere, and I will recognize them. I will speak to them and I will listen to them. I will treat them as all other American citizens are treated by me. I try to treat all Americans alike. I like to think that most Members of Congress do.

But I do not want the President—any President—to have the responsibility of saying, "Yes, this political group can use the public properties to try to bring pressure on Congress and, no, that political group cannot." I do not want to embarrass the President by putting that wholly untenable responsibility on his shoulders. It is not a question of my confidence in the judgment of a President. It is a question of what is fair and what is not. The present occupant of the White House is not a member of my party, but he is my President. I do not want him embarrassed. I do not want any President of the United States confronted with this onerous choice. I do not think that the average Member of the House wishes to embarrass any President by putting him on the spot in which the McCarthy amendment would place him.

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

Mr. WRIGHT. I did not ask the gentleman from New York to yield to me, but I will be glad to yield to him if he will get me some additional time if is needed to say what I want to say.

Mr. BINGHAM. I will be glad to ask for more time for the gentleman. I would just like to ask the gentleman this question. I have the highest regard for him, as he knows. But does not the President now have to decide whom he will receive in his office, and will he not have to continue to decide whom he will receive in his office? Is this not a question that is of just as great moment, if not greater moment, than the question of who can get a permit to camp on the Capitol Grounds or the Washington, D.C., grounds?

Mr. WRIGHT. I would respond to that question by saying, of course, the President has the responsibility of determining with whom he will share his limited personal time. I know of no way to relieve him of that responsibility. As a servant of the people, he is entitled and required to exercise that responsibility. But this is an entirely different matter.

It is one thing to give a group an appointment in your office or to meet with them at a place of their choice. It is quite another thing to grant to several thousand people the privilege of camping over a long period on public property and staging parades and mass demonstrations to impress Congress. It is another thing entirely to expect the President to decide which political groups get these special privileges and which do not. Having once granted a permit to one group, how can the President or the Secretary of the Interior then consistently say "No," to another group? This is not a bill aimed at any group.

As to the dispossessed and the disenchanted to whom the gentleman from New York earlier referred, I will match my record with that of the gentleman from New York or any other Member of this House. I am anxious to know their condition. I have visited in many of their neighborhoods and homes. They do not have to come to Washington and live in tents to show me their plight. I have consistently supported legislation to relieve their burdens. Those people are welcome to my office, and I want the world to know it.

But I do not want the President or anyone else to have to decide that one group can and one group cannot come

in numbers and camp on public property and try to bring mass influence or group pressure on the White House or the Congress of the United States.

Mr. Chairman, I ask the Members to vote against the amendment.

Mr. MIKVA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I listened with interest to the gentleman from Texas, because I think his statement about the issue that is being made in this bill ought to be well taken. If in fact we were making a measured response to an unmeasured activity, I think we would be doing what Congress ought to do.

What troubles me—and I am not a member of the committee that brings this bill to the floor and I do not know how much consideration was given to it—in looking at the language of the bill and listening to the debate about it, is that this is an unmeasured response to an unmeasured activity. I suggest we are attempting to overpower the overpowering; I cannot see how a distinguished body like the House of Representatives of the United States would take a measure which says we will see to it in the future that the Executive is not saddled with the responsibility of having to decide which group will get a permit and which group will not; which says that we will not saddle the Executive with permitting overnight sleeping in facilities that are not geared for overnight sleeping; but instead of meeting that with a measured response, they come up with a bill which goes anywhere a member of the committee wants it to go.

I respectfully call attention of the gentleman from Texas to page 2 of the bill—and unless the language goes beyond the normal confines of the language—that wording makes it clear that every lease the District of Columbia has entered into for public housing apartments is declared invalid by this bill. I would refer Members to the language of the bill and the language of the report. I respectfully call the attention of the gentleman from Texas to the proposition, if one reads lines 1 and 2 of page 2 of the bill, that if in fact someone is sleeping—not overnight—just sleeping around the Washington Monument, technically he is in violation of this bill.

I have no doubt there is not a member of the committee responsible for the bill that intended any of those things. What I am suggesting is that because there were a lot of indignities out at Resurrection City and because a lot of people were indignant over that episode, we are coming up with a shotgun to meet a problem that requires a much more delicate approach to it than this bill.

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

Mr. MIKVA. I yield to the gentleman from Kentucky.

Mr. SNYDER. Mr. Chairman, I call attention to the fact that the leases are with the National Capital Housing Authority and not with the District government. That is true across the country. It is not the District government. It is a quasi-governmental corporation separate and distinct from the government itself. It is usually called the Housing commission in most places, but here it is the National Capital Housing Corporation.

Mr. MIKVA. The gentleman is not suggesting it is not a part of the District of Columbia government?

Mr. SNYDER. I am suggesting it is a separate corporation.

Mr. MIKVA. It is not a part of the District of Columbia government, then?

Mr. SNYDER. It is a separate quasi-governmental corporation, it is a separate corporation with its own officers and directors, and it is not the District of Columbia itself entering into the leases.

Mr. MIKVA. With all due deference to the gentleman, I suggest it was not the intention to cover these. The language on pages 1 and 2 is a clear case of overreach and overkill.

Mr. SNYDER. I am sure the gentleman is a good lawyer.

Mr. MEEDS. Mr. Chairman, I must regretfully vote against H.R. 1035, a bill to limit for demonstration purposes the Federal property in the District of Columbia.

I believe that our parks and public areas in Washington, D.C., should be free from overnight camp-ins, sit-ins, and from temporary buildings. For this reason I support section (a) of H.R. 1035. It would ban all groups from occupying the Capital in this fashion, thus removing from administrative officials the burdensome task of deciding which group should be allowed to use the grounds for these purposes.

But my objection to section (b) of the measure is fundamental and is resolute.

In our present law-and-order climate we ought not let turbulent emotions violate the supreme law of the United States, our Constitution. My opposition to section (b) is that of a Congressman who has sworn to protect and defend the Constitution.

Section (b) requires that if any group applies for a permit to use, lawfully, public property in the District, the administrative official must require that group to post a bond if he feels there is a possibility that damage may occur.

The size of the bond would depend entirely on the official's judgment of the situation. There are no standards prescribed in this bill to determine the danger of harm to the property and no standards to estimate what damage might occur.

In my view, such a requirement for a bond offers a classic example of prior restraint of the rights guaranteed by the first amendment to the Constitution. The bill makes free speech and peaceable assembly subservient to payment of a fee.

Section (b) of H.R. 1035, in my opinion, is therefore too vague and too restrictive to pass the test of constitutionality.

Mr. Chairman, if the distinguished Members of the Senate can amend this bill to meet my objections, then I will gladly support it on the final vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. McCARTHY) to the committee amendment.

The amendment to the committee amendment was rejected.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: On page 2, immediately after line 20, insert the following new subsection:

"(c) Any permit, authority, or other permission (including any renewal or extension of such a permit, authority, or permission) in effect on the date of enactment of this section which could not be issued or given after such date except in accordance with this section is hereby revoked."

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. FLYNT, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1035) limiting the use for demonstration purposes of any federally owned property in the District of Columbia, requiring the posting of a bond, and for other purposes, pursuant to House Resolution 436, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed, and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. FRELINGHUYSEN

Mr. FRELINGHUYSEN. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. FRELINGHUYSEN. I am, in its present form, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. FRELINGHUYSEN moves to recommit the bill, H.R. 1035, to the Committee on Public Works.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

Mr. GRAY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 327, nays 51, not voting 54, as follows:

[Roll No. 80]

YEAS—327

Abbitt	Flood	Michel
Abernethy	Flowers	Miller, Calif.
Adair	Flynt	Miller, Ohio
Addabbo	Ford, Gerald R.	Minish
Albert	Ford, William D.	Minshall
Alexander	Foreman	Mize
Anderson, Calif.	Fountain	Mizell
Anderson, Ill.	Frey	Mollohan
Andrews, Ala.	Friedel	Monagan
Andrews, N. Dak.	Fulton, Pa.	Montgomery
Annunzio	Fulton, Tenn.	Morgan
Arends	Fuqua	Morton
Aspinall	Galifianakis	Mosher
Baring	Gallagher	Moss
Beall, Md.	Garmatz	Murphy, Ill.
Belcher	Gaydos	Myers
Bell, Calif.	Gonzalez	Natcher
Bennett	Goodling	Nedzi
Berry	Gray	Nelsen
Betts	Green, Oreg.	Nichols
Bevill	Griffin	O'Neal, Ga.
Biester	Griffiths	Passman
Blackburn	Gross	Patten
Blanton	Grover	Pepper
Blatnik	Gubser	Perkins
Boggs	Gude	Pettis
Bow	Hagan	Philbin
Brademas	Haley	Pickle
Bray	Hall	Pike
Brinkley	Halpern	Pirnie
Brock	Hamilton	Poage
Brooks	Hammer-schmidt	Poff
Broomfield	Hanley	Pollock
Brotzman	Hanna	Preyer, N.C.
Brown, Mich.	Hansen, Idaho	Price, Ill.
Brown, Ohio	Hansen, Wash.	Price, Tex.
Broyhill, N.C.	Harsha	Pucinski
Broyhill, Va.	Harvey	Purcell
Buchanan	Hastings	Quie
Burke, Fla.	Hechler, W. Va.	Quillen
Burke, Mass.	Helstoski	Railsback
Burleson, Tex.	Henderson	Rarick
Burlison, Mo.	Hicks	Randall
Bush	Hogan	Reid, Ill.
Button	Holifield	Reifel
Byrnes, Wis.	Horton	Rhodes
Cabell	Hosmer	Riegle
Caffery	Howard	Rivers
Camp	Hull	Roberts
Carter	Hungate	Robison
Casey	Hunt	Rodino
Cederberg	Hutchinson	Rogers, Colo.
Chamberlain	Ichord	Rogers, Fla.
Clancy	Jacobs	Rooney, N.Y.
Clark	Jarman	Rooney, Pa.
Clausen, Don H.	Joelson	Rostenkowski
Clawson, Del	Johnson, Calif.	Roth
Cleveland	Johnson, Pa.	Roudebush
Collins	Jonas	Ruppe
Colmer	Jones, Ala.	Ruth
Conable	Jones, N.C.	Sandman
Conte	Jones, Tenn.	Satterfield
Corbett	Kazen	Saylor
Coughlin	Keith	Schadeberg
Cowger	King	Scherle
Cramer	Kleppe	Schneebeli
Daniel, Va.	Kluczynski	Scott
Daniels, N.J.	Kyl	Sebelius
Davis, Ga.	Landgrebe	Shipley
Davis, Wis.	Landrum	Shriver
de la Garza	Langen	Sikes
Delaney	Latta	Sisk
Dellenback	Lipscomb	Skubitz
Denney	Lloyd	Slack
Dennis	Long, La.	Smith, Calif.
Dent	Long, Md.	Smith, Iowa
Derwinski	Lujan	Snyder
Devine	Lukens	Stafford
Dickinson	McClory	Staggers
Dingell	McCloskey	Steed
Donohue	McClure	Steiger, Ariz.
Dorn	McCulloch	Steiger, Wis.
Dowdy	McDade	Stephens
Downing	McDonald, Mich.	Stratton
Dulski	McEwen	Stubblefield
Duncan	McFall	Symington
Edmondson	McKneally	Talcott
Edwards, Ala.	McMillan	Taylor
Edwards, La.	Macdonald, Mass.	Teague, Calif.
Eilberg	MacGregor	Teague, Tex.
Erlenborn	Madden	Thompson, Ga.
Esch	Mahon	Thomson, Wis.
Eshleman	Mailliard	Tiernan
Evans, Colo.	Marsh	Udall
Evins, Tenn.	Martin	Ullman
Fallon	Mathias	Utt
Fascell	May	Van Deerlin
Feighan	Mayne	Vander Jagt
Findley	Meskill	Vanik
Fisher	Minish	Vigorito
Flood	Mink	Waggonner
Flowers	Mitchell	Waldie
Flynt	Monagan	Wampler
Ford, Gerald R.	Moorhead	Watkins
Ford, William D.	Morgan	Watson
Foreman	Morse	Watts
Fountain	Morton	Weicker
Frey	Mosher	Whalen
Friedel	Moss	Whalley
Fulton, Pa.	Murphy, Ill.	White
Fulton, Tenn.	Murphy, N.Y.	Whitehurst
Fuqua	Myers	Whitten
Galifianakis	Natcher	Wiggins
Gallagher	Nedzi	Williams
Garmatz	Nelsen	Wilson, Bob
Gaydos	Nichols	Winn
Gonzalez	O'Hara	Wolff
Goodling	O'Neal, Ga.	Wright
Gray	Obey	Wyatt
Green, Oreg.	O'Hara	Wydler
Griffin	O'Neill, Mass.	Wylie
Griffiths	Olsen	Wyman
Gross	Ottinger	Yatron
Grover	Passman	Young
Gubser	Patten	Zablocki
Gude	Pepper	Zion
Hagan	Perkins	Zwach
Haley	Pettis	
Hall	Philbin	
Halpern	Pickle	
Hamilton	Pike	
Hammer-schmidt	Pirnie	
Hanley	Poage	
Hanna	Poff	
Hansen, Idaho	Pollock	
Hansen, Wash.	Preyer, N.C.	
Harsha	Price, Ill.	
Harvey	Price, Tex.	
Hastings	Pucinski	
Hechler, W. Va.	Purcell	
Helstoski	Quie	
Henderson	Quillen	
Hicks	Railsback	
Hogan	Rarick	
Holifield	Randall	
Horton	Reid, Ill.	
Hosmer	Reifel	
Howard	Rhodes	
Hull	Riegle	
Hungate	Rivers	
Hunt	Roberts	
Hutchinson	Robison	
Ichord	Rodino	
Jacobs	Rogers, Colo.	
Jarman	Rogers, Fla.	
Joelson	Rooney, N.Y.	
Johnson, Calif.	Rooney, Pa.	
Johnson, Pa.	Rostenkowski	
Jonas	Roth	
Jones, Ala.	Roudebush	
Jones, N.C.	Ruppe	
Jones, Tenn.	Ruth	
Kazen	Sandman	
Keith	Satterfield	
King	Saylor	
Kleppe	Schadeberg	
Kluczynski	Scherle	
Kyl	Schneebeli	
Landgrebe	Scott	
Landrum	Sebelius	
Langen	Shipley	
Latta	Shriver	
Lipscomb	Sikes	
Lloyd	Sisk	
Long, La.	Skubitz	
Long, Md.	Slack	
Lujan	Smith, Calif.	
Lukens	Smith, Iowa	
McClory	Snyder	
McCloskey	Stafford	
McClure	Staggers	
McCulloch	Steed	
McDade	Steiger, Ariz.	
McDonald, Mich.	Steiger, Wis.	
McEwen	Stephens	
McFall	Stratton	
McKneally	Stubblefield	
McMillan	Symington	
Macdonald, Mass.	Talcott	
MacGregor	Taylor	
Madden	Teague, Calif.	
Mahon	Teague, Tex.	
Mailliard	Thompson, Ga.	
Marsh	Thomson, Wis.	
Martin	Tiernan	
Mathias	Udall	
May	Ullman	
Mayne	Utt	
Meskill	Van Deerlin	
Michel	Vander Jagt	
Miller, Calif.	Vanik	
Miller, Ohio	Vigorito	
Minish	Waggonner	
Minshall	Waldie	
Mize	Wampler	
Mizell	Watkins	
Mollohan	Watson	
Monagan	Watts	
Montgomery	Weicker	
Morgan	Whalen	
Morton	Whalley	
Mosher	White	
Moss	Whitehurst	
Murphy, Ill.	Whitten	
Myers	Wiggins	
Natcher	Williams	
Nedzi	Wilson, Bob	
Nelsen	Winn	
Nichols	Wolff	
O'Neal, Ga.	Wright	
Passman	Wyatt	
Patten	Wydler	
Pepper		
Perkins		
Pettis		
Philbin		
Pickle		
Pike		
Pirnie		
Poage		
Poff		
Pollock		
Preyer, N.C.		
Price, Ill.		
Price, Tex.		
Pucinski		
Purcell		
Quie		
Quillen		
Railsback		
Rarick		
Randall		
Reid, Ill.		
Reifel		
Rhodes		
Riegle		
Rivers		
Roberts		
Robison		
Rodino		
Rogers, Colo.		
Rogers, Fla.		
Rooney, N.Y.		
Rooney, Pa.		
Rostenkowski		
Roth		
Roudebush		
Ruppe		
Ruth		
Sandman		
Satterfield		
Saylor		
Schadeberg		
Scherle		
Schneebeli		
Scott		
Sebelius		
Shipley		
Shriver		
Sikes		
Sisk		
Skubitz		
Slack		
Smith, Calif.		
Smith, Iowa		
Snyder		
Stafford		
Staggers		
Steed		
Steiger, Ariz.		
Steiger, Wis.		
Stephens		
Stratton		
Stubblefield		
Symington		
Talcott		
Taylor		
Teague, Calif.		
Teague, Tex.		
Thompson, Ga.		
Thomson, Wis.		
Tiernan		
Udall		
Ullman		
Utt		
Van Deerlin		
Vander Jagt		
Vanik		
Vigorito		
Waggonner		
Waldie		

NAYS—51

Adams	Foley	Obey
Ashley	Fraser	O'Hara
Barrett	Frelinghuysen	Olsen
Biaggi	Green, Pa.	O'Neill, Mass.
Bingham	Hathaway	Ottinger
Brown, Calif.	Hawkins	Podell
Burton, Calif.	Heckler, Mass.	Rees
Byrne, Pa.	Karth	Reid, N.Y.
Cahill	Kastenmeier	Reuss
Cohelan	Koch	Rosenthal
Conyers	McCarthy	Roybal
Corman	Meeds	Ryan
Culver	Mikva	St Germain
Daddario	Mink	St. Onge
Diggs	Moorhead	Stokes
Eckhardt	Morse	Taft
Farbstein	Nix	Yates

NOT VOTING—54

Anderson, Tenn.	Fish	O'Konski
Ashbrook	Gettys	Patman
Ayres	Giaimo	Pelly
Bates	Gibbons	Powell
Boland	Gilbert	Pryor, Ark.
Bolling	Goldwater	Ronan
Brasco	Hays	Scheuer
Burton, Utah	Hébert	Smith, N.Y.
Carey	Kee	Springer
Celler	Kirwan	Stanton
Chappell	Kuykendall	Stuckey
Chisholm	Kyros	Sullivan
Clay	Leggett	Thompson, N.J.
Collier	Lennon	Tunney
Cunningham	Lowenstein	Widnall
Dawson	Mann	Wilson, Charles H.
Dwyer	Matsunaga	Wold
Edwards, Calif.	Mills	
	Murphy, N.Y.	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Chappell for, with Mr. Lowenstein, against.

Mr. Hébert for, with Mr. Edwards of California against.

Mrs. Sullivan for, with Mr. Clay against.

Mr. Gettys for, with Mr. Scheuer against.

Mr. Rowan for, with Mr. Powell against.

Mr. Kirwan for, with Mr. Dawson against.

Mr. Widnall for, with Mrs. Chisholm, against.

Until further notice:

Mr. Celler with Mrs. Dwyer.

Mr. Brasco with Mr. Smith of New York.

Mr. Carey with Mr. Fish.

Mr. Murphy of New York with Mr. Bates.

Mr. Mills with Mr. Collier.

Mr. Lennon with Mr. Kuykendall.

Mr. Charles H. Wilson with Mr. Springer.

Mr. Thompson of New Jersey with Mr. Ayres.

Mr. Boland with Mr. Stanton.

Mr. Anderson of Tennessee with Mr. Ashbrook.

Mr. Gilbert with Mr. O'Konski.

Mr. Giaimo with Mr. Wold.

Mr. Hays with Mr. Pelly.

Mr. Gibbons with Mr. Kee.

Mr. Patman with Mr. Cunningham.

Mr. Leggett with Mr. Goldwater.

Mr. Kyros with Mr. Stuckey.

Mr. Tunney with Mr. Burton of Utah.

Mr. Matsunaga with Mr. Mann.

Mr. ST GERMAIN changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The title was amended so as to read: "A bill limiting the use of publicly owned or controlled property in the District of Columbia, requiring the posting of a bond for the use of such property, and for other purposes."

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. GRAY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill H.R. 1035, just passed.

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

There was no objection.

LEGISLATIVE PROGRAM FOR REMAINDER OF THE WEEK

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

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

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

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

Mr. ALBERT. Mr. Speaker, we are not going to take up the bill—as a matter of fact, we do not have a rule on the bill—announced yesterday for tomorrow. We will have a legislative program for next week announced tomorrow.

The only business tomorrow will be the Flag Day ceremonies.

Mr. GERALD R. FORD. I thank the distinguished majority leader.

SECOND ANNUAL REPORT OF THE NATIONAL ADVISORY COUNCIL ON ECONOMIC OPPORTUNITY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91–129)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Education and Labor and ordered to be printed with illustrations:

To the Congress of the United States:

I transmit herewith the Second Annual Report of the National Advisory Council on Economic Opportunity.

RICHARD NIXON.

THE WHITE HOUSE, *June 11, 1969.*

INTEREST RATES MUST BE ROLLED BACK

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

Mr. WRIGHT. Mr. Speaker, the rapidly snowballing rise in interest rates is threatening to cause a major economic mountain slide which could take much of the national economy with it into a severe economic recession.

Major banks throughout the country raised the prime interest rate to a new record high of 8½ percent on Monday.

This increase in the prime rate—the interest charged by commercial banks on loans to their biggest and best customers—was the fifth increase since last December.

The amount of this increase, a full percentage point above the 7½-percent rate that had prevailed since March, is the largest in the recent period. It dramatically demonstrates the almost irreversible momentum that is threatening a runaway spiral in the cost of credit.

Three of the earlier recent increases have been for a quarter of a percentage point, and one had been for one-half point.

Unless something is done very rapidly, this alarming trend can send shock waves throughout the entire economy. Reacting to this rate increase, stock prices began dropping alarmingly.

What happens to the prime rate, of course, has an effect on all other interest charges—those on personal loans, automobile loans, home loans, even on the price of all sorts of things America's consumers must buy on credit. When the prime rate increases, other interest rates typically scale upward. In a number of States, interest rates already have hit the legal antiusury ceilings. Other devices such as discount fees, are then deceptively employed to get around the law.

A friend of mine recently sold a home valued at $12,000. After many years of payments, he only owed some $4,000 on the remainder of the note. But he discovered to his shocked amazement that he had to pay $1,200 out of his pocket in order to get the loan company to finance the sale of his house to the new buyer. Escalating credit costs had surreptitiously robbed him of $1,200 of his hard-earned equity.

This was because of the discount rate, a fee assessed by mortgage companies to handle a loan when higher interests cannot be charged. The law forbids charging it to either the buyer or the builder, so it is pushed off on the seller.

Everyone knows the critical need in this country for low-cost housing. But these high interest rates are drying up the market, choking off the construction of new houses, and enormously increasing the cost of all housing.

The hard money policy not only has devoured the total savings of many who must sell their homes. It has brutally victimized families who are trying to buy homes.

The increases which have come into effect in just the last few months have raised the amount which an average family must pay to amortize a $10,000 home by some $4,000. And a $20,000 home typically will cost the purchaser some $8,000 more before he gets it paid for—just in higher interest rates.

High interest is a hidden hand in the pocket of almost every American consumer. Unnaturally high interest rates are sapping away more and more of the average family's paycheck every month. And when the consumer is hurt, business is hurt.

Some of the administration's economists have defended higher interest charges as a curb against inflation. But actually it is like pouring gasoline on a fire. The four most recent raises in interest charges since last December, certainly have not curbed the cost of living. They have added to it.

Last Friday Arthur F. Burns, President Nixon's chief adviser on domestic affairs, warned that "a further rise in interest rates would be a serious threat to the continuance of our prosperity." He predicted that it could bring about "a credit crunch followed by a business recession."

This matter is assuming the proportions of a major crisis, Mr. Speaker. The administration should act immediately to use all the powers of administrative government to begin a systematic rollback of the interest rate structure all along the line. Delay could be disastrous.

I am calling upon the President and his Council of Economic Advisers to begin a systematic and determined effort, through the Federal Reserve and other Federal agencies such as FHA and the Veterans' Administration, to set a timetable of systematic and orderly reductions in interest rate charges and allowable discount and rediscount rates.

The situation has reached a point where only the Government can act effectively. It should begin action now. Perhaps a patterned reduction in all federally recognized interest charges, at the rate of one-half percent every 6 months, could provide the leverage necessary to reverse this extremely dangerous trend.

The time for action is here, and that action can come only from a concerted plan executed by the administrative branch of Government.

PENDING LEGISLATION RELATING TO CAMPUS DIFFICULTIES

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

Mr. DENT. Mr. Speaker, I sometimes wonder which is worse—an oppressive majority, or an intolerant minority.

Our Committee on Education and Labor is going through the same kind of intolerance that has been visited upon many of the college campuses by a minority of the students. Above the noise of the campus revolts and riots, there has been a quiet but determined voice of the decent citizens of this country asking that Congress do something about this situation.

The gentlewoman from Oregon (Mrs. GREEN) has taken a great deal of personal abuse from some members of her committee and from some editorial writers, who have—either deliberately or through ignorance of the facts—portrayed her efforts to bring some sanity to the situation as being oppressive.

The legislation we are considering will do two things.

It will restate the position of the House on section 504 of the Higher Education Act, which this Congress passed last year, giving the administrations of the colleges and universities of higher learning the right to take away from any student convicted by a court or judged by that administration to be in violation of the rules of the institution the moneys the student is receiving through the student loan provisions of legislative enactments.

We go further and we say to the administrators of these colleges that before they can receive any of the $3.5 billion of taxpayers moneys funneled to the institutions of higher learning in this country they must submit a plan to the Department of Public Instruction or HEW setting up a method of operation in the case of violence, setting up a program of rapport as between the students and the faculty and administrators. This plan is not subject to veto or amendment by any department or bureau of the Government. Any rules and regulations must be set by the administration of the institutions without prompting or pressures from the Government.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

PENDING LEGISLATION RELATING TO CAMPUS DIFFICULTIES

(Mrs. GREEN of Oregon asked and was given permission to address the House for 1 minute.)

Mr. DENT. Mr. Speaker, will the gentlewoman yield?

Mrs. GREEN of Oregon. I yield to the gentleman from Pennsylvania.

Mr. DENT. I thank the gentlewoman for yielding.

The reason I wanted some additional time was to call to the attention of the House that what has been reported in the daily newspapers, and particularly the Washington Post and the New York Times, is not in the bill itself.

I know that we honor, and I fight for, as all Members do, freedom of the press. But I cannot find anywhere where the freedom to lie is included in that freedom.

Mrs. GREEN of Oregon. Mr. Speaker, at the conclusion of the meeting this morning of the Education Committee two young students came up to me and identified themselves, and they said:

> From the reports we had read of the bill which the committee was considering we thought it was the worst legislation possible, oppressive and punitive, but after we have read the bill and after we have listened to the discussion we think this is the most reasonable piece of legislation we have seen come out of any legislative body.

Mr. Speaker, I relate this incident merely to say to my colleagues that this afternoon I am going to make a detailed analysis of the bill, and I will circulate it to the various offices.

I am sure that from some of the press reports Members of the House would have a real concern about what is in this legislation. I think they should know the facts. I think they should know what some of us on the committee are trying to do. We have taken every possible means to write legislation that would be fair, which would preserve the autonomy and independence of the universities and preserve academic freedom and yet offer some help in meeting the disturbances and riots that we see in increasing numbers on our college campuses. So all I am asking, Mr. Speaker, is that the Members of the House read the legislation itself. It is bipartisan in nature. Certainly peo-

ple on both sides of the aisle have made valuable contributions in the drafting of the legislation. While the tyranny of the minority which we saw this morning may work for a short time, I am sure the majority opinion will prevail in the long run and we will make the decisions on what is fair and just and in the best interests of the country.

ANOTHER FISCAL DISASTER

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

Mr. PODELL. Mr. Speaker, evidence accumulates daily of the most damning sort proving again and again that masses of dollars are being drained from the Treasury to support boondoggles. Overruns on Government contracts will result in Government bankruptcy if allowed to continue. The evidence is absolutely shameful. To be sure many civilian contracts are almost as bad as several military ones which have been revealed.

Added to the M–16 rifle, main battle tank, Cheyenne helicopter, TFX, and the C5–A is a new cost overrun. Now it is estimated that costs of the Minuteman II missile have soared by nearly $4 billion. This is a figure twice the amount of cost overruns on the C5–A. Of course the Air Force disputes this, saying that the cost overrun here was only half that. Interesting to note their reply. It is like excusing an illegitimate child because it is only a small one.

Mr. Speaker, nothing could be a more eloquent argument on behalf of fiscal responsibility than these fresh, stunning revelations. How appalling that the Air Force did not enforce the contract. How unbelievable that this contract was not terminated or massive penalties imposed upon all major contracting companies responsible.

Congress is not being informed. Agencies are hiding what they are doing with funds we appropriate. Taxpayers dollars are practically being thrown away by the bushel.

Mr. Speaker, this is intolerable and will be laid at the door of the Congress if we allow these activities to continue unchecked. It is imperative that Congress have a watchdog over moneys it appropriates to ensure that national wealth is being spent wisely. My measure, the Government Contract Scrutiny Act of 1969, would make the General Accounting Office a congressional watchdog on a full time automatic basis. Any Government contract, military or civilian, would be subject to automatic audit and public report to Congress before the end of the fiscal year if its costs exceed 10 percent of the agreed-upon contract price or there is late delivery. The General Accounting Office's past activities have been most laudable, and I believe the General Accounting Office deserves such a role. Congress would then have an agency responsive to its wishes as the Bureau of the Budget is to the executive branch of Government today. As of this morning, 155 Members of Congress have joined in sponsoring this measure. It is time we imposed fiscal restraints on this lunatic spiral. A time for action has arrived. I invite all Members of Congress to join with me in sponsoring this needed legislation.

PRAISE FOR REPRESENTATIVE RICHARD POFF

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

Mr. WAMPLER. Mr. Speaker, I would like to submit for reprinting in the CONGRESSIONAL RECORD the commencement address delivered by Representative POFF at Roanoke College in Salem, Va., on June 1, 1969. His daughter Rebecca was a member of the graduating class, and Representative POFF was awarded an honorary doctor of laws degree.

Representative POFF has practiced law since 1948, and was chairman of the House Republican task force on crime during the 90th Congress. Presently he is the second-ranking Republican member on the House Judiciary Committee, and vice chairman of the Presidential Commission on Reform and Revision of Federal Criminal Statutes.

I think Representative POFF's outstanding address at Roanoke College will further testify to his knowledge and understanding of the phenomenon of lawlessness.

The address follows:

SPEECH OF HON. RICHARD H. POFF, ROANOKE COLLEGE COMMENCEMENT, JUNE 1, 1969

I want to invite you to consider with me the question of dissent and conflict in our American society.

This will not be a lecture on campus disorders. On this subject, I share the concerns of all thoughtful people. I want to see no university shut down. But neither do I want to see any peaceful dissenter shut up or any academic freedom shut out. I know that academic freedom is not always the real goal, and dissent is not always peaceful. In such cases, the rights of the majority of students must be protected against the wrongs of the minority. But let us not become preoccupied with the symptoms of the problem to the neglect of the causes. In my judgment, the attitudes and behavior, the policies and non-policies of adults are among the chief causes of student unrest. Young people simply feel over-powered, over-patronized and over-protected by the older generation; over-powered because we compel them to act or forbid them to act but seldom ask them to participate; over-patronized because we condescendingly listen to their opinions but seldom really hear them or accept them; and over-protected because we try to buy them; make them over in our own image and pre-package their futures, completely smothering their own inspiration and aspiration. Then, when a militant minority exploits what we have done or left undone, we wonder how it all happened and cast about for a scapegoat to blame.

Neither will this commencement address be an indictment of dissent. Those who challenge the norm and question the customary should not be stigmatized. On the contrary, our Nation is great not because our people are the same, but because they are different, and being different, disagree. It is wholesome that this is so. Those who reject a dialogue on any subject foreclose progress. How unhappy it would be for America if we should be content always with what we have! The only thing that must never be changed is the freedom to change peaceably and wholesomely. Without the right of responsible dissent, change might never come.

Today, the American stage is set for the most familiar confrontation of life—between people who demand change and institutions that resist it. The institutions alter, but never fast enough, and those who seek change are bitterly disappointed.

For this and other reasons, one sees a deepening hostility to institutions—any and all institutions, here and around the world. It is partly understandable in terms of a natural anger over administered frustrations. Men can tolerate extraordinary hardship if they think it inevitable—God's will or fate or the ancient order of things; but their tempers have a short fuse when hardship results from the decision of another human being, presumably no better than themselves. Yet that is the lot of modern man: It is an administered age.

Related—in what ways we can hardly guess—is a breakdown in authority, in just about every manner and dimension: the authority of parents, religion, custom, social class, the law and the government,

Without an awareness of these factors—the expectation—despair syndrome, the hostility to institutions, the erosion of authority—one cannot possibly understand the turbulent events of the day . . . The standard phrase concerning social disorders is, "it's only a small group. . . .", But that is a misleading assertion. Beyond the fractious few, beyond even the considerable group of sympathizers, is the larger number of people who have no fixed views but are running a chronic low fever of antagonism toward their institutions, toward their fellow man and toward life in general. They provide the climate in which disorder spreads.

In that climate, unfortunately, our honored tradition of orderly dissent was undergone an unprecedented debasement. Protest has become a disorderly game. Reasoned debate has given way to bullhorn obscenities, the loudmouth and the hothead preempt the headlines and the television screen.

At first, one is puzzled by the failure to understand that when a social system is destroyed, the resulting chaos is supremely antagonistic to *any* organized purposes, including the purposes of those who initiated the destruction. The puzzlement clears up when one sees that they have fallen victim to an old and naive doctrine—that man is naturally good, humane, decent, just and honorable, but that corrupt and wicked institutions have transformed the noble savage into a civilized monster. "Destroy the corrupt institutions," they say, "and man's native goodness will flower." There isn't anything in history or anthropology to confirm that thesis, but it survives down the generations.

Those who would destroy the system also fail to understand history's lesson that periods of chaos are followed by periods of iron rule. Those who seek to bring societies down always dream that after the blood bath *they* will be calling the tune; and perhaps that makes the blood bath seem a small price to pay. But after the chaos, no one knows what kind of dictator will emerge. The proposal to "destroy the system" dissolves under examination.

Yet, there is no doubt that today's revolutionary is pursuing that goal with all the energy at his command. And in that pursuit he is wholly cynical in his manipulation of others. The rights of the majority are irrelevant to him; the majority must be manipulated for its own good (as he defines it.) He has no interest in rational analysis of the issues, indeed will deliberately confuse issues or block communication among groups so as to prevent such analysis (for example, by preventing opponents from being heard). He will devise traps to demean those in authority, destroying their dignity where possible. He will exploit the mass media, feeding their hunger for excitement and conflict.

He will plan deliberately provocative confrontations designed to lead authorities to

overreact," knowing that if they do it will bring to his side naive sympathizers who know nothing of the issues but hate to see authorities act repressively. If all people in authority were perfectly wise the tactic would never work. But we shall never have such leaders. If the provocateurs are persistent enough and ingenious enough they can sooner or later trap any official into unwise action.

The fact is that the politics of derision and provocation are not only easy, they yield a kind of twisted pleasure. Sad to say, it's fun to get mad and it's fun to hate. Simple-minded people indulge such emotions without dissembling, and are duly criticized. More guileful people discovered long ago that the big psychic payoff comes in finding a noble cause in which to indulge one's rage and hatred. Then one can draw dividends from both sides of the transaction, satisfying both the new morality and the old Adam. And that is today's fashion; rage and hate in a good cause! Be vicious for virtue, self-indulgent for altruistic purposes, dishonest in the service of a higher honesty!

It is easier to understand the existence of a small group of destructive extremists, than to understand why a rather large number of presumably enlightened Americans give them aid and comfort. Generous minded citizens so fear the role of censor that they fall into a fatuous permissiveness toward destructive behavior. If there is a grain of justification in the behavior, they magnify it to excuse almost any action. They search the *status quo* for flaws that will make the destructive act seem reasonable, since there will always be such flaws in an imperfect world, one is left powerless before ruthless opponents. It is hard for the kindly American to recognize that such ruthlessness not only exists in some of his fellowmen but ripens early. It is hard, too, for him to realize that his own permissiveness may work an escalation of the conflict.

For a long time we have fondly fashioned the fiction that the drama of social change is a conflict between dissenters and the top layers of the establishment. But as the critics fling themselves in Kamikaze-like assaults on sluggish institutions, they eventually come into head-on collision with the people who are most deeply implicated in the sluggishness, namely, the great majority. The stone wall against which many radical reforms shatter themselves is the indifference (or downright hostility) of that majority.

The collision between dissenters and the average people who compose that majority is exceedingly dangerous. As long as the dissenters are confronting the top layers of what they call the "power structure," they are dealing with people who are reasonably secure, often willing to compromise, able to yield ground without losing much. But when the dissenters collide with society's great middle, they confront an insecure opponent, quick to anger and not prepared to yield an inch.

Responsible social critics can be of enormous help in identifying targets for action, in clarifying and focusing issues, in formulating significant goals and mobilizing support for those goals. That kind of help is not supplied by irresponsible critics.

The responsible critic comes to understand the complex machinery by which change must be accomplished, finds the key points of leverage, identifies feasible alternatives, and measures his work by real results. We have many such critics, and we owe them a great debt.

In contrast, the irresponsible critic never exposes himself to the tough tests of reality. He doesn't limit himself to feasible options. He doesn't subject his view of the world to the cleansing discipline of historical perspective or even contemporary relevance. He defines the problem to suit himself. He shrugs off the constraints that limit action in the real world. But the constraints he brushes aside are intrinsic to the problem. Discussions outside that framework are just words, never solutions.

The irresponsible critic knows it's a hard game to lose. If he takes care to stay outside the arena of responsible action and decision, his judgment and integrity will never be tested, never risked, never laid on the line. He can feel a limitless moral superiority to the mere mortals who put their reputation at hazard every day in accountable action. He can spin fantasies of what might be and spare himself the back-breaking, heart-breaking work of building real progress.

The consequences of such feckless radicalism are predictable. Out of such self-indulgence come few victories. As a result, we are producing a bumper crop of disillusioned and tired ex-radicals. Some radicals are so easily disillusioned that one wonders whether the experience feeds some secret stream of enjoyment. They seem to luxuriate in a pleasant agony of being "betrayed" by the world.

The model of the ineffectual radical is the man or woman who spends a few brief years exploding in indignation, posturing, attitudinizing, oversimplifying, shooting at the wrong targets, unwilling to address himself to the exacting business of understanding the machinery of society, unwilling to undergo the arduous training necessary to master the processes he hopes to change.

So those who have mastered the machinery laugh him off. He holds no terror for them. Soon he grows tired and gives up.

The favored instrument of dissent at the moment is the demonstration. When peaceful, the demonstration is a legitimate instrument, one guaranteed by the "peaceable assembly" clause of the Constitution. The violent, coercive demonstration is a threat to the framework of order that makes civil government possible.

The great French-Swiss moralist, Jacques Rousseau, once wrote: "If force creates right, the effect changes with the cause: Every force that is greater than the first succeeds to its right. As soon as it is possible to disobey with immunity, disobedience is legitimate; and the strongest being always in the right, the only thing that matters is to act so as to become the strongest. But what kind of right is that which perishes when force fails?"

One hears a special justification in the case of the recent ghetto riots. The riots, the arson, the mayhem, the murder were necessary, it is argued, to produce fear in the power structure and thereby to get action on the social front. Those who make that argument now insist that the tactic succeeded, and they advocate its continued use.

It is true that the riots provoked fear. But there were a lot of other consequences, too. The riots provoked great resistance to federal-state programs for the cities. The riots led both police and citizens to arm themselves heavily. The riots strengthened every repressive element in the country.

It is an old failing of the innocent liberal to indulge fantasies of a rather genteel revolution in which the revolutionaries stir up just enough turmoil to make comfortable people thoroughly uncomfortable. But you can't have violent revolution in carefully measured doses. Events will not be kind to those who unleash the furies of human emotion to promote their own carefully calculated goals. Emotions get out of hand. No one knows what climax they will build toward, nor who will get hurt, nor what the end will be. Anyone who unleash's man's destructive impulses had better stand a long way back.

No society can give itself over to those whose purpose is civic tumult. The anarchist paves the way for the authoritarian. Either we will have a civil order in which discipline is internalized in the breast of every man or we will ultimately suffer repressive measures designed to re-establish order. Everyone who cares about freedom will pray for the former and seek to avoid courses of action that lead to the latter.

We have entered the last third of the 20th century. In my judgment, the years immediately ahead will test this Nation as none before. We must cope with social unrest greater in depth and intensity than ever before. As part of the effort to cope with it, we must:

First, make progress in solving substantive problems of the utmost complexity and difficulty;

Second, We must repair the breakdown in the relationship between the individual and society.

Third, we must begin the exacting task of redesigning our society for continuous renewal.

We can do all of these things. There are great constructive energies in the American people yet untapped. We have strengths as a people not yet tested. Out of this time of trouble can come a great new burst of vitality for this Nation.

But not if we lost our heads and not if we delude ourselves. We shall accomplish none of the heroic tasks ahead without a tough-minded approach to the complexities of social changes. Big talk won't get us there. Tantrums won't get us there. And we now know that we'll never make it on ideas without money, or money without ideas, or either without sound public management.

Our socio-economic problems are numerous and exceedingly resistant to solution. In seeking solutions, we must design new, more flexible and far more effective Federal-State-local relationships. We must design more fruitful relationships between the private and public sectors. We must devise new means of making government at every level more responsive. We must learn how to design large-scale organization that not only serves the individual but gives the individual the opportunity to serve society. We must restore the sense of community. We already have significant clues as to how we can accomplish these things. But there is heavy work ahead, work for able and courageous men and women who are willing to tackle the evils of the day in a problem-solving mood. We have plently of debators, plenty of blamers, plenty of provocateurs, plenty of people who treat public affairs as an opportunity for personal catharsis or glorification. We don't have plenty of problem-solvers.

And the problem-solvers need to be backed by a plentiful supply of Americans who are willing to acknowledge the existence of the grave difficulties facing this country. As a people we have a considerable gift for not being honest about our problems. We can look right at them and deny that they exist, or deny that they're serious, or deny that any money need be spent to solve them. And those are forms of frivolity we can no longer afford.

As a people, we still have a choice. If we want a society on the beehive model, all we need to do is relax and we'll drift into it. If we want a society built around the inventive genius and creative talents of the self-directing individual, then we have chores to perform.

I am not proposing new duties; I am recalling old duties. Remember the preamble to the Constitution? "We, the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity . . ." Great phrases, and the greatest of all is, "We, the people of the United States." Not we, the public officials of the United States. Not we who take time to think about these things when we're not busy running our businesses or practicing our profession. Not we, the faculty. Not we, the students. Just we, the people.

CONGRESS MUST APPLY BRAKES TO HALT INTOLERABLE INTEREST RATES

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

Mr. HORTON. Mr. Speaker, the decision by U.S. banks to raise interest rates to prime customers from 7½ to 8½ percent is intolerable. The effect will spread throughout the entire country and the person who will be hurt most is the little man.

We can no longer tolerate this system where the standards of living of thousands of little people are hamstrung by the panelled-office decisions of a few Wall Street bank executives and the Federal Reserve.

In addition to its dampening effect of big business borrowing, which has been minimal, these unprecedented interest rate hikes are contributing to financial disaster for millions of Americans.

My prime concern is the housing problem facing the entire country. At a time when Americans at all income levels face this crisis, especially those at the middle and lower segments of the income scale, these sky-high interest rates are making it impossible for us to afford the new construction we desperately need.

With Federal housing funds limited in the first place, 8½ percent and higher rates on mortgages will stymie our response to this crisis even further.

The level of income at which Americans can afford to own their own home is rapidly increasing. At a time of so-called unprecedented prosperity, the doors of single family living should be opening to more Americans.

Instead, some who already own homes are finding the pressure of inflation and higher taxes so great that they are being forced to give them up. Many older citizens, particularly those who must live on fixed incomes, are being driven out of their homes because of higher costs.

Mr. Speaker, a person with a $22,000 8½ percent mortgage loan would pay as much as $150 a month in interest charges. A person with a $10,000 mortgage pays as much as $80 a month in interest.

This is substantially higher than a homeowner had to pay 4 or 5 years ago.

As a member of the House Select Small Business Committee, I am doubly concerned. These high interest rates attack the very means by which small businessmen survive as well as affect the customers they must serve.

Although higher interest rates are supposed to slow down inflation, for many, these rates accelerate inflation.

Interest rates are the means by which the supply of money is balanced with demand. Some fluctuation is justified when demand for loans get too high. BMut when the interest rates become punitive, and when they feed rather than slow inflation, Congress must act to protect the public's interest.

The plain fact is that big borrowers and investors will base their borrowing decisions not so much on the present rate but on their expectation of the trend—up or down—of interest rates. So the percentage continues to spiral upward as borrowing quickens, leaving behind those in lower and middle income levels who are priced out of the market—and often forced to lower their living standards.

Mr. Speaker, I strongly urge this body start an immediate investigation into ways of regulating interest rates so public policy and public benefit, as well as the supply and demand for money, will determine the cost of borrowing.

If worldwide monetary reform is necessary before we can reverse this trend, then we must make this a very high priority. If international reform is unlikely, we must take drastic steps by ourselves to reduce the cost of borrowing.

When demand is so high, perhaps some factor other than a borrower's willingness and ability to pay high interest rates should determine the distribution of the supply of money.

When food or gasoline have become scarce in our Nation's history, they were rationed or distributed to all based on need, at regulated prices. While this solution is distasteful, it is preferable to what is now approaching a legalized "black money market" where scarce loanable funds are distributed only to those willing to pay the premium rate, and those unable to pay these rates get nothing.

I would hate to think that loan rationing or rate regulation are needed in America. But 12 months ago, I would not have imagined an 8½-percent prime rate either. I do not advocate strict rationing or rate control but I do think, since the banks are intent on higher and higher rates, some prompt Federal action is needed to stop this raid on the living standards of the American family.

QUAKERS GO TO JAIL FOR MAKING PUBLIC THE IDENTITY OF OUR WAR DEAD

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

Mr. JACOBS. Mr. Speaker, "sticks and stones can break my bones, but words will never hurt me."

Churchill said:

> You see these dictators on their pedestals surrounded by the bayonets of their soldiers and the truncheons of their police. Yet in their hearts there is unspoken, unspeakable fear.
>
> They're afraid of words and thoughts; words spoken abroad, thoughts stirring at home, all the more powerful because forbidden. These terrify men. A little mouse, a little, tiny mouse of thought appears in a room and even the mightiest potentates are thrown into panic.

Does that sound like America?

Then why, in the land of the free must one be brave simply to stand on the steps of his Capitol and quietly remind us to remember that once there were 35,000 living, breathing, laughing kids who are no more because of a war to protect freedom in Vietnam where there is no freedom to protect?

What kind of logic tells us a transparent gallery shield against the sneak attack of a maniac inside this Chamber is unnecessary separation between people and Government, while a rule against the free speech of an unobstructing few outside this building is indispensable to security?

Mr. Speaker, it is the function of security to protect lives, not egos.

Yet, from the steps of their Capitol, without blocking anyone's way, Quakers go to jail for making public the identity of our war dead, after the John Birch Society receives a prize from the American Legion for doing the same thing in Indianapolis.

Mr. Speaker, the document reads:

> No law . . . abridging the freedom of speech . . . peaceably to assemble, and to petition the Government.

It does not read "unless the Speaker and Vice President think otherwise."

I now retire to the Capitol steps to utter the forbidden words, "Colin Kelly."

PROJECT HOPE

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

Mr. KAZEN. Mr. Speaker, one of the most successful and unique programs yet devised to help in the field of community health needs, is Project HOPE—Health Opportunity for People Everywhere. Sponsored by the People-to-People Health Foundation, Inc., of Washington, D.C., an independent nonprofit corporation, HOPE has successfully carried out teaching and training programs in the medical, dental, and paramedical professions.

The vast need for medical and health services, hampered by the lack of doctors and auxiliary medical help, led one of my constituents and a distinguished member of the medical profession, Dr. Leonides G. Cigarroa, to invite HOPE to bring this program to Laredo, Tex.

On behalf of my constituents of the 23d District of Texas, I express my sincere appreciation to the sponsors of Project HOPE, and I welcome them to Laredo. At the same time I wish them success in their program of training the medical auxiliary personnel so vitally needed to provide our area with the best in health services.

Since Laredo, Tex., is the first city in the United States to receive help from Project Hope, a good deal of interest has been shown by many groups in this project and at this time, Mr. Speaker, I would call the attention of my colleagues to an article which appeared in the May issue of the Texas State Journal of Medicine entitled "Project HOPE Comes to Laredo: First U.S. Program."

PROJECT HOPE COMES TO LAREDO: FIRST U.S. PROGRAM

Laredo has become the first United States community to receive the help of Project HOPE. The program, which began in Laredo in April, will consist of training personnel in nursing, practical nursing, public health nursing, laboratory technology, nutrition education, and community health, and in providing basic education to the impoverished people of the community.

The estimated budget for the program has

been allocated at $1,500,000, all to be paid by Project HOPE for three years.

Cooperating in and helping administer the project will be The University of Texas, the Texas State Department of Health, and several local agencies. Webb-Zapata-Jim Hogg Counties Medical Society, Laredo-Webb County Health Department, Mercy Hospital of Laredo, Laredo Junior College, Laredo Independent School District, the local vocational rehabilitation office of the Texas Education Agency, and the Laredo Chamber of Commerce.

Project HOPE, (Health, Opportunity for People Everywhere) is the principal activity of the People-to-People Health Foundation, Inc., of Washington, D.C. An independent non-profit corporation. HOPE has successfully carried out teaching and training programs in medical, dental, and paramedical professions in four continents in the past nine years. Foundation personnel have developed teaching techniques in working with the under-educated and the subordinated groups of the world. The Laredo project represents the first time HOPE has carried on such a program within the United States.

Laredo was chosen for the project because the needs of the American people of Mexican heritage there seemed most suited for Project HOPE activities: the average level of education among the city's 78,000 residents is approximately the sixth grade; Laredo is economically the poorest city in the US*; the extent of illness is high; and the ability of local physicians to deliver medical service is greatly hampered by the lack of doctors and of auxiliary medical help.

On the local level, Dr. Leonides G. Cigarroa and Jose L. Gonzalez (MPH), administrator of the Laredo-Webb County Health Department, co-chairmen, led the community in extending the invitation to HOPE to come to Laredo. The invitation was unanimously endorsed by the local agencies and organizations which are helping in the administration of the project and by the state agencies involved: Texas Medical Association, the Texas State Department of Health, The University of Texas System, and the governor of Texas.

In the development and implementation of teaching programs for paramedical personnel, HOPE will provide public health paramedical personnel to the Laredo-Webb County Health Department, together with a full public health team to offer basic health education to the population area as a whole. At the same time, a preventive medical education program, including the training of community aides and workers in all disciplines, will be carried out. All trainees will be selected from the local population.

The program of all trainees will include basic education courses, such as English, mathematics, and other required courses for completion of the equivalent of a high school education. A major part of this core education program will be instruction in Mexican-American culture and heritage. The University of Texas has agreed to provide the faculty for these studies. And the curriculum will stress history, heritage, architecture, and language. Trainee classes will be held at Laredo Junior College, Laredo-Webb County Health Department, and Mercy Hospital of Laredo.

Trainees will receive a modest income while in training so that students may remain in school without depriving their families or diminishing their sense of obligation to their families. Stipends will be between $35 and $40 a week unless the need is less great, in which case compensation will be according to need.

The whole program is under private sponsorship and will last for a minimum of three years. At the end of this period, The University of Texas, through its medical schools and developing schools of Allied Health Sciences and of Public Health, will gradually move in to absorb the program, making use of the teaching techniques practiced by HOPE.

Dr. William B. Walsh, HOPE's founder and president, was in Laredo in mid-April to help get the project officially underway.

Dr. Cigarroa, local co-chairman for the project, said, "I am delighted with the prospect of Project HOPE coming into Laredo to establish the teaching programs for paramedical personnel. It is a step toward realization of a major Laredo and national goal, namely, winning the war on poverty through education and helping give the dignity to those people who shall be up-graded in their status by wanting to better themselves.

"These trainees can and shall eventually find work not only in Laredo but anywhere in the state of Texas," the physician continued, "and truly this program can serve as the catalyst to a vast improvement and in fact a revolutionary concept in the delivery of health services to the people so that the light of access to adequate quality care can become a reality for all."

Dr. Cigarroa listed his co-chairman, Mr. Gonzalez, and other persons whose work had been instrumental in making the Laredo program a reality and whose work in administering the project would insure the program's success: J. C. Martin, mayor of Laredo; Alberto Santos, county judge in Laredo; Dr. Charles A. LeMaistre. The University of Texas System executive vice chancellor for medical affairs; Willis C. Cobb, administrator of Mercy Hospital of Laredo; Dr. James E. Peavy, Texas State Commissioner of Health; Gov. Preston Smith; and Lt. Gov. Ben Barnes.

*According to the *County and City Data Book, 1967*, published by the US Department of Commerce, Bureau of the Census, Laredo is (1) lowest in median income, (2) lowest in percentage of population earning $10,000 or more annually, and (3) highest in percentage of population earning under $3,000 annually, among Standard Metropolitan Areas of 50,000 or more population. Figures are taken from the 1960 census.

TO CONTROL CAMPUS VIOLENCE—OR TO SNARL AT THE STUDENTS

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

Mr. ERLENBORN. Mr. Speaker, in this morning's Washington Post, two very interesting editorials appeared. The first is headed "To Control Campus Violence;" the second editorial is entitled "Or To Snarl at the Students."

Mr. Speaker, in the second editorial the editorial writer incorrectly reports the provisions of the bill that is sponsored by the gentlewoman from Oregon (Mrs. GREEN) and myself, and the members of the Committee on Education and Labor.

The editorial would give the impression that this bill makes a mandatory 5-year cutoff of Federal aid to students who have been found guilty of violence on the campus, where in fact the bill would allow the campus administrator discretion from 1 day up to 5 years. The present law is a mandatory 2-year restriction.

Further, Mr. Speaker, in this second editorial they suggest that this bill would interfere with the independence of the American universities when as a fact the bill is very carefully designed to leave with the campus administrators the job of determining what is permissible conduct on the campus, and how to effect the maintenance of order on the campus.

Having said that our bill would interfere with the independence of the campus, in the editorial entitled "To Control Campus Violence," the editorial writer suggests that injunctive relief is the proper approach. In other words, they are suggesting the proper forum to determine what is student permissible behavior is not the school administrator but is the court.

Mr. Speaker, I do not see how anybody could be more inconsistent than the person who wrote these editorials suggesting that our approach, leaving the authority in the hands of the campus administrator, is interfering with the independence of the campus administrator, and yet suggest that the courts ought to draw the rules for campus behavior.

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

Mr. ERLENBORN. I am happy to yield to the gentleman.

Mr. PUCINSKI. Mr. Speaker, the gentleman has made an excellent point, and to add further to the inconsistency of these two editorials, which is quite obvious to this reader at least, I suggest the right hand does not know what the left hand is doing up there.

In the first editorial they agree with the National Commission on Violence in which the Commission suggests that the universities and colleges of this country are not equipped and are not able to deal with student unrest with their own resources.

Then in the second editorial in the same edition, the writer of this editorial refers to the Harvard Commission report, and concludes that given an opportunity, the universities can deal with this problem of student unrest.

Reading these two editorials side by side, one finds difficulty understanding what it is that the Post really wants to tell us, when in the first instance they say the universities cannot deal with this problem and in the second instance they say they can.

Mr. ERLENBORN. I would just say to the gentleman that maybe they have two different editorial writers with different philosophies writing these two editorials.

COMMITMENT OF NIXON ADMINISTRATION TO CIVIL RIGHTS

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

Mr. MORSE. Mr. Speaker, the Nixon administration has renewed our Government's commitment to the cause of civil rights with two important actions: First, President Nixon named William H. Brown III as Chairman of the Equal Employment Opportunity Commission, and second, the Justice Department has filed suits against firms not affording equal job opportunities to minorities.

Mr. Brown's appointment serves notice to all concerned that implementation of the employment provisions of of the Civil Rights Act of 1964 will be

vigorously pursued. It is now up to the President and the Congress to see that his Commission has adequate powers to enforce that law.

Mr. Speaker, under unanimous consent, I include an article which appeared in the Evening Star of May 10, 1969, in which Mr. Brown's views on his job and the task of the Equal Opportunity Commission are discussed, at this point in the RECORD:

BROWN PREDICTS RIGHTS PROGRESS

(By William C. Barton)

The new chairman of the Equal Employment Opportunities Commission predicts the Nixon administration will demonstrate a "substantial commitment" to civil rights enforcement by the end of the year.

William H. Brown III, a Negro lawyer from Philadelphia, said:

"I have no doubt that a year from now the administration will show it has a substantial commitment in the field."

The 39-year-old lawyer was named chairman of the key civil rights agency earlier this week by President Nixon. His nomination had been stalled temporarily by Senate Republican Leader Everett M. Dirksen, who later dropped his opposition.

HOPES DIRKSEN WILL WATCH

In doing so, however, Dirksen promised he would be watching Brown to see that he doesn't harass businessmen—an accusation the Illinois senator made against Brown's predecessor, Clifford L. Alexander Jr.

"I hope Sen. Dirksen does watch us," Brown said in an interview. "I would hope that everybody will be watching us."

But he insisted the surveillance by Dirksen and others should be directed toward guaranteeing the agency vigorously enforces civil rights laws.

Brown, who conceded the agency may not have done enough in the past, said several changes are needed to strengthen its enforcement powers.

He said Congress should authorize the commission to issue cease-and-desist orders and should provide more money.

At the same time, he said, he is conducting "an in-depth review" to see if operations can be streamlined to be made more effective.

WOULD NEED COURT ACTION

On the subject of cease-and-desist powers, Brown said he favors the strong authorization proposed by former President Lyndon B. Johnson over the somewhat limited version that Nixon reportedly is planning to propose.

Dirksen has said Nixon's proposal would require such commission orders to be approved by a federal court before they could go into effect—a requirement similar to that of the National Labor Relations Board.

Defending Nixon's over-all record on civil rights, Brown contended much criticism of the administration stems from "conditions that existed in the past."

For example, he cited the three Southern textile firms awarded contracts by the Pentagon although they had not fully complied with the 1965 executive order banning racial bias in employment on the part of government contractors.

"These same firms," he said, "have been awarded contracts during the past administration."

THE HIGHLY RESPECTED NEW YORK TIMES CAN ALSO BE WRONG

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

Mr. PUCINSKI. Mr. Speaker, this morning two of the most highly respected and great morning newspapers of America commented adversely on the bill now before the Committee on Education and Labor which attempts to deal with college student unrest.

I happen to be a cosponsor of this legislation so I have more than a passing interest in this bill and the editorial opinions offered on its effectiveness.

The editorials in these two newspapers give added credence to the wise saying that "ours is a government of men and morning newspapers."

The New York Times took serious issue with those of us who are sponsoring this legislation. It pointed out the legislation is unnecessary and predicted all sorts of dire consequences which would flow if this legislation were to be adopted. I submit the New York Times is wrong in its conclusions.

The fact that the highly respected New York Times can be wrong is a matter of public record.

In some recent research, I came across an editorial which appeared in the New York Times in 1920. I ask the indulgence of the House to read this very brief editorial because it so clearly demonstrates that even the sedate, knowledgeable and highly respected New York Times can, on occasion, be wrong.

The title of this New York Times editorial was: "A Severe Strain on the Credulity." It said:

As a method of sending a missile to the higher, and even to the highest part of the earth's atmospheric envelope, Professor Goddard's rocket is a practicable and therefore promising device . . . It is when one considers the multiple-charge rocket as a traveler to the moon that one begins to doubt . . . for after the rocket quits our air and really starts on its longer journey, its flight will be neither accelerated nor maintained by the explosion of the charges it then might have left.

The New York Times then says further, referring to Professor Goddard's early research in manned flights into outer space:

Professor Goddard, with his "chair" in Clark College and the countenancing of the Smithsonian Institution does not know the relation of action to reaction, and of the need to have something better than a vacuum against which to react—to say that would be absurd.

The New York Times concludes:

Of course he only seems to lack information ladled out daily in high schools . . .

In other words, this great newspaper seriously doubted that we could ever get a man into outer space and eventually to the moon. Next month I think we will be able to prove how drastically wrong the New York Times was in 1920 when we land our American team on the moon. Our tremendous successes in space exploration already have proven that the New York Times can indeed be wrong.

The effective administration of the bill now before my committee to deal with college unrest will prove that the New York Times can be wrong more than once.

MOL SAVINGS SHOULD BE DIVERTED TO NATION'S HOUSING NEEDS AND FEEDING THE POOR

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

Mr. FULTON of Tennessee. Mr. Speaker, along with millions of Americans who are concerned over inflation and escalating defense costs I was most pleased to read this morning of the Defense Department's decision to cancel the $3 billion manned orbiting laboratory program. This will mean a spending cut this year of some $300 million with budgetary savings over the next 5 years of an additional $1.5 billion. To date $1.3 billion has been spent on the program.

It has been speculated, however, that this is not a cut in defense spending simply for the sake of reducing expenditures but rather it is a "sweetener" to help gain approval for the anti-ballistic-missile program which ultimately could cost the American people an amount many times greater than the cost of the MOL program.

Nonetheless, the cut has been announced and it is welcome. The reduction in expenditures for the upcoming fiscal year will add to an already forecast budget surplus of $6.3 billion.

However, instead of adding to the surplus it is my belief that this money should be diverted into our two most pressing domestic needs, housing and feeding America's hungry citizens.

There is an ever-growing and unmet need for low-cost private and public housing. It is a well-known fact that the housing industry, because of the tight money policy and skyrocketing interest rates, has been depressed for almost 3 years. Pumping a portion of the $300 million saving into the housing industry simply will not have an inflationary effect.

And certainly, providing lower cost or free food stamps to persons with little or no disposable income is not going to add any inflationary pressure.

It seems to me that reducing expenditures by eliminating the manned orbital laboratory program will have a very beneficial effect in our efforts to reduce inflation. It seems to me also that we could double the advantage of this reduction in spending by diverting these moneys into areas of pressing need which could absorb the funds without further adding to the inflationary rise.

HIKE IN PRIME LENDING RATE

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

Mr. WOLFF. Mr. Speaker, the unprecedented, unjustified, unnecessary, and undesirable increase in the prime lending rate to 8½ percent is an incredible exploitation of the American consumer who is being priced out of the money market.

In a broader sense this 1-percent increase in an already excessively high

prime rate holds the frightening potential of wreaking havoc with our entire economy.

This increase in the cost of money is especially galling because it has been conclusively demonstrated during the past year, as the prime rate has been pushed higher and higher, that increasing interest rates will not control inflation. Reducing Government spending would not only be a wiser but also a more effective way of limiting inflationary pressures on the economy.

I implore the President to use all the influence at his disposal to reverse this latest increase in the prime rate and to begin the essential reduction in interest rates. If the Federal Government were to adopt sound fiscal and monetary policies interest rates could be brought back to earth and inflation checked.

RAIL PASSENGER SERVICE DECLINE

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

Mr. SKUBITZ. Mr. Speaker, recently the Interstate Commerce Commission predicted that unless there is a major shift in the policies of the Federal Government and the railroads, much of the remaining rail passenger service "will not survive the next few years."

The ICC in its annual report noted that during the 10-year period since 1958 when it gained authority over passenger train discontinuances, the number of such trains has declined more than 60 percent—from 1,448 to 575 daily.

In the 1968 fiscal year the ICC allowed the railroads to discontinue 117 passenger trains—the greatest number since the enactment of the 1958 law—and forced them to continue operating 39 trains.

More and more areas throughout the country are becoming devoid of passenger service. There is no area in the United States today that has not faced or is currently facing the prospect of losing rail passenger service.

During the last session of Congress the Commission was unsuccessful in its attempt to get Congress to study passenger service and decide on a national policy on whether rail passenger service is needed.

Today, the following 25 Members of this body joined me in the introduction of this legislation: Messrs. WATKINS, MOSS, VAN DEERLIN, HASTINGS, ADAMS, OTTINGER, SAYLOR, RUPPE, MCCLURE, EDMONDSON, WAGGONNER, RANDALL, ANDREWS of North Dakota, BELCHER, CAMP, RARICK, LONG of Louisiana, WINN, BERRY, REIFEL, SCHERLE, LUJAN, KYL, and SEBELIUS.

The bill, first, requires the carrier to give the Commission 60-day notice of its intention to discontinue service;

Second, gives the Commissioners 6 months to make an investigation with authority to extend 2 months if necessary;

Third, requires continuation of services by the carrier during the period of investigation; and

Fourth, provides that if the Commission finds that the operation of service is required by public convenience and necessity and will not unduly burden interstate commerce the Commission may by order require the continuance of service.

Where a company proposes to discontinue the last remaining train, the bill provides that the Commission shall require the continuance of service unless, first, the public convenience and necessity do not require the continuance; or second, the continuance of service will impair the ability of the carrier to meet its "common carriers" responsibility considering the overall financial well-being of the carrier.

The burden of proof is upon the railroad—where it should be.

Mr. Speaker, I urge that this measure receive serious and deliberate consideration by all Members of the House in order to bring about an equitable solution to the problem we are currently facing.

LET US NOT BE NAIVE ABOUT PRESENT-DAY COMMUNISM

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

Mr. TALCOTT. Mr. Speaker, unfortunately and regrettably, so many of our citizens, especially our students, have little opportunity to hear a knowledgeable speaker on the subject of practical, everyday communism. They hear only the theorists, only the one-worlders, only the textbook exponents who have no firsthand or practical information or knowledge.

The Reverend Jan Kucera, a longtime resident of Czechoslovakia, spoke to the members of the Monterey Peninsula Rotary Club, and made some important observations which should be widely known.

I include in the RECORD at this point the column of Fred Sorri, an able and experienced reporter on the Monterey Herald, reporting the remarks of Rev. Jan Kucera. His credentials speak for themselves. His views of present-day communism deserve attention. We cannot permit ourselves to remain naive or oblivious to the true facts.

The article follows:

WARNS OF SOVIET ILLUSIONS

(By Fred Sorri)

Though it may mean imprisonment or death because he has been so outspoken about the Soviets in Czechoslovakia, the Rev. Jan Kucera told members of the Monterey Peninsula Rotary Club Thursday that he is going back to Prague in August to continue his fight against communism on the home front.

Punishment from the Reds is nothing new to the pastor, who in 1950 was banished from the pulpit and put to hard labor as a woodsman for three years for the "crime" of visiting a political prisoner. That prisoner, a former secretary of justice, had been held by the Communists for 5½ years without trial, Mr. Kucera told the Rotarians.

Mr. Kucera, who obtained all of his passport and travel papers from the Dubcek government before the August Soviet invasion of his country, has been a guest of the Rev. Burkert Cree, pastor of the Community Church of the Monterey Peninsula.

NAIVE AMERICANS

Introduced by Don Ostergard at a luncheon meeting at the Casa Munras, Mr. Kucera chided Americans for being so naive about Russian intentions.

He said it is an illusion to think that Russia can be a good neighbor as evidenced by the invasion of Czechoslovakia.

Likewise, he said it is wrong to believe the movement away from Stalinism has led to liberalization in the Soviet Union. Again, the proof as to the fantasy of Russian liberalization is what happened to his native land in August, he said.

PROPAGANDA

He said the propaganda of the Communists has been successful in spreading the myth that the United States is responsible for the arms race, though there are so many Soviet Union war ships on the Mediterranean it has become a Russian sea.

"Russia has never left its goal of world revolution and world domination," Mr. Kucera said.

He said Stalin is the "world's greatest criminal," and that his ultimate successor, Leonid Brezhnev, Communist party general secretary, is "worse" but "more clever" than Stalin.

Mr. Kucera said he had no doubt he would be in trouble with the Communists when he returns to Prague where his wife and two married sons reside.

AILING YEARS

"But I am 75," Mr. Kucera said, "and if they want to take my ailing years, they may help themselves."

This is his fourth trip to the United States and Mr. Kucera said that what concerns him is how naive Americans are about Russian intentions. He said it is foolish for the people of the United States to believe they can live in peace with the Soviet Union because the Communist goal remains world domination. He predicted the Russians would try to conquer the greatest opponent of their world domination.

Mr. Kucera said he lived under communism for 20 years. He said Communists knew they would have to deal with the churches and they came to realize they could not be attacked frontally, "so they developed the devilish idea to pay the pastors from the state treasury" so they would become the servants of the state. He said the pastors were indoctrinated and threatened and told they could not criticize the state from the pulpit.

LIBERTY SPREADING

He said the Soviet Union invaded Czechoslovakia because under Dubcek's liberalization program his country was thriving, newspapers were printing the uncensored truth and liberty was growing. Word of that was spreading to other Communist countries so Russia decided to stop it.

Since the invasion, he said Dubeck has been shelved and costs have skyrocketed. Railway fares are going up 100 per cent July 1 and certain goods are in short supply. His wife wrote, for instance, and asked him to bring shirts for his sons because they are hard to find there.

"So many Americans are naive and believe the Communist propaganda . . . All dealings between Christians and Communists are nonsense," he said.

HON. CHARLES STENVIG—LAW AND ORDER APPROVED IN MINNEAPOLIS

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

Mr. RARICK. Mr. Speaker, Minneap-

olis has a new mayor-elect this morning—Police Officer Charles Stenvig.

The Minneapolis mayoralty race must go down in history as the turning point for the American people seeking to regain a voice in and some control over their government.

Mayor-elect Stenvig chose to run as an independent candidate in a traditionally Democratic city—in fact the power base of Mr. Hubert Humphrey, the late repudiated candidate for the Presidency of the United States. The Republican opposition, defeated by Mr. Stenvig, was a member of the Minneapolis City Council who ran with the open endorsement of President Nixon.

It becomes more and more apparent that the American people do not look to party label to cast their vote. They are thinking for themselves. They are looking at the man and what he stands for. In this particular election, the prevailing issue was Mr. Stenvig's call for law and order which was overwhelmingly approved by the people of Minneapolis. This election shows once again that the power of politics is not with parties but with people and as long as we have elections, the people—given a chance—will make their will known.

There is a practical lesson in this election for the small cliques who are trying to take over the controls and regiment the national political parties. Last fall the American people soundly repudiated one national party candidate—they indicated they had had enough and disapproved of leftist trends in their Government. Now, in Minneapolis, it would also seem that the voters have served notice on the other national party that they do not feel it is fulfilling its promises.

Party discipline, purges, purification, and control mean nothing to free people when they are fed up. In a free society political parties cannot discipline or control people. The inescapable truth is that people discipline and control politicians and parties. And, if those entrusted with leadership do not listen to the people, the people name new leaders—and if necessary create new parties.

Mr. Speaker, the victory of Mayor-elect Stenvig is heralded as a day of rejoicing and hope for the law-abiding, hard-working, taxpaying silent American everywhere. His election sounds the clarion call that the American people are demanding a return to individual liberty protected by law and order.

I extend my sincere congratulations to Mayor-elect Stenvig—the choice of the people—and wish for him every success in the challenging job he will be undertaking, confident that he will be a successful and loved mayor so long as he continues to serve his people.

I include a clipping from the local press, as follows:

[From the Washington (D.C.) Post, June 11, 1969]

POLICEMAN IS VICTOR IN MINNEAPOLIS

(By Austin C. Wehrwein)

MINNEAPOLIS, June 10.—Police Lt. Charles Stenvig, who conducted a law-and-order campaign, was elected mayor tonight. He defeated Republican City Councilman Dan Cohen, who was endorsed by President Nixon.

Stenvig, who ran as an independent Democrat in the nonpartisan runoff election, promised to "back up" his fellow police officers when they made unpopular arrests in Negro neighborhoods.

With 102 of the city's 195 precincts reporting, Stenvig had 34,348 votes and Cohen had 17,643.

Cohen conceded the election an hour and 20 minutes after the polls closed.

Cohen, who is 32 and a Stanford and Harvard Law School graduate, was matched against the 41-year-old Police Federation president as the result of an April 29 primary that drew national attention.

Stenvig won 42 per cent of the vote in an upset that knocked Alderman Gerard Hegstrom, an organization Democrat, out of the race.

Mayor Arthur Naftalin, a Democrat and a close friend of former Vice President Hubert Humphrey, did not seek re-election.

Naftalin had been in office since 1961, so the primary ended eight years of regular Democratic rule in the city. Next year Naftalin will return to teaching at the University of Minnesota where he got his Ph.D. degree.

The City Council was 8 to 5 Republican, and Cohen was Council president, a powerful post under the Minneapolis charter.

Cohen, who blazoned President Nixon's endorsement, was forced to run a campaign designed to attract Democrats, especially liberal Democrats.

He called Stenvig "goofy," and "a George Wallace in Minneapolis clothing."

Wallace last November got only 4 per cent of the city's vote, but in the primary Stenvig carried nine of the 13 wards, cutting into both Republican areas and blue-collar wards that helped Humphrey get 59 per cent of the Minneapolis vote for president.

Stenvig hotly denied charges he was a racist, while reiterating his theme: "Little people are sick and tired of a few weak public officials knuckling under to hoodlum elements."

LEGISLATION ON CAMPUS UNREST

The SPEAKER pro tempore. Under previous order of the House, the gentlewoman from Oregon (Mrs. GREEN) is recognized for 60 minutes.

Mrs. GREEN of Oregon. Mr. Speaker, I take this time on the floor today in a special order to discuss legislation that is pending before the Committee on Education and Labor of the House. It has to do with the current campus unrest, the increasing number of incidents and major disturbances which we have seen on campus grounds. In this House we have Members who prefer that no action at all be taken by the House and who, as I see it, apologize in the name of academic freedom for what occurs on the campuses. In my judgment, if the majority followed this line, it would lead eventually to very repressive legislation being enacted. There are other Members of the House who feel very strongly about campus disturbances and would probably want to cut off all funds to colleges and universities because of the actions of a minority of students. However, I am also persuaded that the very large majority of the Members of the House of Representatives are looking at the current campus unrest and trying to find a middle ground with some kind of legislation that would be helpful to the campuses, either in the way of keeping control or regaining control. They seek some kind of legislation that would be helpful to the administrators on the college campuses and yet at the same time legislation which would preserve the autonomy of the institution, the independence of the institution, and indeed and above all preserve the academic freedom which we have known and defended for many, many generations.

Mr. Speaker, I also take this time because, as I see it, at least, there have been gross misrepresentations of what is contained in the pending legislation now before the committee. I would say, first of all, that the bill that is now pending is one that has bipartisan support. It is a result of hearings that were held by the subcommittee over a period of several months. We tried to hear from college administrators, from faculty members, from representatives of student organizations, and from the public at large. We did not orient the hearings to any particular political persuasion, but we were anxious to hear every point of view if we could possibly do so.

Mr. Speaker, I must pay my deep respects to the people on both sides of the aisle with regard to this legislation. On my own side of the aisle I wish to pay my respects to the gentleman from Illinois (Mr. PUCINSKI), the gentleman from Pennsylvania (Mr. DENT), the gentleman from New Jersey (Mr. DANIELS), who contributed so very, very much in the hearings and in the deliberations. On the other side of the aisle I also pay my deep respects and my thanks to my colleagues there for the time and effort that they spent and the determination they displayed to find reasonable answers. Very important contributions were made by the distinguished gentleman from Minnesota (Mr. QUIE), the gentleman from Illinois (Mr. ERLENBORN), my own friend and colleague from Oregon (Mr. DELLENBACK), the gentleman from Michigan who himself came from the academic community (Mr. ESCH), the gentleman from Wisconsin (Mr. STEIGER), the gentleman from Iowa (Mr. SCHERLE), and others on the committee. Each has sought in his own way to have a better understanding of the problems—and to help find reasonable answers.

The bill that is now pending is really a result of all of the hearings that were held and of the efforts of these people especially to provide or to find this middle ground. There are all kinds of unreliable reports. There are individuals, I think, who are determined by hook or by crook to prevent this Congress from taking any action at all. I do not think that they are going to be successful. It is my hope we can have one piece of legislation instead of 20 different pieces of legislation on a variety of bills that come before the House.

If some of the press reports were limited to an exercise in vituperative language, I do not suppose it would be so important. But I asked for this time today because I do think that it is very, very important that this Congress and, indeed, the American people understand the difficult crisis which grips our universities. It is equally important to understand the intent and the exact provisions contained in the proposed bill. It is a bill which is designed to provide Federal support to the universities in the efforts which they are making.

Some reports, unfortunately, have de-

scribed the proposed bill in terms which, charitably might be called erroneous, but which are certainly misrepresentations.

For example, it has been stated, and I quote:

> The Green bill would . . . deny to students guilty of any sort of disruptive activities on college campuses any . . . benefits.

May I say that it is simply not true that benefits would be denied for "any sort of disruptive activity."

The disruptive activity required in section 504(a) would be preceded by the conviction in a court of law under criminal provisions, and the crime would have to involve force, disruption, or seizure of property at the university. The university then would have to determine that the crime was of a serious nature and contributed to a substantial disruption on the campus. The disruptive activity required in section 504(b) would be preceded by university determination that the individual had disobeyed a university regulation and that the infraction was of a serious nature and contributed to a substantial disruption. Such infractions are the only instances when any benefits would be withheld.

Mr. Speaker, both of these provisions contemplate serious misbehavior far beyond that which the editorial implies in the words "any sort of disruptive activity."

It should also be noted that both provisions preserve for the university—not for the Government but for the university—the complete authority to control the situation. A student may lose his Federal benefits only after the university itself has decided that the student's misbehavior was of such great seriousness as to require the discontinuance of that benefit.

May I also say that the press reports and the reports circulated here have said that the law was extended so that the penalty—the cutoff of funds—was for 5 years instead of 2 years. This, again, is a misrepresentation of fact and I think a disservice in terms of fair representation to the young people who are in our colleges and universities throughout the country.

The present law says under section 504 that if a student or faculty member has engaged in a serious disruption or riot, if they have occupied a building, destroyed property, or injured people, if they have been convicted of a crime, then there shall be a penalty—the funds will be cut off for a mandatory period of 2 years. There is no give or take. It is 2 years, period.

Mr. Speaker, those of us who are trying to work for a moderate approach felt that this was too harsh a provision. There was some thinking that in some instances the funds should be cut off for only a 3-month period; whereas, in some other instances where someone might have engaged in a series of riots on a campus, his benefits should not be available to him for a longer period, anywhere from 2 years to 5 years.

So, Mr. Speaker, the language was certainly misinterpreted. We do not require the university to cut it off for 2 years, but we say for a period of up to 5 years.

To those of us who have been working on the problem, it seemed fair and equitable to give more discretionary power to the colleges and universities.

Some of the editorial writers have written about section 504 as if it were new, punitive language that members of the committee had dreamed up to punish everybody when, as a matter of fact, section 504 has been the law now for almost a year—and is very selective in nature.

The new part of the law—or the bill—is in title I. The gentleman from Illinois (Mr. ERLENBORN) has worked for a long period of time on this, and has made an extremely valuable contribution. It is his recommendation that one way of controlling the rising number of violent incidents on the college campuses was to ask the colleges and universities to think through and to make a plan of what they would do to prevent a riot on the campus, or indeed if a riot were to occur, what steps they would take to bring the riot under control. That is all that title I does. It simply says, as we require in a hundred different bills, that if colleges and universities are to be eligible for funds under the provisions of the law, then they are to file a plan with the Commissioner of Education, or with the Secretary of Health, Education, and Welfare. In most other bills—in fact, I am not sure but that in every other bill—we require the Commissioner of Education or the Secretary to approve the plan. He then issues such guidelines and regulations as he sees fit to require. But the suggestion in this bill is that every college or university be required to submit a plan, and to file it with the Commissioner of Education, nothing more and nothing less.

We do not ask that a college in the Midwest in a small town submit the same kind of plan that Columbia University would submit. We recognize that the situation is entirely different and therefore we allow great leeway. We simply say we want them to file a plan of the steps they would take, and they are to file it with the Commissioner of Education. Neither the Commissioner nor the Secretary have any veto power over that plan.

If the college or university refuses to file a plan, then, and then only, do they lose eligibility for funds.

Mr. Speaker, these are the two main provisions in the legislation that is before the committee. I do not believe that they are going to offer a panecea. I do not believe that after the passage of the bill we will have an end to riots. I do not have that kind of a dream, but we do suggest that this is responsible legislation that will approach the problem in a constructive way, and not in a punitive way.

Mr. Speaker, I would hope that every Member of the House would read the bill, would read the hearings, and would not be influenced by reports that are being circulated that completely destroy and distort the intent of the legislation and picture it as something that is very bad and very punitive.

Mr. SIKES. Mr. Speaker, will the distinguished gentlewoman yield?

Mrs. GREEN of Oregon. I yield to the gentleman from Florida.

Mr. SIKES. Mr. Speaker, I consider myself privileged to have heard the distinguished gentlewoman from Oregon, one of the most able Members of the House, one who has served well and has helped to provide a responsible and respectful balance in Congress throughout her distinguished career. The gentlewoman has done more than any other person in areas of very great importance such as education, labor, and now in the field of campus unrest which the gentlewoman has been discussing.

Mr. Speaker, no one is better qualified through experience and dedicated interest than the gentlewoman is in these important fields. None of us, regardless of party and regardless of conservative or liberal leanings, can do better than to follow leadership such as that which the distinguished gentlewoman from Oregon offers to the Congress. She is one of our most valuable and most highly respected Members.

Mr. Speaker, she speaks for moderation and for common sense which America needs and which America wants.

Mrs. GREEN of Oregon. I thank my colleague for his most generous remarks. I would just say there is nothing like having prejudiced friends. I appreciate more than I can say—his friendship—his very kind comments.

Mr. ERLENBORN. Mr. Speaker, will the gentlewoman yield?

Mrs. GREEN of Oregon. I yield to the gentleman.

Mr. ERLENBORN. Mr. Speaker, I want to make some comments concerning this bill. I think each of us charged with the obligation of legislation have to make a determination and look at this measure or decide whether we want any legislation at all.

There are those who say they would prefer that we would have no legislation. I presume that means they want to leave the 2-year inflexible penalty in section 504 which the gentlewoman would make much more flexible and which I think is desirable.

Anyhow they seem to feel they would rather have no legislation at all. I think it should be apparent today and it is quite apparent to most of us, that this option is not one that we have.

Just yesterday in the NASA authorization here, a much more punitive measure was approved by the House. It was adopted by the committee that reported the bill. It was attacked on the floor and by a division vote the provision in section 7 of the NASA authorization bill was retained in the bill by a vote of 83 to 15.

So it seems quite obvious that we are going to have legislation as the gentlewoman has pointed out. Our choice is now whether we are going to have reasoned legislation and a comprehensive legislative enactment or are we going to have a proliferation of more repressive legislation with different guidelines and different penalties for each Federal program because time after time as authorization and appropriation bills reach the floor of this House, such amendments are going to be offered. I predict they are going to be adopted.

I know many of us will walk down that

aisle to vote for those although in our hearts we know that these provisions are not right.

All that this bill does is provide a reasonable approach to have only a reasonable and moderate legislative enactment.

I think it should be pointed out that the editorial attacks on this bill have been irresponsible. I would call attention to the comments in the editorial in today's Post. The gentlewoman has mentioned this already, but I think it should be mentioned again.

In the first place, the Post editorial writers have apparently completely ignored title I of the bill that they are referring to. They make no comment at all about the provisions in there that are designed to give students a voice on the campus in a meaningful way and designed to bring together students, faculty and administrators in a reasoned approach to determine how quiet may be kept on the campuses. They just fully ignored that. Then they make this erroneous statement that "The Green bill would extend from 2 to 5 years the period during which a disruptive student might be denied any form of Federal aid."

They completely ignore the fact that it just does not raise the period from 2 to 5 years, but it lowers it from 2 years down to 1 day or 1 week. I think that is irresponsible reporting when they talk in that way.

Then they quote the commissioner of education. I did not know whether this is an exact quote of Dr. Allen, but I presume it is since it carries quotation marks.

The editorial says:

> Administratively, ... I think it would be impossible . . . I think this is interfering in the internal affairs of the university.

First of all, they do not say whether they mean title I or title II of the bill. If it was a comment about title II of the bill, I think it has been agreed upon by most of the parties to this bill, it would eliminate administrative difficulties.

If he was talking about title I of the bill, I wonder how Dr. Allen felt about the passage of legislation in New York that required the filing of a code or rules and regulations by each of the New York institutions.

I do not know but I have been given to understand that Dr. Allen helped to draft that bill in an attempt to head off more repressive legislation.

The editorial goes on to say that the Harvard committee report has recently been filed. The editorial states:

> The Harvard Committee Report combines flexibility with firmness, tolerance with toughness in a way likely to enlist the support of student bodies generally. It appeals to the student sense of fair play because it is discriminating and just. Mrs. Green's bill would punish without discrimination and without the elements of due process. It is a snarl, not a code.

We know section 504 already has in it a requirement of a hearing. It was the gentlewoman's suggestion that title II of the bill should have provisions for a hearing. Title I of the bill, speaking about rules and regulations for student conduct, administrative and faculty conduct provides that there be due process. So this is irresponsible reporting when they use the term that this is without the elements of due process in the bill that the gentlewoman has filed.

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

Mr. ERLENBORN. I will yield back to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. I yield to the gentleman from Illinois.

Mr. PUCINSKI. I think it is very important at this point that the gentleman rises to read from the bill section 504(a). Page 6, line 21:

> If an institution of higher education determines, after affording notice and opportunity for hearing to an individual attending, teaching, doing research or otherwise employed by, such institution, that such individual has been convicted by any court of record of any crime which was committed after the date of enactment of the Higher Education Protection and Freedom of Information Act of 1969—

and so on.

So here we have in the bill due process. For the author of this editorial to suggest somehow or other these penalties will be inflicted without due process indicates that somebody has not read this bill.

Mr. ERLENBORN. Mr. Speaker, will the gentlewoman yield?

Mrs. GREEN of Oregon. Yes, I yield to the gentleman from Illinois.

Mr. ERLENBORN. I think it also would help to read from this bill at this point page 3, section 102(a)(1): (a) When describing the filing of a certificate as to the institution's plans and programs, it states—

> After consultation with administrators, faculty and students—

In other words, we are trying to direct this bill to encourage the campus administrators to involve the whole of the university community in making these plans. The same thing is true in subsection (2), and again it requires consultation with the students and the faculty.

Lastly, the editorial in the Post this morning suggests that the Education and Labor Committee ought to read carefully the latest statement on campus disorders by the National Commission on the Causes and Prevention of Violence. Well, I have read, not the report itself, but the report in the newspaper of this report from the National Commission, and here are their recommendations:

First, that students, faculty, and administration should try to achieve a broad consensus concerning permissible methods of presenting its proposals and grievances and the consequences of going beyond them.

That is exactly what title I of this bill addresses itself to—to having the students, the faculty, and the administration get together to determine what is the limit of permissible conduct, making it clear what the consequences will be if one exceeds the limit of permissible conduct. It happens that we have not seen this recommendation of the Commission, but it also happens that our bill was carefully drawn to do exactly what they did ultimately recommend.

Second, they say:

> The university should prepare contingency plans for dealing with campus disorders, and plan in advance under what circumstances the university will use campus disciplinary procedures, policy, court injunctions, and so forth.

That is exactly what title I of this bill is designed to do, again not without prior consultation with the Commission. It happens that is exactly one of the purposes of title I of this bill.

And the fourth recommendation is that the university faculty leaders and administrative officials should make a greater effort to improve their communication with their students, administration, and general public.

That is exactly what title I of this bill is designed to do.

As I said, there are those who want no legislation and there are those who want this legislation, but someone who is going to oppose this bill ought to realize he cannot get by without any legislation, so he should have an alternative. Some of the members of our committee and some of the people on the floor of this House have no alternative. All they want to do is block legislation from coming out of our committee. But we are going to have legislation written on the floor of this House.

I will say for the Washington Post, they did have an alternative. They are a little better off than some of our colleagues who just do not want anything. The Post does have an alternative. They suggest use of the injunctive procedure might be a good way of handling the campus situation.

They said our provision would interfere with the independence of the campus or of the university. Let me just suggest that changing the forum of the injunctive proceeding from State courts to the Federal courts is no magic formula.

Second, I do not think we are doing much for the universities if we ask the courts to draw up the code of permissible conduct and set the rules and regulations for our universities. Who can tell me we are protecting the independence of our institutions of higher education with a proposal like the Post makes to turn over the rulemaking power on the campus to the Federal courts?

Mr. Speaker, I thank the gentlewoman for yielding.

Mrs. GREEN of Oregon. Mr. Speaker, I thank the gentleman from Illinois for his contribution.

Mr. PUCINSKI. Mr. Speaker, will the gentlewoman yield?

Mrs. GREEN of Oregon. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Mr. Speaker, I believe perhaps the most glaring inconsistency in the two editorials which appeared this morning in the Washington Post, one right after the other, is the fact that in the first editorial the Post points out that no one would quarrel with the Violence Commission findings that many universities are incapable and unable and ill-equipped to deal with student unrest. Then, in the second editorial, after referring to the "Harvard University Report of Fifteen," they say this Harvard report now demonstrates that, given an opportunity, the universities indeed are capable of dealing with this problem of unrest.

So one reading these two editorials side by side comes to the conclusion that

the left hand in that editorial department does not know what the right hand is doing.

I would like to ask the gentlewoman about some of the history of this bill, because I think it is important to clear up misconceptions. I hope the gentlewoman will today put the entire bill into the RECORD at the conclusion of her remarks, and I hope those who are going to comment on this bill will take the trouble to read this bill, which is short and not very complicated.

The title of the bill says:

To encourage institutions of higher education to adopt rules and regulations to govern the conduct of students and faculty, to assure the right to free expression, to assist such institutions in their efforts to prevent and control campus disorders, and to amend the Higher Education Act of 1965.

The title says "assist such institutions in their efforts to prevent and control campus disorders." It does not say it will govern their efforts.

Would the gentlewoman care to comment on the very title of this bill, and how the title refutes the statement that somehow this is a Federal power takeover?

Mrs. GREEN of Oregon. Mr. Speaker, in my opinion there is less Federal control in this piece of legislation than in probably any other piece of legislation voted out by the Education and Labor Committee. The only thing we require universities to do is to file their plans and they—and they alone—are to be the judge of the plans, and they are the ones who are to submit them.

But, as the gentleman from Illinois (Mr. ERLENBORN) said, that is only after consultation with all the people in the academic community—the administrators, the faculty, the students, and others—so there is no possibility of Federal veto power. There is no possibility of guidelines and regulations sent out from the Office of Education as to how they are to be drafted.

Mr. PUCINSKI. On page 2, section 101(a), line 4 of the bill, we say:

SEC. 101. (a) The Congress hereby finds that the primary responsibility for maintaining freedom of expression, public order, and the effective functioning of the educational processes at American institutions of higher education rests with the trustees, administrators, and other duly-appointed collegiate officials.

This is an official formal policy being expressed by the Congress of the United States.

Would the gentlewoman care to comment on that preamble of the bill,

Mrs. GREEN of Oregon. I think everybody who has been working on this legislation has approved of this language because we mean exactly what it says, that it is the college's responsibility.

Mr. PUCINSKI. Would the gentlewoman have any strong objections if, in order to give emphasis to this very subject we are talking about now, we added the word "solely" after the word "rests" so that the statement would then read: "processes at American institutions of higher education rests solely with the trustees, administrators, and other duly-appointed collegiate officials." Certainly this is exactly what we planned and what we intend.

Mrs. GREEN of Oregon. I would hope that the gentleman would offer such an amendment at the appropriate time in the committee, and we could discuss it there.

Mr. PUCINSKI. Continuing the discussion of this bill, on page 2, line 10, we see the language:

(b) In light of the finding set forth in subsection (a)—

Which is the subsection which establishes that we are taking an official position that the management and operation of these schools is a function for the trustees and administrators of those schools—

(b) In the light of the finding set forth in subsection (a), it is the purpose of this Act—

(1) to maintain within the scholarly community the basic American concepts of freedom of thought, inquiry, expression, and orderly assembly.

Would the gentlewoman care to comment on what is the intent and meaning of this language in the bill?

Mrs. GREEN of Oregon. This, I think, merely reiterates what we have always maintained in the Subcommittee on Higher Education, that the American colleges and universities have been the defenders of academic freedom; that here there is free expression, a free flow of ideas with the right to disagree and the right to dissent. This is something we want to protect.

When those who are from the far left—the militant faction of the SDS or the Black Panthers—move in, they indeed are destroying academic freedom.

Those of us who are interested in this legislation hope that it will be helpful to the college itself in maintaining and preserving academic freedom within the scholarly community.

Mr. ERLENBORN. Mr. Speaker, will the gentlewoman yield?

Mrs. GREEN of Oregon. I yield to the gentleman from Illinois.

Mr. ERLENBORN. I should like to add emphasis on the words "orderly assembly." I believe it should be made clear that those who have cosponsored this bill and have had something to do with the writing of this bill firmly believe that the students and the faculty on the campuses do have the right to express themselves through orderly assembly, that whatever peaceful means are approved on the campus should be allowed, and that we should not stop the students from expressing themselves.

What we do want, however, is to create on the campus an atmosphere where orderly assembly is the order of the day—not violence, not throwing Molotov cocktails, not stopping classes from being held. This is the thrust of the bill, to guarantee these rights to the students and to the faculty and to the administration, including orderly assembly—not to stifle dissent, as some have believed.

Mr. PUCINSKI. Again we are correct in establishing here beyond any doubt that whatever rules and regulations are promulgated by the respective university or college to accomplish the ends of this section (1) shall be established by that university or by that college and not by anyone else. Am I correct in that assumption?

Mrs. GREEN of Oregon. That is absolutely correct.

Mr. PUCINSKI. Now continuing again with the purposes of this act, section (2) on line 15 says: "to assist those who wish to pursue their education in a campus atmosphere free of disruption and violence."

I presume that this section is designed to help universities promulgate rules and regulations which will help that vast silent majority of decent young American people attending colleges all over this country who want to seriously pursue their studies and who time and again have been denied that opportunity by the unrest and violence at the institutions.

Am I correct that this is designed to help those youngsters who want to continue their studies? After all, many of these youngsters work all summer to earn enough money to pay their way through school. These are young people who are serious of mind and purpose and who wish to pursue their education. Do I understand that correctly?

Mrs. GREEN of Oregon. That is correct. The feeling of the people who have worked on this bill is that the majority have a few rights, also, and the majority who are there and anxious to obtain an education and are there to work for it should have that right to study free of violence and free of coercion from a minority who would try to prevent them from doing so.

In this connection I must say that I am a little bit weary of hearing people say, "I am terribly concerned about how this or some other legislation"—for example, that which we had on the floor this afternoon—"how this action will be looked at by the alienated." I think maybe it is time the Congress looked at how the vast majority of Americans are going to view some of the things happening here, and how the vast majority of students and faculty members on our college campuses are looking at the disturbances and riots that prevent the majority from doing what they are there to do.

Mr. PUCINSKI. Continuing, the purpose of this act, section 3, provides: "to afford encouragement and opportunity to administrators, faculty and students in working for orderly progress."

It seems to me that this is the first time anybody has taken official recognition that some of these students might be able to make some significant contribution toward a better school. It seems to me this proviso does encourage the local university people to set up orderly rules and regulations. Would the gentlewoman care to comment on the purpose of this particular proviso?

Mrs. GREEN of Oregon. I think this proviso is probably put in as a result of the hearings. I think most of us feel that there are a lot of honest grievances that the students have. They have gone to a university and events have occurred which have not especially contributed to the education which they are seeking. They have complained to us, rightfully or wrongfully, that there is no way to be heard, nobody to present their grievances to, and nobody who would listen. This is an attempt to write into the bill—and it is really a precedent—language saying that we think there ought to be con-

sultation between all of the groups of people involved. This is the reason why this provision was written in.

Mr. PUCINSKI. Finally, the fourth purpose is: "to assist the academic community in maintaining institutions of higher education as centers for the free interchange of ideas."

Would the gentlewoman care to comment on that?

Mrs. GREEN of Oregon. It is very much in line with the preceding three. There should continue to be places where academic freedom is preserved which will be centers for learning. We want to have places where teachers can teach and students can learn. We want them free from the violence and disruption that has occurred all too frequently.

Mr. PUCINSKI. To go on to No. 5, finally, it says: "To assure reasonable protection of the Federal investment in higher educational programs."

I underscore the word "reasonable" there. This Nation is now contributing through the Federal Government—I do not have the figures for the State and local resources, but through the Federal Government—$3.5 billion every year in the way of Federal assistance to institutions of higher education. Sometimes I wonder where those who think this money ought to just be sent out and then forgotten get their information. It occurs to me that the taxpayer who is providing this money is a very tolerant person. This country has been very generous in trying to bring much needed help into the institutions of higher education as well as all other types of institutions. This section at least tries to show that there is a concern on the part of Congress that this money be properly spent without any restrictions or strings attached. I do not know how you can make language more reasonable and still assure that there would not be any controls following the Federal dollar.

Would the gentlewoman care to comment on that?

Mrs. GREEN of Oregon. I think the height of irresponsibility would be for the Congress of the United States to vote billions of dollars and then have no interest in how it was spent.

Mr. PUCINSKI. Then I wish to ask the gentlewoman one further question.

Mr. QUIE. Mr. Speaker, will the gentlewoman yield for a moment on that?

Mrs. GREEN of Oregon. I am glad to yield to the distinguished gentleman from Minnesota.

Mr. QUIE. I would point out something with respect to the amount of money which indicates the Federal Government's involvement in higher education.

The total expenditures, according to the previous administration, were $11.6 billion for all of education. We know that about $2.8 billion goes to the elementary and secondary schools and others that are not connected with institutions of higher education and with its administration.

However, I think it is a much more sizable amount. In fact we are pretty much on an even keel with the amount that the States put in. Of course, this does not include the resources which come from private sources for certain institutions. But the amount which the Federal Government puts in is about the same as that amount which the States contribute. So, we do share in the responsibility. We do not just say, "Leave it up to the States."

Mr. PUCINSKI. Mr. Speaker, if the gentlewoman will yield further, does the gentleman from Minnesota agree that we do run the risk of a reaction setting in upon the American taxpayer who has had to carry this burden but who has been very generous in his contribution of tax dollars to education at all levels, local, State, and at the Federal level? Is there not a danger, in the opinion of the gentleman from Minnesota, of a reaction setting in that could turn the people against these programs if the people continue to see this violent turmoil and excessive use of Federal, local, and State funds being used in this manner?

Mr. QUIE. Mr. Speaker, if the gentlewoman from Oregon will yield further, in my opinion that is correct. It is not exactly connected with institutions of higher education. For instance, yesterday there was an election held in Minneapolis. In a primary election the Democratic candidate was defeated. In the general election there was a Republican and an independent candidate running. The Republican got 38 percent of the vote and the independent who ran strictly on the law and order issue received 62 percent of the vote in the city of Minneapolis which is quite a modern city in our country.

I think there are many signals which indicate that the people are pretty well fed up with the permissiveness that has permitted people to use unreasonable acts leading to violence and disruption as well as destruction of property on the college and university campuses. Any Member of this Congress who has gone home and has visited in his district knows how his constituents feel about it. They can make their voice heard not only in the Congress and at the State level, but with reference to the private sources of money for institutions of higher education. That is why I believe it is important that this Congress take reasonable action in protecting the money it puts into higher education and in my opinion we are now on the right track.

Mr. PUCINSKI. Mr. Speaker, if the distinguished gentlewoman from Oregon would yield further, I would like the gentlewoman to address herself to what I consider to be the very heart of this bill. I think this is the part that has been most thoroughly misunderstood as to the provisions of this bill. It is my judgment, however, that if they read the provisions of this bill, they would find that many of the charges, innuendoes or accusations which have been made to the effect that this is somehow an effort to federalize the colleges of America and that this represents a Federal power grab or imposes limitations or restrictions or injects the Federal Government into the operations of our schools are totally unfounded.

Would the gentlewoman care to comment on that?

Mrs. GREEN of Oregon. If the gentleman from Illinois would allow me to say it, in addition to that I think it is a gross misrepresentation of the bill when we have reports that say it is designed to punish all of the younger generations; that it is a bill designed to punish students. The contrary is true. It is a bill which is designed to protect the rights of the vast majority of the students who are in college, who are earnestly seeking an education and to prevent a small minority from keeping them from obtaining that goal.

Mr. PUCINSKI. If the gentlewoman will yield further, this is why I would like the gentlewoman to comment on this language, because I believe this is the very nerve center of this bill.

In section 102, paraphrasing, we read that each institution of higher education shall file with the Commissioner of Education a certification which, first, affirms the intention of the institution to take all appropriate actions to attain the purpose set forth in section 101(b), and sets forth such programs of action—and here I emphasize—as the governing board of the institution after consultation with the administrators, faculties, and students, deems appropriate to prevent in such institution the occurrence or to assure the timely termination of actions which tend to defeat such purpose.

Mr. Speaker, as I read this language, and I do not believe anyone can read anything else into this language, this language concisely, unequivocally, and precisely states that it is the intention of the institution to take all appropriate action to attain the purpose set forth in section 101(b), and shall be promulgated by the governing board of the institution.

There is nothing in this bill that sets up any Federal standards. This bill clearly sets out, in my judgment, that the governing board of the institution upon consultation with the administrators, faculty, and students, shall be the sole authority to determine what rules and regulations will be promulgated in that particular institution.

I would like to make that point clear, and I would like the gentlewoman to tell me whether or not I am correct, and to set the record straight once and for all as to whether or not the Federal Government is trying to inject itself into the management and operation of these institutions?

Mrs. GREEN of Oregon. The gentleman is correct in his interpretation of what the bill says to attain the purpose set forth in section 101(b). They are the five items to which the gentleman from Illinois referred just a moment ago.

There seems to be nothing unreasonable about this. There certainly is no attempt by the Federal Government to inject itself into the situation and try to decide what should be done.

Mr. QUIE. Mr. Speaker, will the gentlewoman yield?

Mrs. GREEN of Oregon. I yield to the gentleman from Minnesota.

Mr. QUIE. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, I only wish that the Congress had used this much wisdom and made as much of an effort to make certain it protected the integrity of the institutions of higher education in other laws, as we are doing in this one.

We only have to look through a host of

bills that have been passed out of our committee, where we kind of gave them a quick brush, and by adding a section stating that nothing in this law shall in any way affect the administration or the curriculums, and so forth, and direction of personnel, but we gave all kinds of directions and we have permitted the Office of Education to give all kinds of directions. In fact, this Congress passed, and I voted for a civil rights legislation that directly puts the Department of Health, Education, and Welfare and other departments of this Government in a position which specifically hits at the direction of the colleges and universities of the country a lot more than most Members of the Congress realize. One only has to look at the letters that some of the Members receive.

So, Mr. Speaker, I really do not blame the institutions of higher education for being worried when the Congress now begins through some further action to require them to submit their ruling procedure. I do not blame them at all. But I believe they ought to look and see the kind of protection we have given, and what we have talked over, and are going to give added protection in title I of the bill to make certain that we do not usurp their authority or responsibility. We believe they ought to be the ones to make the decisions. And that is to be learned from our hearings, and that is what we heard before the subcommittee, and the gentlewoman from Oregon, as the chairman of the subcommittee, let it be known early and made invitations to individuals to come in and testify before our committee so we could find out what was going on in their institutions.

But they did not appear because they really did not know what they were going to do, and they were uncertain and felt it would be just too difficult a matter to get together a few hundred faculty members to try to recommend procedures to provide needed discipline.

But we have also heard before our committee testimony—and some of us have visited some colleges and universities not in our own districts—and all of us, I believe, check on the ones in our own districts, and find out what regulations were developed for their students, as far left as they might be, knowing the meets and bounds on which they can go, and I believe that really gives them much more control of the situation on the campus, and they know how far they can go. They can go that far.

What we really want to do here is to have guidelines in order that they will develop after consultation the kind of adequate rules and regulations with which they guide themselves.

This is what we are saying, I think: "Listen, if you want to get any more of that Federal money, just sit down and work out those procedures. We are not going to tell you what to do. Just sit down and work them out and send them to us—send them in to the Commissioner of Education."

Then they will be available for other colleges and universities to take a look at and decide what they want to do.

The gentlewoman mentioned earlier in the early part of her remarks about the problems we are having in committee—not being able to secure a quorum in order to bring out the legislation and challenges that we have not had adequate hearings and that there ought to be hearings on this legislation or that there is not any subcommittee report and so on.

We only have to look back at the elementary and secondary education bill. That bill was not even sent to the committee. All we had before us was a very simple short bill providing for a 5-year extension of the act the way it is. Our committee reported out the bill which even had just the 5-year extension, even the 5-year procedure.

Members added those changes in committee. But it will go back and hold hearings and then we send it our here to the floor.

All the time there was further consideration because some felt that there ought to be some changes in it. These views were considered in committee and the Congress worked its will.

I believe that we can look at what we did in the elementary and secondary education bill. But we use this procedure sometimes to go through the subcommittee although sometimes through the full committee. This time it went by as the gentlewoman said through the full committee, now that we have come to the decision that this is the kind of legislation we ought to have.

The proposal in title I is no different than the precedents that have already been set before in civil rights and set in a way that we ought to follow it. We are protecting the colleges and universities.

In title II there is an attempt to try to write the section 504 of the Higher Education Act Amedments of 1968 so that they will function better.

We have had some experience to include some of the provisions of student-faculty aid from the Federal Government that was not included in section 504.

In order to make it more fair and equitable, after discussion and finding out we decided we ought not to include social security payments, but they should be dropped, and we will not include them this time.

The committee worked in a deliberate way and will be bringing out a bill which I believe Members can stand behind and support when it is reached here on the floor of the House.

I think this is important. It is not a question of whether we are going to have legislation or not. Yesterday proved that we are going to have legislation. We had legislation earlier for a limited amount that the gentleman from Iowa offered also to the supplemental appropriation bill. But the NASA bill last year should have proved that there is going to be legislation.

Now as we go through the process of making this decision on the kind of proposal that will govern all of Federal aid so that college presidents and administrators will be able to look at one direction rather than in a number of directions. Last year they probably could look at least in three directions and probably more. We would like to give them one direction so they will know where they stand in dealing with the Federal Government under one law rather than rambling all over the place as would be the case if our committee is denied the opportunity to act. That is what we are asking for, for the members of our committee to work with us, and we will consider the views of each one as we have before. This time we are inviting them in and we are not keeping anybody out.

Some of us are worried about any of us being kept out. But nobody is kept out and we are inviting all to come in to take part in this deliberation so we can bring to the House in this year the kind of reasonable Federal legislation that the colleges may live under, but which will be an inducement under which they will develop their own plans and procedures to bring order to their campuses.

Mrs. GREEN of Oregon. If I might add one thing more at that point, there are some who are now asking for additional hearings which, in my judgment, is just another form of dilatory action. Some of those who are most adamant in wanting more hearings are the ones who did not attend even one-half of the hearings that were held by the subcommittee. So I look with a jaundiced eye at the request for new hearings. There are even some who did not attend a single hearing of the subcommittee—and now ask for additional hearings.

Mr. PUCINSKI. Mr. Speaker, will the gentlewoman yield to nail down that one point?

Mrs. GREEN of Oregon. I yield to the gentleman from Illinois.

Mr. PUCINSKI. I should like to nail down this point and then we can proceed in the discussion.

On page 5, line 6, section (c), we provide as follows:

> If the Commissioner determines that an institution of higher education has failed to file the certification required by subsection (a) and (b), he shall immediately give notice to all Federal departments and agencies providing financial assistance—

And so on.

Do I correctly understand—and I think the RECORD should be clear on this—that this language deals merely with the filing of a certified report as required by sections (a) and (b)? There is nothing implied or specified in this section that even after such a report has been filed with the Commission that Federal funds can be withheld. As I understand this language it is basically required that a report be filed. There is nothing in this language that gives the Commissioner any veto power in rejecting a report and saying that it does not meet the requirements of sections (a) and (b).

Mrs. GREEN of Oregon. The gentleman is absolutely correct. The college is required to file a report, and only if the college refuses to file a report, only then would it be ineligible for funds. But we go even further than that and say that if they file a report after that, they would then become eligible.

I was shocked to read in one of the editorials, a Tom Wicker column in the New York Times, the following:

> This bill would make mandatory the complete cut-off of Federal assistance of any kind

to any university or college that did not set up a rigid code of conduct, including a table of penalties—

And so forth.

That is an erroneous statement of fact. It bears no resemblance to the truth. I think it does a disservice to the academic communities, to colleges throughout the country. The gentleman from Illinois is correct in his interpretation of section (c) on page 5.

Mr. PUCINSKI. The bill goes even further in subsection (d), when the bill recognizes that there conceivably may be a situation where, for reasons best known to the university, it cannot adopt a code of conduct. Under such extenuating circumstances section (d) would permit the Commissioner to waive the requirements for the filing of a report or a code of standards.

Mrs. GREEN of Oregon. We have been more careful in this legislation to preserve the rights of the university than in any other piece of legislation with which I have ever been connected in this Congress.

We have another very distinguished member of our full committee who, though not a member of the subcommittee, has shown his interest and has attended meetings of the subcommittee because he is truly concerned about the problem. I yield to the gentleman from Idaho.

Mr. HANSEN of Idaho. I thank the gentlewoman for yielding. I would like to add my commendation to the gentlewoman for the leadership that she has furnished, together with that of my colleague from Illinois (Mr. ERLENBORN), and others, in trying to search for answers to this complex, perplexing, and very vexing problem that confronts the country. I do know of the pressures that have been on the distinguished chairman of the subcommittee to present more repressive measures which would indeed undermine academic freedom, and which would be an undesirable backlash effect and response to the genuine concern that is being demonstrated across the country. I think no one believes that campus disorders will evaporate over night with the passage of this legislation.

But I think it would help to create the kind of atmosphere within which we can cooperatively and sincerely search for the answers. In my judgment it serves two basic purposes: First, it would require the institutions themselves to address themselves to the problem and consult, to talk with the students, to talk to the faculty, to talk to each other, to communicate, and also to try to establish some reasonable procedures for continuing communication, so that legitimate grievances can be heard, and so that problems can be resolved before they get out of hand.

I might say it also provides for the first time some kind of guarantee that the students will have the opportunity to have their complaints heard and considered.

In addressing myself to the point raised by my distinguished colleague, the gentleman from Illinois (Mr. PUCINSKI), I think probably when we look at the place where the responsibility should be fixed, we will find it is not entirely on those who are the governing board of the institution, but the responsibility also must be shared by the students themselves. They have a stake in the preservation of an academic atmosphere within which they can pursue their education. Therefore, the responsibility, although perhaps not primarily, is very definitely on the shoulders of the students.

The second function, it seems to me, that this legislation serves—and this may ultimately be the most important purpose—is to create a kind of source of information, so that we can draw on the experiences of each other.

I think it is fair to say that the riots took many of our colleges by total surprise. They were unprepared. Now many of them are developing plans and they are addressing themselves to the problems. The requirement that they do just that and file a plan, which is the result of this experience, with the Commissioner of Education will make it possible for all of us to benefit by the experience all across the country, by the successes and by the failures, so that we can hopefully develop some answers to the problem.

In conclusion I will say I hope this legislation will in the ordinary democratic process reach the floor for consideration at an early date.

The SPEAKER pro tempore. The time of the gentlewomen has expired.

Mrs. GREEN of Oregon. Mr. Speaker, is it in order for me to ask unanimous consent that I may continue for an additional 10 minutes?

The SPEAKER pro tempore (Mr. HECHLER of West Virginia). The Chair will advise the gentlewoman that under clause 2, rule 14, such a request cannot be entertained. However, the Chair can recognize other Members who wish to request a special order.

AMENDING THE HIGHER EDUCATION ACT OF 1965

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

Mr. PUCINSKI. I yield to the gentleman from Louisiana (Mr. WAGGONNER).

Mr. WAGGONNER. Mr. Speaker, I express my appreciation to the gentlewoman from Oregon (Mrs. GREEN) and to those members of her subcommittee and other interested Members of this House for going into detail about the proposals of this legislation. A great deal of misrepresentation has been occasioned by it.

I find it rather amazing that those who worry now about Federal intervention and Federal dictation have not been concerned in the years gone by when they should have been concerned about Federal dictation.

They say it is surprising that this anarchy exists. I do not know where the administrators of these colleges and universities have been in recent years when they now express surprise at the crisis which exists on the campuses of our country. I said at least 50 times during the Cuban missile crisis in 1962 that the tragedy of that crisis would not be that we had a confrontation with the Russians because they placed intercontinental ballistic missiles on Cuban soil, but that the long road of history would allow us to point a finger at that moment of crisis and identify it as the beginning of a movement which would prove tragic to education in this country.

It was then during that crisis, that young Americans supposedly of college and university age dared rear their heads for all to see and speak for all to hear. They said in no uncertain way that they were on the other side. They told us then what they were going to do. I said the tragedy would be that their numbers would grow and that an educational crisis would surely develop.

In October 1965 I asked this Congress by resolution to investigate the Students for a Democratic Society. Few then were aware of who these people were and what they were attempting to do. They said then, as they have said in even more definite terms since then, that they were going to destroy education in this country.

Education in this country has been confronted with crisis after crisis. There is always the crisis of money, and we have met that challenge.

Education, for example, was confronted in the 1950's with the challenge of competition from the Russians. The Russians beat us to the punch because of a different emphasis, and launched the first manmade satellite on the top of Sputnik I. People became alarmed all over this country and started asking questions. What permitted the Russians to do something we could not do? When we put our shoulders to the wheel we met that challenge, and we are ahead in that particular field now.

This by contrast is not a challenge of competition. A challenge of competition is good. This is a challenge of destruction. If we do not meet this challenge we are going to see education destroyed in this great country of ours.

We have the greatest educational system for every American the world has ever known.

There are those who say that the anarchy which prevails on campus after campus is being brought to these campuses by outsiders. Even though this may be the case in too many instances—and once is too often—the anarchy which prevails on these campuses is not being brought to these campuses but is being taught on these campuses by some. Certainly I am not condemning all of the academic community, but I am condemning a part of that academic community which condones and teaches that the protests which are underway now serve a useful purpose.

Let us make it crystal clear. To do nothing would be the worst thing we could possibly do if we want to save education. Every man has a right to express his dissent just so long as in expressing that dissent he does not infringe

upon the right of others to pursue their normal daily routines as they pursue an education.

I know the gentlewoman who heads the subcommittee and I know the members of this committee who share her point of view, and I know they have no desire except to try to preserve education.

The tragedy is that the Congress feels the need to act.

The tragedy is there are too many spineless, gutless, weak-kneed administrations on too many campuses across this country who will not do the job which is their responsibility.

The tragedy is that every college administrator, whether he is appointed or elected, who allows this anarchy to prevail does a disservice to education and to this great country.

I want to congratulate these people for, as Mr. PUCINSKI said earlier, attempting by legislation concisely and precisely to see that the U.S. Government does not continue to do what we have been doing in other programs. We financed with Federal tax dollars a revolution through the poverty program in this country. I do not want to finance another revolution in education by subsidizing it with Federal dollars and allowing these people to use other people's hard-earned tax dollars and subsidies in order to propagate this revolution.

Mr. Speaker, I thank this committee for what they are doing for education in this country and support their efforts.

Mr. PUCINSKI. I thank the gentleman for those comments.

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

Mr. PUCINSKI. I yield to the gentleman from Oregon.

Mr. DELLENBACK. Mr. Speaker, I thank the gentleman from Illinois very much for yielding to me.

I want to make a brief further comment on this particular bill on which there has been so much discussion here today. I wish to express first of all my deep personal concern about the editorial that appeared in the Washington Post this morning with regard to this matter. It is not just because of the fact that that editorial expressed an opinion with which I happen to disagree that I wish to comment on it. I believe it is the right of editorial writers to say what they will and what they feel is true with respect to a given situation. However, what I quarrel about so much with regard to that editorial is that it was not accurate as to its basic facts. Being inaccurate about this particular bill before the Committee on Education and Labor at the present time and its efforts to deal with the general situation of obtaining a dialog on the campuses and universities and quelling campus unrest, it is inevitable that its conclusions are also in error. It is not just because of the fact that in its final conclusion it said things with which I feel it was dealing improperly but because it set forth a series of points, including statements about my colleague from the State of Oregon, Representative EDITH GREEN. I resent some of the remarks made with respect to her. I know my colleague from Oregon very well. I know that she has had a long-standing reputation as being a friend of education. I know her to be exactly that and most particularly a friend of higher education. I know her to be a friend of the administration of higher education on our college campuses throughout the Nation and a friend of the faculties of these colleges and universities and most particularly I know her to be a friend of students. I know that she and the gentleman in the well would not—and I can certainly speak equally strongly for myself—be a party to dealing with a piece of legislation which was intended to do injury to any of these basic component elements that make up higher education.

Mr. Speaker, the bill we are attempting to consider here is one that attempts to deal constructively and not destructively or punitively with the problems that higher education is facing currently. One of these problems is the matter of violence on the campus. This is an attempt to hand to the administration a tool to help them deal with this particular problem. This is an attempt not to do violence but to give them aid in their efforts to deal with this problem. Much more than that, it goes beyond the simple question and it is an attempt to help the faculties, the students, and the administrations on the campuses of the colleges and universities throughout the country to open up avenues of communication which are not now in existence. The studies that we have made on campuses throughout the Nation, if they have come up with any one single denominator, have come up with that denominator of saying where difficulty and trouble arose there has been an absence of or an inadequate communication among the component elements of administration, faculty, and student bodies. This bill is an attempt to say to the faculties and to the student bodies and to the administrations, "We do not tell you exactly what form your dialog must take and we do not try to tell you exactly what procedures you should set up for this intercommunication, but we do say to you very strongly that you shall have this communication; work it out in your own form and your own unique way because of your unique situation, but you must have procedures set up."

Mr. Speaker, I feel that the committee is struggling in this direction. I feel that some of our colleagues on our committee have unfortunately exercised what I consider to be poor judgment in refusing to cooperate in bringing this bill to an area of discussion before our committee.

Mr. Speaker, I want to close as I began by commending the gentleman in the well (Mr. PUCINSKI) upon his efforts in behalf of this legislation and particularly to commend the distinguished gentlewoman from Oregon (Mrs. GREEN) for not only her deep interest in this subject but for her earnest efforts and constructive efforts to move ahead in this field.

Mr. Speaker, I earnestly hope that this bill will come forth from the committee and will be passed by this House and by this Congress. I feel if we succeed in this endeavor we will have succeeded in a very important field and in a very important way.

Mr. PUCINSKI. I thank the distinguished gentleman for his contribution.

Mr. Speaker, I would like to point out that it is difficult to comprehend and understand and even begin to justify the criticism of this bill. This bill as we have said here throughout this discussion provides that the universities shall file with the Commissioner their rules and regulations which they have adopted to deal with the problem of unrest. There is nothing in this bill anywhere that tries to set up Federal criteria.

This bill quite properly points out what kind of information shall be included in the report certified to the Commissioner, this includes:

(A) provide for an effective means to assure adequate opportunity for free expression, consultation and orderly discussion of educational and associated problems which affect and are of concern to trustees, administrators, faculty, and students of the institution;

(B) govern the administrative practice, the conduct of students, faculty, other staff, and visitors on such property and facilities;

(C) assure that fair procedures will be adopted to deal with cases of administrative personnel, faculty and other staff, and students charged with violation of such institution's rules and regulations; and

(D) clearly set forth a table of penalties for violations of such rules and regulations.

This is assuming that there are penalties. The university may indeed decide that they will not have penalties. It may set up some other machinery for dealing with the problem of infraction of the rules.

Again, there is nothing insofar as I can find in this legislation which says that they must have penalties, they must have this or that. This legislation, in effect, says to the administrators of these schools that they should have rules and regulations dealing with the conduct of these institutions and that such rules be filed with the Commissioner of Education, but it does not say that these are the things we have got to have, this is the way they have got to be done. I think this is the very heart of this bill.

Mr. Speaker, I am wondering if some of those who are opposing this legislation really are not somewhat fearful of putting the spotlight on their rules and regulations and programs to deal with these problems or perhaps their lack of such rules. I am wondering if some of those who are so violently opposed to this legislation would not iike to continue the status quo, even though there is across this country turmoil and turbulence at almost every institution because young people do not feel that educators are providing the kind of standards they need with which to face life at this point in the 20th century.

So, in my opinion it is important for all of us to know what the universities and colleges are doing to deal with these problems. All over the country there are those who say, "We do not have this problem; it does not affect us; we do not

have to do anything; we do not need any rules and regulations," and all of a sudden an explosion occurs and they wonder what hit them.

Well, I believe if the young people of this country, if the faculty members, if the administrators, if the governing boards take a hard look at this bill, as I hope they will, and take a look at this RECORD today—and I did say earlier that I hoped the gentlewoman from Oregon would append the full contents of this bill to her remarks in her special order—when they look at the bill and look at it honestly, dispassionately, and without any prejudice, they will find that this bill merely attempts to help universities and help colleges and institutions of higher learning develop procedures and plans that will help them deal with their problems.

Mrs. GREEN of Oregon. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I am delighted to yield to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. Mr. Speaker, I thank the gentleman for yielding.

I would point out that one of the new provisions in section 504 would include those people on the campuses who are receiving Federal financial assistance through the Veterans' Administration.

Therefore, Mr. Speaker, at this point I would ask unanimous consent to include in the RECORD a letter from the American Legion, the Department of Oregon, in regard to campus unrest, and from the national headquarters of the Catholic War Veterans, and a letter from the very distinguished and able chairman of the Committee on Veterans' Affairs of the House of Representatives, the gentleman from Texas (Mr. TEAGUE).

I have discussed this matter many times with the gentleman from Texas (Mr. TEAGUE). While the gentleman and I are in complete agreement that the number of GIs who might be involved in campus riots would be extremely small, we both feel, nevertheless, that this is a fair provision in the bill. I believe if those three letters were included at this point it would help to clarify that matter.

The SPEAKER pro tempore (Mr. HECHLER of West Virginia). Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

The material referred to follows:

THE AMERICAN LEGION,
DEPARTMENT OF OREGON,
Portland, Oreg., February 25, 1969.

The Honorable EDITH GREEN,
House of Representatives,
Washington, D.C.

MY DEAR MRS. GREEN: The Advisory Committee on Education pursuant to American Legion National Policy by Resolutions passed at the New Orleans National Convention, 1968 and the Department of Oregon American Legion Policy of Resolutions adopted at Department Convention, Astoria, 1968 wish to call your attention to matters of widespread concern and interest.

The future of the legitimate academic communities cannot be purchased by intimidation, criminal acts of violence and destruction of properties on institutions of Higher Learning. With a constant need for increases in the tax burden, a tolerant American public can no longer find any resolve in means by which tax monies are used to support destruction of tax reliant properties.

We strongly urge that your consideration or enactment of legislation or other necessary action be taken to withdraw Federal or State tax dollar grants or support for those students that have been or are convicted of those forto mentioned illegal acts. We find no moral or logical justification, but only criminal intent. Needy people in poverty areas are crying for help from monies we are lending and spending to destroy their own future.

Our children, yours and mine, should have the benefit of pursuing their education, disseminating the ideas in a system of education that would exalt their lives and that of succeeding generations in the future. We cannot obtain this by condoning these disrespectful Un-American acts. This Committee would appreciate your comments.

Thank you for the courtesy of your time and attention.

Sincerely,

JOHN W. BUETHER,
Chairman, Advisory Committee on Education.

CATHOLIC WAR VETERANS OF THE UNITED STATES OF AMERICA,
Washington, D.C., April 22, 1969.

Hon. CARL D. PERKINS,
Chairman, Education and Labor Committee, House of Representatives, Washington, D.C.

DEAR MR. PERKINS: The following Resolutions were passed at the March 1969 National Board Meeting of the Catholic War Veterans USA, and are being submitted to you for your consideration and appropriate action:

1. Whereas, since the establishment of our Republic, one of the basic purposes of the use of tax funds in the field of education has been to train citizens to better operate their democratic government; and

Whereas, a considerable amount of public money is currently being utilized in the field of public education; and

Whereas, a part of these public funds is utilized in the field of scholarships and student-aid programs; and

Whereas, in some of our public institutions certain individuals, who do not qualify for exemption on conscientious or religious grounds as provided by law, have publicly refused to bear arms in defense of the form of government which has offered them a tax-supported education; now, therefore, be it

Resolved, that the Catholic War Veterans of the United States of America, in Executive Session assembled this 28th day of March, 1969, in Chicago, Illinois, urge that legislation be enacted on state and national levels which would make it impossible for any individual, who does not qualify for exemption on the conscientious or religious grounds provided by law, who has publicly refused to bear arms when called upon to do so by duly constituted authority, to receive any scholarship or student-aid monies from any tax-supported sources made available by the State or National governments for educational purposes.

2. Whereas, there is an ever increasing and continuing destructive activities of radical and Communist-oriented student groups in our educational institutions; and

Whereas, these groups have been identified as the Students for Democratic Society, the W. E. B. DuBois Club, the Young Socialist Alliance, the Draft Resisters Union, the Black Peoples Union and Alliance, the Student-Faculty Committee to End the Viet Nam War, Veterans for Peace in Viet Nam, the Peace Mobilization Committee and other radical College groups, and

Whereas, the sole purpose of these groups is to disrupt the educational processes of schools and to deluge the students with massive distortions and fabricated falsehoods of our form of government, the Federal Bureau of Investigation and duly constituted Congressional Committees; and

Whereas, the dissimination of this false propaganda is an attempt to sow seeds of distrust and disloyalty among our students which borders on treason; and

Whereas, the greater majority of our students and citizens are greatly irritated by individuals who interfere and disrupt the will of the majority to achieve educational excellence; now, therefore, be it

Resolved, that the Catholic War Veterans of the United States of America, in Executive Session assembled, this 28th day of March, 1969, in Chicago, Illinois, urge the Congress to initiate (a) an investigation of disorders on all Colleges campuses, (b) to investigate the influence of the above cited groups at all educational institutions and (c) to investigate the interference by any individual or individuals in the normal process of the majority of students to obtain an education, and be it further

Resolved, that all personnel on the administrative level at educational institutions in this Nation take positive action to assert their position and expel, if necessary, those individuals responsible for such disruptive activities and college campus disorders.

Sincerely yours,

L. E. SHUGRUE,
National Commander.

COMMITTEE ON VETERANS' AFFAIRS,
Washington, D.C., June 11, 1969.

Hon. EDITH GREEN,
House of Representatives,
Washington, D.C.

DEAR COLLEAGUE: This has reference to the proposed amendments to the Higher Education Act of 1965 which would provide a basis for the withholding of Federal funds from certain individuals involved in campus disorders. I think it is entirely appropriate that a veteran receiving an educational and training allowance under Chapter 34, Title 38, U.S. Code, should be subject to these provisions. Veterans' benefits are not an earned right. They are a gratuity and historically these benefits have been conditioned upon compliance with various standards set by Federal laws.

Since the early days of the education and training program for World War II, veteran's benefits have been withheld from veterans attending educational institutions subversive in character. This provision has been continued in the programs for Korea and Post-Korea veterans, and under the laws today, the Administrator of Veterans Affairs may not make a payment of an educational assistance allowance to any eligible person under Chapters 34 and 35 of Title 38 for a course in an educational institution while it is listed by the Attorney General under Section 12 of Executive Order 10450. The law also contains appropriate sanctions for persons submitting false statements regarding education and training. It requires that the veteran be in proper attendance and make satisfactory progress. It seems entirely consistent with the basic purposes of Title 38 that payments of the education and training allowance should not be made to an individual who indulges in activities which detract from his own educational pursuits and tends to deprive others of their rights to obtain an education.

I doubt that there are many veterans involved in these activities, but in view of the concerted attempts being made to organize dissension in the Armed Forces, I think it is only a matter of time until some of these cases come to light. In informal conferences with representatives of the veterans' organizations I have gained the impres-

sion that these organizations are very much opposed to the campus disorders and have no sympathy for any veteran who would participate in these disorders.

Sincerely,

OLIN E. TEAGUE,
Chairman.

Mrs. GREEN of Oregon. Mr. Speaker, if the gentleman will yield further, I would also ask unanimous consent to follow the suggestion of the gentleman from Illinois (Mr. PUCINSKI), and to insert at the conclusion of the remarks of the gentleman a copy of the bill, H.R. 11941.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, I believe it is also important to point out one distinction: I believe that many of the Members who have spoken out against any Federal legislation dealing with student unrest are still motivated to a great extent by some of the legislation that is pending before the Congress now, and before our committee.

In the last few months many Members of Congress have introduced very restrictive and punitive bills. There are any number of bills pending before our committee that would automatically cut off the flow of all Federal funds to any institution of higher learning that has experienced any serious unrest.

Mr. Speaker, I am opposing that kind of legislation. Insofar as I know most of those who are sponsoring the bill, H.R. 11941, including the distinguished gentlewoman from Oregon (Mrs. GREEN), are opposed to that kind of legislation because if that kind of legislation were to be adopted it would play into the hands of those who want to continue the disruption in our institutions of higher learning. Under those proposals any small group of people starting a riot or a disturbance on a campus could indeed bring to a complete halt and standstill all of the Federal activities on that campus.

So, Mr. Speaker, again I congratulate the gentlewoman from Oregon, the chairman of the committee, for rejecting that approach to the problem in dealing with unrest at our institutions of higher learning. But I suspect that many well-meaning educators who have not had an opportunity to look at H.R. 11941 are unaware of the fact that the committee took cognizance of the punitive legislation pending before the Congress and rejected it, and then wrote this bill as a workable, reasonable alternative to the problem.

I submit, Mr. Speaker, that those who would have us believe that somehow or other nothing needs to be done, those who say we do not need any legislation, we can solve the problem ourselves, are really whistling in a graveyard. They are out of touch with reality, and certainly are truly unmindful of the mood of this Congress.

If they need anything to jar them into reality, let them look at the vote yesterday on the amendment offered by one of our Members to strike out of the NASA bill a provision that would deny Federal funds to those who participated in riots and disturbances. That amendment was rejected here on the floor of the House by a vote of 80 to 15.

So those who say, "Well, you do not need any legislation"—in my judgment are inviting a process which is least desirable, and that is, of trying to write this legislation on the floor of the House.

I reminded my committee earlier today how a few years ago we experienced a similar situation on the minimum wage bill that came to the floor of the House and in the closing minutes of debate and the closing minutes for offering amendments on the bill, one of the Members offered an amendment that nobody had seen and had never been studied and there was no time to discuss it. The amendment was approved by a voice vote on the floor of the House. The Whole House was shocked the following day when in this very Well I told the House that in that amendment they had removed from minimum wage coverage 14 million Americans who had been covered by the minimum wage law for many years.

I think we have tried honestly and sincerely and diligently to come up with a bill that will help the universities to restore some semblance of order out of chaos on their campuses. We have carefully avoided writing into this bill Federal standards or Federal requirements which would impose a big brother Federal attitude on the institutions of higher learning in this country.

I think anyone who reads this bill carefully must concede and must admit that there are no Federal limitations or restrictions. Furthermore, we have sat in the last few days, trying to move this bill from our committee. If any member of the committee feels that some language is not particularly clear, let him come before the committee and in an orderly process offer his amendments.

I think members of this committee are reasonable people. We have seen compromise effectuated time and time again on major legislation where there was good will. I must say on behalf of the sponsors of this legislation and as one of the cosponsors of this legislation, there is good will on my part. I am willing to listen to any member of that committee offer any amendment. If it makes sense and if there is something that they feel we have overlooked and if there indeed is something in this bill that would create the very thing that we do not want—any Federal controls over institutions of higher learning—let them make that observation to the committee and I will be glad to support amendments to cure the defect.

I think our colleague, the gentleman from Pennsylvania (Mr. DENT) made a very strong and persuasive point today when he said in committee that those who abstain from participation in the writing of this bill and those who fail to show up to give us a quorum so we can move forward with this legislation are emulating the very tactics of those on the university campuses when they participate in disrupting the orderly processes in the institutions of higher learning.

So it seems to me, Mr. Speaker, that is why we have taken this time today to discuss this bill.

I honestly believe that this bill can make a significant and substantial contribution toward restoring greater stability on the campuses of America's universities and colleges.

Mr. Speaker, I think the time is long past due when we in this Congress ought to realize that John Q. Public is getting pretty tired of seeing his money going for these projects and then watching that money go up in smoke in violence and in disorder.

I think the Congress of the United States ought to take full notice of the attitudes of the American people. If there is any meaning to the concept of representative government, it is high time that we realize what the American public is trying to tell us. I think all over this country it is eminently clear that the American citizen is deeply concerned about what is happening in America. This legislation tries to make a step forward.

Mr. Speaker, I urge my colleagues on the committee to join with us.

If there are weaknesses in this bill and if there is something we have not noticed—if they can make some meaningful contribution toward improving this legislation, I, for one, am willing to listen and I am sure every other member of the committee is willing to listen and support appropriate amendments.

One amendment I intend to offer would provide that all rules and regulations promulgated by the commissioner to effectuate the provisions of this act must follow the provisions of the Administrative Procedures Act and be published in the Federal Register for full discussion and debate before they can become effective. There will be no guidelines if I can help it.

Mrs. GREEN of Oregon. Mr. Speaker, the bill which we have been discussing and which we ask be given the consideration of all our colleagues follows:

H.R. 11941

A bill to encourage institutions of higher education to adopt rules and regulations to govern the conduct of students and faculty, to assure the right to free expression, to assist such institutions in their efforts to prevent and control campus disorders, and to amend the Higher Education Act of 1965

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Higher Education Protection and Freedom of Expression Act of 1969".

TITLE I—PREVENTION AND CONTROL OF DISRUPTIVE ACTS

STATEMENT OF FINDINGS AND PURPOSE

SEC. 101. (a) The Congress hereby finds that the primary responsibility for maintaining freedom of expression, public order, and the effective functioning of the educational processes at American institutions of higher education rests with the trustees, administrators, and other duly-appointed collegiate officials.

(b) In light of the finding set forth in subsection (a), it is the purpose of this Act—

(1) to maintain within the scholarly com-

munity the basic American concepts of freedom of thought, inquiry, expression, and orderly assembly,

(2) to assist those who wish to pursue their education in a campus atmosphere free of disruption and violence,

(3) to afford encouragement and opportunity to administrators, faculty and students in working for orderly progress,

(4) to assist the academic community in maintaining institutions of higher education as centers for the free interchange of ideas, and

(5) to assure reasonable protection of the Federal investment in higher educational programs.

INSTITUTIONAL ACTION REQUIRED TO PREVENT AND CONTROL HIGHER EDUCATIONAL CONFLICTS AND DISRUPTIVE ACTS

SEC. 102. (a) Each institution of higher education (as defined in the first sentence of section 1201 of the Higher Education Act of 1965) which participates or proposes to participate in a program or activity receiving financial support, as set forth in section 104, from any department or agency of the United States shall file with the Commissioner of Education (hereinafter referred to as the "Commissioner") within sixty days following the enactment of this Act, or by January 1, 1970, whichever is later, or in the case of a new institution or one which has not previously applied for federal funds, at the time of filing its initial application for participation in such program or activity, a certification which—

(1) affirms the intention of the institution to take all appropriate actions to attain the purposes set forth in section 101(b), and sets forth such programs of action as the governing board of the institution, after consultation with administrators, faculty and students, deems appropriate to prevent at such institution the occurrence, or to assure the timely termination, of actions which tend to defeat such purposes, and

(2) sets forth rules and regulations which are in effect at such institution (or, if none are in effect, a set of rules and regulations which will be put into effect within sixty days) relating to standards of administrative practice, conduct of students and faculty, and other university employees and the maintenance of public order and the continuing function of the educational processes on the properties and facilities of the institution. Such rules and regulations shall be certified after consultation with administrators, faculty, and students, and shall as a minimum—

(A) provide for an effective means to assure adequate opportunity for free expression, consultation and orderly discussion of educational and associated problems which affect and are of concern to trustees, administrators, faculty, and students of the institution;

(B) govern the administrative practice, the conduct of students, faculty, other staff, and visitors on such property and facilities;

(C) assure that fair procedures will be adopted to deal with cases of administrative personnel, faculty and other staff, and students charged with violation of such institution's rules and regulations; and

(D) clearly set forth a table of penalties for violations of such rules and regulations.

(b) Revisions to such rules and regulations shall be filed with the Commissioner not later than ten days following their adoption.

(c) If the Commissioner determines that an institution of higher education has failed to file the certification required by subsection (a) and (b), he shall immediately give notice to all Federal departments and agencies providing financial assistance for programs and activities at the institution. Thereafter, such institution shall not be eligible for the award of any Federal financial support as set forth in section 104, until such time as the Commissioner shall determine that such failure to file has been corrected.

(d) When the Commissioner determines that special circumstances exist which would make the application of the preceding subsection inequitable, unjust or not in the public interest, he may waive its application to the institution, in whole or in part.

(e) Any institution of higher education which is dissatisfied with the Commissioner's final action with respect to any matter arising out of this section shall have the same right of appeal under the same conditions as a State under section 608 of the Higher Education Act of 1965.

ASSISTANCE BY COMMISSIONER OF EDUCATION

SEC. 103. The Commissioner is authorized to provide, only upon request, appropriate technical and other assistance to institutions of higher education in carrying out the purposes of this Act.

FEDERALLY ASSISTED PROGRAMS COVERED BY ACT

SEC. 104. For the purposes of this title, financial support includes all forms of Federal financial assistance including but not limited to research grants and contracts, fellowship grants, loans and grants for construction of facilities, grants for library resources and instructional equipment, grants for teacher training, and grants for curriculum improvement.

TERMINATION OF TITLE I

SEC. 105. This title shall expire five years after the date of its enactment.

TITLE II—HIGHER EDUCATION AMENDMENTS OF 1968

SEC. 201. (a) Section 504 of the Higher Education Act of 1965 is amended to read as follows:

"SEC. 504 (a) if an institution of higher education determines, after affording notice and opportunity for hearing to an individual attending, teaching, doing research or otherwise employed by, such institution, that such individual has been convicted by any court of record of any crime which was committed after the date of enactment of the Higher Education Protection and Freedom of Information Act of 1969 and which involved the use of (or assistance to others in the use of) force, disruption, or the seizure of property under control of any institution of higher education to prevent officials or students in such institutions from engaging in their duties or pursuing their studies, and that such crime was of a serious nature and contributed to a substantial disruption of the administration of the institution with respect to which the crime was committed, then the institution which such individual attends, or is employed by, shall deny for a period up to five years any further payments to, or for the direct benefit of, such individual under any of the programs specified in subsection (d). If an institution denies an individual assistance under the authority of the preceding sentence of this subsection, then any institution which such individual subsequently attends shall deny for the remainder of that period any further payment to, or for the direct benefit of, such individual under any of the programs specified in subsection (d).

"(b) If an institution of higher education determines, after affording notice and opportunity for hearing to an individual attending, teaching, doing research, or otherwise employed by, such institution, that such individual has willfully refused to obey a lawful regulation or order of such institution after the date of enactment of the Higher Education Protection and Freedom of Information Act of 1969, and that such refusal was of a serious nature and contributed to a substantial disruption of the administration of such institution, then such institution shall deny, for a period up to five years, any further payment to, or for the direct benefit of, such individual under any of the programs specified in subsection (d). If an institution denies an individual assistance under the authority of the preceding sentence of this subsection, then any institution which such individual subsequently attends shall deny for the remainder of that period any further payment to, or for the direct benefit of, such individual under any of the programs specified in subsection (d).

"(c) As a condition to receipt of any payment described in subsection (d) (1) (2) (3) (4) (5) (6) and (9) the public or private agency, officer, institution, or organization making the payment shall require the individual to whom the payment is made to execute an affidavit (in such form as the Commissioner shall prescribe) with respect to any finding made by an institution of higher education under subsections (a) or (b). Section 1001 of title 18, United States Code, shall apply with respect to such affidavits. In regard to payments described in subsection (d) not processed or disbursed through the institution, the institution shall notify the public or private agency, officer, institution, or organization making such payment to an individual as described in subsection (d) that such individual has been denied payment. No payment shall be made to any such individual for the period determined by the institution under subsection (a) or subsection (b). Any such agency, officer, institution, or organization that violates this subsection shall be liable to the United States for the amounts paid in violation of the subsection.

"(d) The payments referred to in the preceding subsections of this section are the following:

"(1) payments to students under a student loan program carried on by an institution of higher education under title II of the National Defense Education Act of 1958,

"(2) payments to students under a student loan program carried on by an institution of higher education under part C of title VII or part B of title VIII of the Public Health Service Act.

"(3) payments under the student loan insurance program under part B of title IV of the Higher Education Act of 1965,

"(4) payments under a college work-study program carried on under part C of title IV of the Higher Education Act of 1965,

"(5) payments of salary to teachers and other employees of institutions of higher education, who are employed in connection with the training of volunteers for the Peace Corps or for service in domestic volunteer service programs carried on under title VIII of the Economic Opportunity Act of 1964,

"(6) payments of salary to teachers and other employees of institutions of higher education who receive their salaries from funds made available under title III of the Higher Education Act of 1965,

"(7) payments of subsistence allowances under section 1504 or of educational assistance allowances under subchapter IV of chapter 34, or of subchapter IV of chapter 35 of title 38 of the United States Code, or

"(8) payment of a child's insurance benefit under section 202(d) of the Social Security Act to a student who at the time of the act for which he is convicted, had attained age 18 and was not under a disability (as defined in section 223(d) of the Social Security Act),

"(9) other payments to students or faculty members at institutions of higher education under fellowships, scholarships, traineeships, or research grants carried on with Federal funds.

"(e) For purposes of this section a student shall be deemed to have received a pay-

ment referred to in subsection (d) if such a payment was received by his parent, guardian, or by any other person for his benefit.

"(f) Nothing in this section shall be construed as limiting or prejudicing the rights and prerogatives of any institution of higher education to institute and carry out an independent disciplinary proceeding pursuant to existing authority, practice, and law."

(b) The amendments made by subsection (a) shall not be deemed to affect the applicability of section 504 of the Higher Education Amendments of 1968, as in effect on the date of enactment of this Act, with respect to acts committed prior to the date of enactment of this Act.

SEC. 202. (a) Section 427(a)(2) of the Higher Education Act of 1965 is amended by redesignating subparagraph (G) as (H) and by inserting after subparagraph (F) the following new subparagraph:

"(G) provides that, contingent upon certification by the institution at which the borrower is enrolled that he is in good standing, the loan will be paid in periodic installments (as prescribed by the Commissioner) which are geared to the borrower's rate of necessary expenditure, and"

(b) Effective July 1, 1970, section 428(b)(1) of such Act is amended by redesignating subparagraph (K) as (L) and by inserting after subparagraph (J) the following new subparagraph:

"(K) requires that, contingent upon certification by the institution at which the borrower is enrolled that he is in good standing, the loan be paid in periodic installments (as prescribed by the Commissioner) which are geared to the borrower's rate of necessary expenditure; and"

SHIPPING CARRYING SUPPLIES TO NORTH VIETNAM

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

Mr. CHAMBERLAIN. Mr. Speaker, the President's decision to recall some 25,000 American troops from the struggle in Vietnam is clearly a significant milestone and offers great hope that the beginning of the end is now in sight. This action stands in sharp contrast to the total absence of any discernible effort on the part of the North Vietnamese to end the conflict, as the weekly casualty figures so unmistakably attest. Another barometer of the Hanoi regime's commitment to a war economy is to be found in the constant seaborne traffic carrying supplies into North Vietnamese ports. Many of these ships are Communist vessels but a substantial number of these monthly arrivals continue to be vessels of free world registry under charter to Communist governments.

During the month of May, according to Department of Defense information, 12 more ships flying free world flags steamed into North Vietnam. This brings the total so far this year to 49 such arrivals and compares to the 61 arrivals for the same period in 1968. Last month this traffic consisted of nine vessels flying the British flag with one each bearing the registry of the Somali Republic, Cyprus, and Malta. While detailed information about the cargoes involved is classified, the reports leave no doubt in my mind that strategic goods are included as well as other supplies which help North Vietnam to maintain its aggressive policy in the south.

Although the incidents of terror, mortar attacks and assassinations dominate the headlines, the steady flow of the supplies which help to underwrite a policy of wholesale murder is obviously of crucial importance. A greater effort must yet be made to stop this immoral trade. At this point I insert a chart concerning free world shipping to North Vietnam during 1969.

FREE WORLD SHIPPING TO NORTH VIETNAM, 1969

[GRT—Gross tonnage; DWT—Deadweight tonnage]

Month	British			Somali			Cyprus			Singapore			Japanese			Maltese			Total		
	No.	GRT	DWT	No.	GRT	DWT	No.	GRT	DWT	No.	GRT	DWT	No.	GRT	DWT	No.	GRT	DWT	No.	GRT	DWT
January	8	34,597	47,200	2	8,973	12,600	1	2,137	3,100										11	45,707	62,900
February	6	30,824	44,300				1	2,137	3,100	2	8,148	11,000	1	3,896	6,000				10	45,005	64,400
March	6	27,870	39,600	1	8,997	13,500													7	36,867	53,100
April	7	29,714	50,000	1	3,378	5,000							1	695	717				9	33,787	55,717
May	9	45,802	63,400	1	4,534	6,000	1	2,137	3,100							1	5,333	9,400	12	57,806	81,900
Total	36			5			3			2			2			1			49		

EMASCULATION OF THE NEIGHBORHOOD YOUTH CORPS PROGRAM

The SPEAKER pro tempore (Mr. HECHLER of West Virginia). Under previous order of the House, the gentleman from New York (Mr. FARBSTEIN) is recognized for 20 minutes.

Mr. FARBSTEIN. Mr. Speaker, the Nixon administration has taken great pains to give the people of this country the impression that it is doing everything possible to alleviate the problems of the poor.

The newspapers contain only favorable publicity such as the extension of the antipoverty programs for 2 years with no cut in funds, and promises to furnish Job Corps trainees, affected by the closing of 59 Job Corps centers, with other training opportunities in urban areas, such as the Neighborhood Youth Corps.

The facts however, are otherwise. Quietly, but systematically, the out-of-school, year-round Neighborhood Youth Corps program, one of the most valuable programs in the country to furnish work experience and job training to underprivileged youth between the ages of 16 to 21 years of age is being emasculated.

The year-around, out-of-school Neighborhood Youth Corps program was born under the Economic Opportunity Act of October 1964 for the express purpose of serving these disadvantaged youth.

In a telegram dated May 20, 1968, the Regional Manpower Administrator for the Department of Labor, J. Terrell Whitsitt, ordered the out-of-school year-round Neighborhood Youth Corps of the city of New York to immediately stop enrolling youth over 18 years of age into the program. Only 16- and 17-year-olds could be enrolled and that this was nationwide.

On Wednesday, June 4, 1969, a representative of the regional office of the Department of Labor, at a meeting of directors of the Neighborhood Youth Corps of Delegate Agencies of the City of New York, informed all assembled that there would be an immediate freeze on all enrollment—including 16- and 17-year-olds—until the out-of-school, year-round quota for the city of New York had been cut by one-third and that this must be effected by August 31, 1969. This, after the New York Times on June 3, printed the release that President Nixon was favoring the poverty programs with $100 million more than last year.

The moves being made quietly have closed the doors to disadvantaged and poor youth in every corner of the Nation. Their efforts to better themselves by becoming involved in a program that offered them work-experience, job training, vocational guidance, counseling, remediation and a ladder to help in their efforts to climb out of the depths of despair, to overcome past histories of failure, and offer a chance toward other than a dead-end low-level job, were suddenly aborted! What are these 16- to 21-year-old youth to do? Most of them are hard-core and will not be accepted by programs in the private sector.

In my district there is as much need as any in the country for the continuance and expansion of these services. Any cessation of such services would be extremely distressful to my community—and beyond the shadow of a doubt—would lead to serious and ugly confrontations between the neighborhood residents and the city administration.

Mr. Speaker, it is of the utmost importance that, not only the funds which have been cut from the budget be restored, but that additional moneys be allocated at once to assure the continuance of the programs which are part of the Neighborhood Youth Corps programs.

The needs of the ghetto resident cannot be met by feeding him with words while, in fact, the meager support they are now receiving is being withdrawn.

It will once again offer evidence to poor people, that demonstrations, riots, and violence are the only effective means of obtaining and keeping programs they want and need.

The Nixon administration through the policies of its Labor Department, is reverting to Mr. Nixon's former image of

insensitivity to the needs of the poor and disadvantaged. The new Nixon's old colors are showing.

A SCHOOL SUPERINTENDENT SPEAKS OUT

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

Mr. DEVINE. Mr. Speaker, James M. Diley, Jr., superintendent of schools at Hilliard, Ohio, wrote a letter to the Columbus Dispatch which I feel commands the attention of all thinking Americans.

Mr. Diley does not hesitate to speak out nor does he blush at the prospect of being labeled as "square" or "old fashioned," merely because he demonstrates a love of country.

I am happy, Mr. Speaker, to share Mr. Diley's comments, which are as follows:

TRUE MEANING OF FLAG DESCRIBED BY VETERAN OF SERVICE IN KOREA

To the EDITOR:

During the Korean conflict, I was stationed at a Korean air base called the "Randolph Field of Korea." At this base, a small number of Americans trained Koreans to fly and man the Republic of Korea Air Force.

The base was located near the ocean in a wide, beautiful, green valley, dotted with rice paddies. Our compound was located on the summit of a small hill which overlooked the entire base. Due to the nearness of the ocean and the complete lack of industry in the area, the air was sparkling clean and usually a breeze was stirring.

At the end of each day, as I walked up the hill to our compound, I was invariably treated to a magnificent, over-whelming sight. On top of that Korean hill, pinpointed by the western sun, with the stark, blue sky as a background, was Old Glory in all her majesty, rippling in the soft evening breeze. Every part of that banner was indelibly marked. Every star and every stripe was plainly visible.

It is difficult to describe the tremendous impact the sight that beautiful flag had on me. My pulse would quicken, my breath would shorten, and my heart would brim with pride.

These feelings were always a bit of a mystery to me. As a soldier, I had great respect for the flag, and great love for our country. Certainly my feelings were related to these factors, but there had to be more. I have puzzled over these reactions many times. I finally concluded that the tremendous symbolism wrapped up in Old Glory greatly contributed to these reactions.

Beautiful Old Glory, flying on that Korean hill, was supported by a rich, courageous heritage, unlike any other flag in the world. Old Glory, wherever she is displayed loudly proclaims, "Here is the hope of democracy, the voice of freedom, the sounds of great industrial might; the banner of human worth; the symbol of free minds operating in free institutions; and the grave of oppression and slavery."

As we again observe Memorial Day may our schools be reminded that they have the enormous responsibility of making sure our students fully appreciate the meaning of being free. May the ultra-liberal professors, the dissenters, and the SDS be reminded that their expressions and actions are possible only because men have fought and died to preserve precious freedoms. May all Americans everywhere, dedicate themselves to the task of making sure Old Glory will wave forever.

JAMES M. DILEY. Jr.

HILLIARD.

REPRESENTATIVE HANSEN OF IDAHO INTRODUCES LEGISLATION TO CONVEY PHOSPHATE RIGHTS TO THE STATE OF IDAHO

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

Mr. HANSEN of Idaho. Mr. Speaker, today I am introducing H.R. 12040 to convey to the State of Idaho phosphate rights which were reserved by the Federal Government in certain lands owned by the State of Idaho.

The State of Idaho was admitted to the Union on July 3, 1890. Section 4 of the Idaho Admission Act grants to the State certain specified lands from the unreserved public domain. Each surveyed section 16 and 36, in every township, was granted to the State for the use and benefit of the public schools. Other grants were made for the benefit of other State institutions.

In some cases section 16 or 36, or a part thereof, was not available because of reservations made prior to statehood or before surveys were made or where such section had been acquired through mineral or land laws. In such cases the State of Idaho was permitted to select lands in lieu from available unreserved surveyed public lands. This authority was provided in the act of February 28, 1891—26 Stat. 796; 43 U.S.C. 851–852.

Article 9 of the constitution of the State of Idaho established the public school endowment fund and provided that it shall remain forever inviolate and intact to protect the income from the lands granted to the State of Idaho for school purposes as well as the proceeds from the sale of any such lands.

Originally mineral lands were not available for lieu selections nor could mineral sections in place be granted. The law was amended on January 25, 1927—44 Stat. 1026, as amended by 43 U.S.C. 860—so the State could acquire sections in place when surveyed regardless of the mineral classification. Previous to this, in 1923, the Idaho Legislature had passed a law reserving all minerals to the State, and the revenue from those lands has enhanced Idaho's public school endowment fund.

Many of the sections 16 and 36 as projected were included in national forests and other reservations before they were surveyed. Therefore, lieu lands were selected, using these sections as base. Such lands were shown in approved selection lists 15, 16, and 21 filed by the State of Idaho and approved by the Department of the Interior on January 31, 1918, March 27, 1918, and December 27, 1919, respectively. The base lands were in a national forest and the selected lands were in the unreserved public domain in what is now Caribou and Bingham Counties. While the Federal Government kept all the minerals in the base lands, the board of Idaho State land commissioners was required to waive the phosphate only in the selected lands before they would be approved. The lands are in the same general locality and all are about equal in value, including the minerals.

The selection laws have been amended and the philosophy of Congress more clearly defined since these lieu lands were acquired. Public Law 85–771 of August 27, 1958, as amended by Public Law 86–786 of September 14, 1960, permits States to select mineral lands in lieu of the base lands if the base lands were mineral in character. Public Law 85–508, enacted July 7, 1958, known as the Alaska Statehood Act, granted to the State of Alaska 102,550,000 acres of unreserved public domain with an additional 400,000 acres of lands adjacent to towns and communities, plus an additional 400,000 acres from the established national forests. All the full mineral rights go with these lands to the State.

Phosphate was the only mineral reserved by the Federal Government on these State school lands. It should also be noted that while Idaho received only two sections in each township the States of Utah, New Mexico, and Arizona had been granted four sections in each township.

Under existing law, 37.5 percent of the returns from a leasable mineral, such as phosphate, on public land, goes to the State in which the mineral is located, and 52.5 percent of the rents, royalties and bonuses, is transferred to the Bureau of Reclamation except in Alaska. The share that goes to the State need not be used for school purposes. If title to the phosphate is transferred to the State of Idaho, however, as proposed by H.R. 12040 then all income would be permanently dedicated to the support of Idaho's public schools under the provisions of the State constitution.

Because the Federal Treasury only retains 10 percent of the total returns, the transfer of the phosphate to Idaho would not represent a loss to the Federal Government when the costs of management, operation and leasing are taken into account.

Mr. Speaker, it is impractical for the State to manage the leasing of its lands with a phosphate reservation in the Federal Government. Vanadium, which is owned by the State, is found in varying amounts along with the phosphate. Oil and gas leases as well as other minerals owned by the State have been found in this locality. In some instances the surface has been leased or sold. The result is a cumbersome and clumsy management pattern.

The bill I am introducing today, H.R. 12040 will delete from the certificate or clear list given by the United States to the State of Idaho all reference to phosphate.

In selecting lands in lieu of those granted to Idaho under the Admission Act, the State gave to the Federal Government more than it received. Idaho was, therefore, on the short end of an unfair exchange.

Passage of this bill will remedy this historic inequity by bringing under single ownership title to the land, phosphate, and other minerals. The ability of the State to employ sound and efficient land management practices will be enhanced. The resources of the State that are permanently dedicated by the State constitution to the support of public education will be enriched. Idaho resources

can be more effectively and efficiently used to educate Idaho schoolchildren.

A major educational objective of the Federal Government should be to strengthen the capacity of the States to use the State resources to improve the quality of education. The passage of H.R. 12040 will help us to achieve that goal.

Mr. Speaker, I include a copy of H.R. 12040 as a part of my remarks. I also include as part of my remarks a copy of a statement presented by Gordon C. Trombley. Idaho State land commissioner, before the Public Land Law Review Commission at Washington, D.C., on May 8, 1969.

The material follows:

H.R. 12040

A bill to convey certain phosphate rights to the State of Idaho

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall convey by quitclaim deed, without monetary consideration, all right, title, and interest of the United States in and to all phosphate excepted and reserved to the United States in real property, title to which was otherwise granted to such State by indemnity school lands selection lists numbered 15, 16, 18, 21, 25, 52, 58, and 76 approved by the Department of Interior on February 20, 1918, March 27, 1918, July 10, 1918, December 27, 1919, September 17, 1920, December 22, 1926, April 19, 1928, and April 2, 1931, respectively. The State shall succeed to the position of the United States as lessor under any mineral lease granted by the United States with respect to any phosphate conveyed to such State under this Act which is in force at the time of the conveyance of such phosphate under this Act.

IDAHO'S LOST PHOSPHATE RIGHTS

(By Gordon C. Trombley, Idaho State land commissioner)

In 1863 the Organic Act of the Territory of Idaho granted sections numbered 16 and 36 in each township in said territory for the use and benefit of the public schools. The Idaho Admission Bill, in 1890, confirmed the grant to the State and provided that where such sections or any parts thereof have been sold or otherwise disposed of by or under the authority of any act of Congress, the public schools shall receive other lands *"equivalent thereto."* It exempted mineral lands from the grant and provided that the State could select other lands in lieu thereof. In practice, this mineral exemption was interpreted to apply only to lands upon which mining claims had been filed under the federal law prior to survey, or prior to statehood, whichever was earlier. This left somewhat of a cloud on the State's mineral rights which was clarified by an Act of Congress in 1927 (43 USC 870) confirming to the states *all minerals* in grant lands. In 1931 the then Secretary of the Interior, Ray Lyman Wilbur, explained in a document prepared for the President's Committee on the Conservation and Administration of the Public Domain, that the Act had the effect of giving to the states complete and unconditional title to all school sections *not known* to be mineral at the effective date of the grant. Obviously, the only lands known to be mineral at that date, March 3, 1863, were areas of proven mines.

Our public school grant comprises approximately 3 million acres, of which we lost more than 1,200,000 acres due to various preemptions, chiefly national forest reservations. During the years 1910 to 1914, we filed selections for 123,000 acres in southeast Idaho as indemnity for losses. So-called lieu selections are filed with the local branch of the U.S. Land Office and by that office forwarded, after field examination, with recommendations, to the General Land Office in the Department of the Interior in Washington. The Department of the Interior then issues title to the state in the form of a clear list. The State waited patiently for clear lists on the subject selections but nothing happened. Minutes of the meetings of the State Land Board during this period show that the Board became concerned about inaction in the Department of the Interior, discussing it several times and eventually sending the Governor back to Washington to try to expedite the matter. Finally in 1914 the Congress passed an Act (Title 30, USC, 121, 122, 123) providing that lands withdrawn and classified as phosphate, oil and gas, and other named minerals may be selected subject to the non-mineral laws of the United States, *if selected with a view of obtaining or passing title with a reservation to the United States of the deposits on account of which the lands were withdrawn or classified or reported as valuable.* Having secured passage by Congress of this Act, the Secretary then proceeded to clear list the 123,000 acres to the State of Idaho with phosphates reserved to the United States. We claim that the selections were not subject to the Act of 1914, having been filed by the State and accepted by the United States prior to the passage of the Act. Before issuing the clear lists in question, the Commissioner of the General Land Office required the State of Idaho to certify that each of the selections involved was made subject to the terms and reservations of the Act of July 17, 1914, the Phosphate Act.

It would appear that the Commissioner of the General Land Office himself doubted that the said selections were subject to the Phosphate Act, else he would not have thought it necessary to obtain such a certification from the State. The then State Land Commissioner dutifully supplied all the certificates requested *but* although he was the duly authorized land commissioner, he had no right or authority to sign away anything belonging to the State. Only State officials acting by order of the State Land Board sign official documents. We have searched the minutes for the entire period from the date of filing the first of these selections to several years after the clear lists were issued. We find absolutely no mention of the phosphate reservations and no evidence that the Board knew that the commissioner agreed to accept the lands with phosphates reserved to the United States, much less authorizing him to do so. Selections must be authorized by the Board before they are filed with the General Land Office, and the selections in question were so authorized. As pointed out previously, the Act of 1914 says lands classified as valuable for mineral may be acquired if filed on with a view to obtaining title subject to the non-mineral laws.

They were not so filed on. At the time of filing, the act had not even been passed and the Congress had confirmed to the State *all* mineral rights in *all* granted lands. These lands were selected in lieu of Public School lands and should have been equivalent thereto, as provided by Congress. Almost all of the lands offered as "base" in the subject selections were lost because of national forest reservations, in areas that had not been surveyed or even traveled by white men—primitive areas. Some of them still are. Neither at that time nor at this date do we have knowledge as to their mineral content, if any. Therefore, lands equivalent thereto should be lands without any reservations.

There is a moral, as well as a legal, consideration here. Congress had granted lands to the State for the use and benefit of the public schools, and had specifically included all mineral rights. Any such lands of which the State was later deprived without voice or consent, should have been compensated for in kind. In the phosphate areas, school sections in place, that is, section 16 and 36, are acknowledged to belong to the State complete with phosphates. Why should lieu lands, granted as indemnity for school sections elsewhere, be any different? We claim they should not.

VIETNAM—THE ENIGMA

(Mr. GERALD R. FORD was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GERALD R. FORD. Mr. Speaker, State Senator Robert Vander Laan of Grand Rapids, who represents a portion of my congressional district in our State senate in Lansing, has analyzed some aspects of the war in Vietnam. He has set forth his observation in a fine article, entitled "Vietnam—The Enigma," which I believe will be of interest to many of my colleagues. Under leave to extend my remarks, I include the article:

VIETNAM—THE ENIGMA

If any of us are to make any contribution to public conscience—we must approach this Asiatic American struggle as little children. We know very little about this war—from where we stand. Yet, questions of burning intensity are thrown at us from all sides, such as "Is the Vietnam War a senseless struggle of power politics? Are our children morally bound to serve a country, even if it is wrong, or should we encourage our children to rebel against authority as we demanded of the Germans? It seems to me that very few of these questions can be answered directly. If we look at the Asiatic philosophies back through the centuries, it may provide some answers for today. As an educator, I am always interested in the historical point of view before I set my opinions too firmly.

Even though we would like to be isolated from the rest of the world, it is becoming quite impossible to even entertain the notion. I think the first point to take into consideration is that, in addition to our undeniable commitment to a sizeable number of Vietnamese, the survival of our civilization may indeed be at stake. Regardless of the initial cause of our involvement in Vietnam some years ago, our present statesmen are sincerely convinced that we are fighting a war of survival against Chinese aggression. The moment we bring in China, however, we must make an attempt at understanding her motives, if we want to avoid extreme attitudes either of acquitting her of total aggression or else repaying hate with hate. As to China's aggressive intents, we have the irrefutable testimony of her own political leaders who have time and time again declared that peaceful co-existence with the Free World is impossible. This challenge leaves us no choice but to defend ourselves as I see it. On the other hand, China has ample reason to hate almost all countries, a sobering thought which should protect us from hating her in turn. What is it that made of China, a historically peaceful nation, such a menace to the world? The answer to this question can be given only in sketchy outlines. Unknown to the Western World and notwithstanding a fair share of political corruption, China was probably the only country governed by scholars rather than politicians—a fact of some great interest to me as an educator, turned politician. This college of scholars who received their administrative power not as members of a privileged class but en-

tirely on the basis of examinations which graded their cultural, spiritual and intellectual achievements, held for centuries to a strange, idealistic view of the future. Convinced that it was China's sacred mission to bring reason and peace to the world, the Chinese scholars restrained their rulers and their soldiers for centuries.

Technologically, at a crucial advantage over the rest of the world, they refused to perfect weapons of modern warfare which were at this disposal already a thousand years ago. They accepted numerous invasions rather than make use of their technological power, trusting the ennobling influence of their superior culture which tamed even the wild hordes of Mongols. Thus justified, China's cultural leaders became even more convinced that continued restraint would make her the peaceful center, the "navel" of a united world.

As you all know, the peaceful influence of the Chinese sages ended with the Opium Wars, when Great Britain, with the acquiescence or collaboration of all major powers, fought several bloody wars to force the use of opium on the people of China. This attack not directed any more at the body but rather at the soul of a peaceful nation, led to a breakdown of Chinese idealism. It was replaced by a fanatical determination to defend the nation with so far despised means of modern technology. To this end, they needed a ruthless and highly effective form of government. Scholars, partly in disguise, among them Sun Yat-sen himself, roamed the world, patiently collecting knowledge of Western methods and seeking a political system dynamic and aggressive enough to turn the tables on China's enemies which in their opinion comprised all nations on earth. They found such a system in radical Communism which not only unified the country but secured, in the beginning at least, the military and technological help of China's powerful neighbor, Russia.

Bolshevism in its radical form represents, as Doctor Steiner warned nearly 40 years ago, a violent disease of a social organism. It takes over the minds, hearts, and the will of those infested by it and threatens ever wider national units with contagion. It may be compared with the mental illness called amok, to whose obsessive power the Vikings of old yielded when confronted with overwhelming odds. While amok is a brief, self-terminating disorder of the mind, affecting mostly individuals or small groups of warriors, the violent phase of Bolshevism is a disease of a far more dangerous kind. It represents a Luciferic reversal of Christianity and is capable of misdirecting but nevertheless utilizing powerful instincts of self-sacrifice in the pursuit of Messianic complexes. Such an illness can affect much wider circles and can spread like wildfire, gaining strength in expansion. It, too, is eventually self-terminating but unless checked and contained, could destroy the world or turn it into the nightmare of Orwell's 1984.

If restrained and localized in time, the disease will eventually lose its violence and become less contagious. In the case of Russia, this happened when the United States and its allies took a decisive stand in the Berlin crisis after the Second World War. When Russia, eventually awakening from the violent phases of her own affliction, realized the danger threatening her from her erstwhile ally, China, she withdrew her support and helped the United States to build a wall of steel around her. Where this wall was not strong enough, a breakthrough had to occur which, if unchecked, could have set the world afire. Tibet became the first victim with the core of her people and of her age-old culture virtually exterminated within a few years. Soon after the invasion of Tibet, India was attacked, Indonesia virtually conquered from within, and Indochina chosen as the gateway to the rest of Asia and the world. China's political reasoning was extremely clever. American interference in Vietnam, according to her reckoning, would not be strong enough to be successful. Moreover, it would put the United States in the wrong before the world and its own politically naive citizens (this is a matter of record). Had the United States not resisted the take-over of Vietnam, the picture of a paper tiger which China painted for the whole world to see would have become a powerful symbol for America's inability to defend its friends. Consequently, India, Pakistan, and probably even Japan would have had to surrender. The further path to world conquest was already clearly indicated by China's foothold in Cuba, which, for a while she had wrested from the Russians. Needless to say, if that scheme had succeeded, Latin America would have been turned into a battleground.

The United States had, therefore, little choice but to block the gateway of destruction in Southeast Asia. The struggle there is primarily one of delay and containment. Complete victory for the United States in Vietnam was probably neither possible nor even expected, yet the results of this tragic war are already surpassing all expectations. Blocked in its violent progress, the Chinese brand of Communism is rapidly losing its fatal momentum. The war in Vietnam is not fought primarily for the Vietnamese but for the United States and for the whole Free World. It is not so much a matter of victory or defeat but of gaining time, an aim which I believe has already been achieved to a great extent. It is entirely false to say that it has been in vain since it has slowed the momentum of China's aggression decisively. The results are unmistakable in the political change occurring in Indonesia where the disease had almost taken hold. Consequently, the number of registered party members in non-Communist countries has declined in a few months from nearly five million to about 2.4 million. It was also * * * war between Pakistan and India were called off. There are many other signs of improvement in the world situation which, while paid for with terrible sacrifices, show the inevitability of our stand in Southeast Asia. Due to the containment of the radical phase of violent Communism, changes are taking place in China herself, reflected in the recent political surge.

The question may be raised why a well planned attempt at conquest should be called a disease. The answer is that China, with her 700 million still underprivileged people, has actually nothing to gain from conquering the world, since the mere addition of the untold millions of impoverished people in Southeast Asia would almost certainly bankrupt her. In the case of violent Communism just as in the case of Nazi Germany and postwar Russia, forces are at work which defy reason. These forces cannot be explained except by the existence of a mental disorder affecting the consciousness of whole nations. An explanation of this kind does not necessarily suffice for those who come to us with their burning questions. Whether they will enlist in the Army or become conscientious objectors remain entirely their own decision. Those who have lost their sons or brothers in the war will still remain grief-stricken. Yet it can ease the terrible sense of frustration and bewilderment which is spreading in this country at the thought of useless sacrifices in a "senseless and unjust" war. For man is always strong enough to endure tragedy, provided he learns to see a meaning even in the cruelest blows of fate. What cannot be stressed enough, however, is that a military conflict, especially a war so brutal as the one fought in Vietnam, does not of itself lead to true healing. It may be compared with the instinctive defense which an organism puts up against the inroads of a progressive disease. The really competent physician will try to cure a disease with a minimum of violent symptoms.

In an untreated ailment, high fever and agonizing pain may be the very means by which the organism itself fights for survival. The national leaders of our world today may be competent politicians, strategists or economists but certainly none of us are healers. Thus, it is small wonder indeed that the sick, uncared for world of today is writhing in agonies which, though tragic, are nevertheless an indication that some strength for survival still exists.

There comes a time in the spasms of wars and revolutions when we are, despite our good intentions, completely helpless to stem the tide of a war instantaneously. As mere men we must attend the spectacles of men giving their lives to a tragic cause for which no living individual or group of individuals can be blamed but whose recurrence in the future can be avoided if our generation will learn the secrets of healing the illnesses of our civilization. It is my deep conviction that true realism, whether it concerns matters of heaven or earth, must needs include both. Not one single question regarding the conduct of ordinary life can be answered without referring to its causative factor, which, in its last analysis, is spiritual or religious.

No personal salvation can be attained without helping others in their need and no healing is possible without reaching toward the source from which all healing comes—Your God and Mine.

SHOE IMPORT PROBLEM IS WORSENING

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

Mr. CLEVELAND. Mr. Speaker, my colleague, the gentleman from New Hampshire (Mr. WYMAN) and I have frequently spoken out on the threat to a large segment of American industry and labor created by the unbridled, accelerated increases in the number of foreign shoe imports into the United States. We have joined our colleague, Congressman BURKE, and others in an effort to alleviate this situation. We have marshaled the facts, we have made the situation quite clear to this and previous administrations, and we have introduced corrective legislation in Congress. But little has been done on our proposals, and the situation continues to deteriorate.

At this point in the RECORD, I wish to share with my colleagues and all those who are concerned with this problem, a very thoughtful letter which I recently received from Benjamin C. Adams, commissioner of the New Hampshire Department of Employment Security. Mr. Adams is a distinguished public servant, not given to sounding alarms unless the situation warrants our attention.

Mr. Adams points out in this letter that "the shoe industry in New Hampshire is slowly but surely grinding to a halt." Not only is the average number of hours a shoe employee works in a week declining, but so is his weekly paycheck. If the flood of foreign shoe imports continued unchecked, there is no doubt that it will mean the eventual collapse of the American shoe industry and the loss of jobs for hundreds of thousands of people.

Clearly, now is the time for the Federal Government to act.

The letter referred to follows:

DEPARTMENT OF EMPLOYMENT SECURITY,
Concord, N.H., June 5, 1969.

Hon. JAMES C. CLEVELAND,
Longworth House Office Building,
Washington, D.C.

DEAR CONGRESSMAN CLEVELAND: I have today received a telephone call from a Mr. Dean Peterson, Executive Office of the President, Office of the Special Representative for Trade Negotiations. He has inquired about various statistics regarding the effect of imported shoes on the New Hampshire shoe industry. I have given Mr. Peterson the following information which I feel points up the drastic effect of the unrestricted importation of foreign shoes on New Hampshire's shoe industry.

In April of 1968 the work force in the leather and leather products industry grouping consisted of 21,000 people. In April of 1969 this work force had shrunk to 19,000.

In April of 1968 the average hours worked in the industry were 36.0 and the average weekly earnings were $80.28. In April of 1969 the average weekly hours were 32.9 and the average weekly earnings were $75.67 in spite of increased piece rates.

In the month of April 1969 the unemployment rate in the Dover-Newmarket area, which as you know has a heavy concentration of the shoe industry, was 3.2% while the State rate as a whole was 2.6%. In Dover the Fronia Shoe closed in October 1968 throwing 75 people out of work. In March 1969 the Pittsfield Shoe, Newmarket Division closed throwing 250 out of work. Both closings were attributed to the competition from imported shoes.

In March of 1969 35% of all claims for unemployment in the State of New Hampshire were attributed to the shoe industry. In April of this year 59% were attributed to this industry and in May, 58%; this in spite of the fact that this season of the year usually has peak employment in this industry.

I think the most significant of all the figures are the drop in average weekly wages from 1968 to 1969 and the sharp drop in average hours worked in the industry for the same period. All other industries without exception show comparable figures moving in the opposite direction; even the textile industry which as you know has been having its difficulties showed a gain in average weekly earnings during this same period from $90.25 in April 1968 to $95.82 in April 1969, and average hours worked 41.4 in April of 1968 to 41.3 in April of 1969.

I continue to say unequivocally that no objective observer can look at this situation and come to any other conclusion; that the shoe industry in New Hampshire is slowly but surely grinding to a halt. I would be happy to send you any other statistics that you feel are necessary to convince the people that must be convinced to make the necessary corrections to save this industry.

Sincerely yours,

BENJAMIN C. ADAMS,
Commissioner.

HIGHWAY SAFETY: COMMENTARY NO. 3

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

Mr. CLEVELAND. Mr. Speaker, this is the third of a series of commentaries which I have prepared for the benefit of my colleagues and other followers of the RECORD, concerning the National Highway Safety Act of 1966. Hearings on that act were recently held by the Subcommittee on Roads of the House Public Works Committee, of which I am a member.

Alcoholism is a contributing factor in upward of 25,000 traffic deaths each year. This represents nearly half of all traffic fatalities. The statistics suggest that the social drinker is not necessarily the cause of the safety problem as it relates to driving. On the basis of scientific evidence, light drinking, although shown to have an adverse effect, is not the source of most of the problem. The heart of the problem lies with the confirmed alcoholic.

Testimony was heard during the hearings that this matter of the driving alcoholic presents a severe and special problem. The question was asked, "Is it best to suspend a man's license for a DWI when his livelihood demands that he be able to transport himself?" Questions of this sort are numerous and the answers are unfortunately few.

Some witnesses suggested limiting the alcoholics' driving privileges to daylight hours coupled with the use of special coded license plates for the purpose of identification. This practice is presently being tried in Minnesota.

The Alcohol and Highway Safety Report of 1968, came up with some rather startling facts concerning alcoholism and driving. This report noted that between 48 and 58 percent of drivers fatally injured in crashes in which no other vehicle was known to have been involved, had very high alcohol concentrations in their blood. The report went on to say that—

> Very high blood alcohol concentrations have been found in about 45 percent of drivers fatally injured in crashes involving more than one vehicle but in which no other vehicle or driver is believed to be responsible.

It should also be a matter of concern that almost 80 percent of drivers believed to have been killed as a result of the actions of others, have had no alcohol present in their blood. As one medical examiner put it:

> Of greater seriousness is the realization that 44 percent innocent, not at fault, dead drivers, were killed by drinking drivers.

Other research has shown that the drinking driver runs into others four times as often as he was run into.

Mr. Speaker, I think it is time to devote our attention to this very serious problem of highway safety in an attempt to eliminate the needless deaths and injuries of thousands of men, women, and children each year. Alcoholism and its relationship to driving safety and highway deaths, should be a prime target of our efforts to reduce the slaughter on the highways.

INDIAN INDUSTRIAL DEVELOPMENT

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

Mr. BERRY. Mr. Speaker, I have asked unanimous consent to insert in the RECORD, a talk I made May 26, 1969, at the Indian industrial development meeting in Rapid City, S. Dak.

Having lived on an Indian reservation for the past 40 years, and having seven Indian reservations, and 36,000 Indians in my congressional district, I feel that my experience, plus my 19 years in Congress, has given me an opportunity to speak with some little authority about the solution to the so-called Indian problem.

As I have said so many times on this floor, there is only one solution and that is industrialization of the reservations, and there is only one way to industrialize the reservations and that is to offer an inducement in the form of a tax incentive to an industry that will move to these reservation areas and provide employment for these people.

The talk I gave at the industrial development meeting is as follows:

INDIAN INDUSTRIAL DEVELOPMENT

There is one solution to the reservation Indian problem and only one—that solution is jobs, income, and opportunity. Those jobs, and income, and opportunity will only come with industrialization of the Indian reservations. This industrialization will only come about as and when there is provided some inducement and some incentive for industry to locate on those reservation areas.

The capitalistic system has made America what it is today. But that capitalistic system is denied to reservation areas primarily because of their location. In place of the capitalistic system in these areas we have the Federal government in full charge, with the Indian people living on charity and government handouts. This system has created a condition where the words individual pride, individual initiative, and individual desire are almost unknown.

This nation has spent billions and billions of dollars in foreign aid. As part of that aid program it has offered billions of dollars in tax incentives to induce American industry to locate in underdeveloped foreign countries, but it has done nothing toward providing inducement for American industry to locate on Indian reservations, right here in this country, in order to give the Indian people the same opportunity we have provided for others abroad.

At the outset I believe it should be pointed out that the Indian reservations of today are the outgrowth of the concentration camps of yesterday. The Indian people were reluctant to give up their lands and their country and because we were warring we placed them in concentration camps, known in American lexicon as reservations. In most instances the reservations were the poorest and the least productive land in the territory. In other words, it was land the invading white man didn't want.

These reservations are almost always remote, they are almost always low in agricultural productivity, and in almost every instance transportation facilities to and from the reservations—if not impossible—are extremely expensive. One look at these areas and industry is frightened away. This is primarily true because of the fact that transportation of the raw material to the reservation, and then transportation of the finished product from the reservation, makes competition of the finished product impractical.

There are two solutions to this problem, either a direct government subsidy or a tax incentive to offset this cost differential. The first is not feasible. The only practical solution is a tax incentive or a tax exemption which will offset, or probably more than offset, the disadvantages to industry of locating in these remote areas.

The answer lies not in high wages for the Indian workmen, it lies in inducement through high profits to the industry, because the only thing that we can look to for solution of the so-called Indian problem is jobs, and salaries, and employment. It lies in bringing the capitalistic system to the reservation. It lies in making the Indian people participants, rather than mere spectators, in the drama of our progress of the 20th century.

Now the question is, how do we bring this drama of our progress to the reservation areas?

I suggest to you that it cannot be done simply by direct action on the part of the federal government, or any other government, so far as that is concerned.

The BIA has been in existence 140 years. It has done a relatively good job in bringing education to the reservations, and developing other programs, such as health, etc. But the big difficulty with the operation of BIA is that they and the Congress have been willing to submit to public clamor.

The public generally, and the do-gooders of the east, and many of the church organizations, when they think of an Indian, think of someone on a horse, riding over the range, free of world problems. Their idea is that we found the Indian on the land, therefore, all Indians should be farmers and ranchers and the Bureau of Indian Affairs, by Congressional direction, has been geared to making farmers and ranchers out of all reservation Indians. On allotted reservations, such as we have in South Dakota, BIA handles the leasing of all Indian land, *regardless* of the *competency* of the Indian owner.

Not only does it lease his land, but it handles the collection of the rent and the distribution of that rent money. If the Indian owner is on relief, it turns the owner's rent money over to the welfare department and the money is doled out at the same rate as the owner normally receives in welfare.

In other words, the Indian owner is worse off by owning the land than he would be without it. He learns nothing about business—he learns nothing about farming, he gets no lessons in the American way of life from his land ownership, and by direction of Congress the BIA today is geared primarily to that work.

The sad thing is that when used for agricultural purposes the reservation areas will not provide agricultural opportunities for more than eight to 10 percent of the Indian people. The question is, what possibility is there for bringing the drama of our progress of the 20th century to the remaining 90 percent?

This group will be interested to know the first bill that I introduced when I came to Congress 19 years ago was a bill to provide trades training and on-the-job training for the Indian people, similar to the GI on-the-job training bill.

Six years later—in 1956—Congress passed this act. At that time we appropriated $3½ million to carry out the program—today that appropriation has been raised to $25 million. While this program has done a vast amount of good, and has been described by the Commissioner of Indian Affairs and others as the best program ever devised for the Indian people, it is seriously inadequate to do the job that must be done. It is extremely popular among the Indians and the requests for assistance far exceed the funds that have been available in the past.

It should be pointed out that not only is the training program good for the Indians, but it is also good for the United States. It has been demonstrated that money invested in the program is soundly invested. While it is a relatively high cost family training program, a cost analysis shows that after only 4½ years from the time of training the government will have recovered its costs through reduced welfare payments, through reduced health and education services, and through additional income taxes collected. Think of the returns if all employable Indians were working full time. The difficulty is this training program can only help a small portion of that 90 percent of the reservation Indians that need assistance in realizing the drama of our progress of the 20th century

During the middle 1950s a relocation program was established. Working with the trades training and on-the-job training programs, Indian families were moved to cities where the Department found jobs for them in industrial work and this program was relatively successful but, again, the Indian, being human, and being moved into a strange area, with strange new people, in a strange new world, and without social contacts with people of his own background, or people that he and his family might know, they of course became homesick and returned to the reservation, even though there was nothing for them on the reservation except relief.

The Department has been active in recent years in attempting to induce the Indian people to leave the reservation and find employment in nearby cities and towns. But again we find great difficulty because in most instances the Indian is untrained and finds himself at a great disadvantage, not only because of his own lack of training, but because there has grown up a prejudice against employing Indians because of their instability resulting from their lack of training and lack of value of time.

The relocation program was successful with a number of Indian people who had enough in their background in terms of adjustment to be able to move to the cities and find jobs and become part of these communities. By the same token, those Indians who leave the reservation to find jobs in nearby towns and cities overcome the same problem and the same difficulty of prejudice, etc. only if they have sufficient background to be able to adjust.

The great difficulty is that the reservation Indian knows no home land other than the reservation itself where he was born and raised, and where his friends and neighbors live. In spite of the fact that this home land is fraught with poverty—these are his friends—these are the people with whom he can associate, and this is the home land to which he wants to return for visits, or permanently if he is unable to make the adjustment in the community to which he has moved.

This is the great advantage of the tax incentive program for industry. It will *bring industry* to the *reservation area,* it will provide employment *on* the reservation, where the Indian and his family may live in their home surroundings. This program will not create the kind of problems that relocation has created—whether it be relocation to the cities or relocation to the neighboring towns.

The mere fact that presently they must leave their home community overwhelms them to a point where a majority of them cannot make a success of it off the reservation, so they return. This, in turn, adds to the prejudice of off-reservation employers who do not understand the human frailties of the Indian people. They are kicked from pillar to post and most of them end up as alcoholics—primarily because they turn to liquor to drown their feelings of inferiority and their lack of communication.

I should point out that in every instance where industry has gone to these reservations, and provided jobs, salaries and opportunity, we have seen a complete transformation of the Indian people and of the Indian community. Absenteeism is lower in these plants than in any like plant any where in America. They have used their money to improve their homes, feed and clothe their children, and instead of spending their meager relief check on liquor, they spend their salaries on improving their own lot and the lot of their families.

When these people learn they must be at work at 8:00 o'clock in the morning there is no drinking and carousing around at night. Law enforcement problems are reduced, delinquency problems are reduced, and we immediately find pride in homes, and community, and individual betterment.

Now the question is, how do we as a government, and employees of that government, promote this industrial development on these reservation areas? I must repeat again, that because of the remote location of these reservations, transportation costs are excessive, and that this excessive overhead makes it impossible for an industry to compete with like products produced in more accessible areas of the nation, so—without some special incentive—industry shies away from these reservation areas in spite of the fact that there is a great pool of possible employment.

I should point out also—we have no example of failure when the tax incentive program has been used—we have many examples of success.

Puerto Rico and some of the emerging nations have gone a long way in developing their country through this very tax incentive program. When Rexford Tugwell, the last appointed Governor of Puerto Rico, left that island he wrote a book entitled, "The Stricken Land." Governor Munoz-Marin not only convinced Congress that a new form of government was needed in Puerto Rico, but more importantly he convinced them that to take that country out of the category of "the stricken land" they must entice industrial development to the island. They offered every possible incentive—including not only a 10 year tax exemption, but also in many instances they built the building to house the industry and sold it to them on a long-term basis.

Yes—industry went to Puerto Rico. I was there at the inauguration of Governor Munoz and I saw the island and the poverty and filth and the homes built on stakes out over the water and sided with cardboard. I saw it—and then 12 years later I was back—nothing was recognizable. Nothing. Smoke was rising from factories. People were working, driving cars on newly built highways. Homes were modern. The slums were cleaned up. The old rickety shacks had been replaced with comfortable, livable housing.

The skeptics said it would not succeed. They said the Puerto Ricans were lazy—they wouldn't work—they wouldn't save—they wouldn't build. But, when capitalism replaced government handouts—the drama of the 20th century moved in to Puerto Rico, and for the past several years the per capita income of Puerto Rico has been greater than that of any Latin American country except oil rich Venezuela.

When I saw what *could be done*—I came back from my trip to Puerto Rico and introduced legislation authorizing the same incentive to industry to locate on Indian reservations that was offered in Puerto Rico. Our reservations are remotely located, but they are not as remotely located as an island in the Caribbean. Transportation is not as expensive as it would be to and from Puerto Rico. But, the Congress had authorized it, and Puerto Rico was willing to throw discretion to the winds and offer industry excessive profits, if need be, in order to get them to locate there.

This can be duplicated on every Indian reservation in the country. Today we have a staff of people in the Bureau tearing their hearts out fighting with OEO, EDA, and SBA,

trying to get these agencies to finance the location of industrial plants on Indian reservations. And, with some small degree of success, but the fact is that even with the local communities, and with tribal financial help, one out of five of even these small plants have been forced to fold up because they can't pay the added overhead and still meet the competition.

On the Standing Rock, for example, the local businessmen of McLaughlin made a very sizeable contribution—the bank assisted, and the tribe put up the bulk of the cash to house and equip the Harn blanket factory. So long as the railroads were willing to grant rate concessions to ship the cotton in, and the finished products out, the plant operated full force. It provided jobs—and salaries, and most of all—*pride*, to the Indian employees. But—when the *transportation subsidy* vanished the *plant vanished*. This beautiful building stands there as a monument to the absolute necessity of some kind of a subsidy that will off-set the simple costs of transportation and the added cost of attempting to do business in these remote areas.

Two of the tribes placed money into a plastic plant at Mobridge, which is adjacent to these reservations. A substantial EDA loan was obtained on the theory that these adjacent reservations were depressed areas. Today, three years after the plant was opened, ONE *Indian* is on the payroll. The Indians and the tribal organizations are looking at these industrial promises with a jaundiced eye. Even the Federal Poverty Program loaning agencies are beginning to take a second and third look at the possibility of the success of these operations.

But, in spite of the failures of Bureau employees to be able to induce industries to come to reservation areas—in spite of the proven successes of this program where it has been put into effect—in spite of all this, the Treasury Department and the Interior Department oppose legislation that would even provide a trial run for such a program.

When I couldn't sell the tax incentive program on a nationwide basis, Morris Udall (brother of the former Secretary of Interior) and I introduced a bill to make this program effective only on the reservations of South Dakota and Arizona, hoping that a pilot program—a trial run—would be acceptable, and that in this manner Treasury and Interior could determine not only its value, but also its cost. But—Treasury and Interior opposed even this pilot plant idea.

According to the computation of the House Interior Committee, as I said before—money invested in the On-the-Job and Trades Training program is returned to the Treasury within a 4½ year period through increased taxes, both direct and indirect, and through the savings effected by taking them off relief rolls, etc. How much greater would be the return to the Treasury with a substantial movement of small industries to these reservation areas, giving jobs and income and opportunity, but most of all *PRIDE*—to the thousands of Indian people—who after 140 years of devoted work on the part of the Bureau of Indian Affairs are rotting on reservations today.

My friends—"Where there is no hope the people perish." There is no hope for 90% of the reservation people—Must they sit there for the next 140 years and perish?

It will not be easy to get this legislation through Congress. The public generally, which dreams of an Indian on horseback, will strongly resist the idea of an Indian feeding his family from the sweat of his brow in a factory—working to build up his standard of living and the community in which he lives. The public generally wants to maintain the Indian as a *museum piece. They* will continue opposition.

The second group who are opposing this program are the labor unions. Those unions which have successfully barred the Black Man from their membership are also opposed to the Red Man taking his place in industrial employment. They don't want the Red Man either.

And, then there are those in government, and in Congress, as well as in the public generally, who *oppose change*—just for the *sake* of *opposing change.*

These are the elements of opposition. These are the roadblocks to the solution of the so-called Indian problem.

ADDRESS BY CONGRESSMAN JOHN BRADEMAS

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

Mr. BRADEMAS. Mr. Speaker, on May 28, 1969, I had the privilege of delivering an address at the annual banquet of the 64th annual meeting of the American Association of Museums in San Francisco, Calif.

I insert in the RECORD, the text of my address:

ADDRESS BY CONGRESSMAN JOHN BRADEMAS, CHAIRMAN, SELECT EDUCATION SUBCOMMITTEE, HOUSE COMMITTEE ON EDUCATION AND LABOR

I am indeed honored to have been invited to address the 64th annual meeting of the American Association of Museums.

As I rise to speak, I recall what George Bernard Shaw once said to his British publisher to indicate his displeasure with its printing of one of his plays.

Shaw sent a copy of the American edition, which he liked, to the British firm with a note that read: "As the rooster said to the hen as he placed an ostrich egg before her, 'I am not disparaging, I am not criticizing. I merely want to bring to your attention what has been done by others.' "

You who staff and serve and support the museums of America are the custodians of "what has been done by others"—the custodians of those achievements of art and history and science that enable us better to understand what we have been and, hopefully, better to know what we may become.

Although I have never worked for a museum or sat on a museum board, I feel in some ways at home among you—for several reasons. My father is a Greek immigrant, and very early in my childhood, I learned that I was descended from Pericles, Phidias and Praxiteles, and in later years, like most of you, I experienced the joys of Athens and Lindos and Knossos.

Indeed, the first career to which I was tempted, as a sixth grader fascinated by a book on the Mayas, was that of an archaeologist.

The Prado and the Ashmolean, the Heritage and the Hagia Sofia and the Museo de Antropologia in Mexico City as well as the National Gallery of Art and the Smithsonian in Washington and the Northern Indiana Historical Society Museum in South Bend, Indiana are all museums which at one point or another have afforded me learning and pleasure.

And that I now serve in Congress on the committee which deals with education generally, chair the Subcommittee which handles Arts and Humanities Foundation programs and sit on the House Administration Subcommittee on Libraries and Memorials, which has jurisdiction over the Smithsonian and other museum legislation, and which, by the way, is chaired by my close friend and colleague and one of the original sponsors of the Arts and Humanities legislation, Congressman Frank Thompson, Jr., of New Jersey, means further opportunities to come into touch with museums and what they mean in American life.

So I am especially glad to be here tonight in this lovely city with so many distinguished keepers and builders of the nation's treasures.

MUSEUMS AND THEIR NEEDS

I want to talk with you tonight about museums and their needs—and to do so from the perspective of a Federal legislator.

Much of what I have to say is derived from that superb analysis of America's museums—the Belmont Report—which, as you know, was prepared by a special committee of the American Association of Museums for the Federal Council on the Arts and Humanities, in response to a 1967 request by President Johnson.

The opening words of the Belmont Report constitute, I think, an appropriate theme for my remarks:

"This is a report on a priceless national treasure—the works of art, the historic objects and scientific collections in the custody of American museums.

"In scope and magnitude this treasure is unmatched by that of any great nation, and it has enriched the minds and lives of countless Americans. Once lost, it can never be replaced.

"Today, the institutions which have this treasure in their custody are in serious trouble. The totally unpredicted popular success of American museums has strained their financial resources to the breaking-point, has compelled them to deny service to much of the public and will require many of them, unless help comes, to close their doors.

"Museums have arrived at the point where they can no longer preserve and exhibit the national treasure without substantial national aid."

In effect, the museums of today are victims of their own extraordinary success. Thirty years ago, attendance at America's 6000 museums totalled some 50 million visits a year. That figure has now soared to over 300 million, and is rapidly climbing higher.

The pressures both of an increasing population and the rising interest of Americans of all ages and groups in seeing the works of art, historic objects and scientific collections in American museums mean for them a serious financial crisis.

MUSEUMS AS EDUCATIONAL INSTITUTIONS

What I think particularly striking is the remarkable increase in demand for the services of museums as educational institutions. Hundreds of thousands of schoolchildren periodically come to our large museums. Millions of youngsters and adults attend classes at some of the major museums. To cite one nearby example, the new Oakland Museum, which we shall see tomorrow, includes a lecture hall and classrooms and will afford a variety of educational programs, including a traveling exhibit of California.

In Washington's Anacostia section, a low income, chiefly black area, the Smithsonian, responding to the emerging national consciousness of the shame of poverty in a wealthy land, has recently established a small branch museum.

Museums play an essential role, too, in serving the needs of scholars engaged in research at the college and university level.

And I am sure that all of you can multiply examples from your own experience of the pressures upon museums from within the communities of which they are a part to open their doors for a variety of other purposes such as musical and theatrical performances.

These, then, are but some of the causes of the heightened demands being made upon America's museums.

FINANCIAL PRESSURES

How prepared are our museums to meet these burgeoning pressures? The Belmont

Report cites case after case to illustrate the general conclusion that the operating expenses of American museums have risen sharply in the past ten years, and that annual deficits are commonplace.

Increased attendance and increased requests for services—for the kinds of reasons I have suggested—in turn mean increased costs for trained staff, guards, guides, acquisitions, exhibits, buildings, insurance.

You, better than I, are familiar with the extraordinary diversity of museums in the United States—their many sizes, shapes and purposes, as well as with the multiplicity of their bases of financial support.

Big museums, little museums, art museums and history museums, children's museums and university museums, museums supported by public funds, some by private money, many by both, some charging admission fees, others not, but nearly *all* of them, in varying degrees, faced with serious financial problems.

THE FEDERAL ROLE

No one suggests, I think it must be clear, that the Federal government should now assume the burden of supporting American museums. All of you are committed to seeking to encourage the flow of funds into your museums from private sources as well as from local and state governments.

But surely it must be obvious that the mounting demands on the museums of America have so strained their financial resources that it is now time for the Federal government to consider making a significant increase in its present contribution to the support of our museums.

The amount of Federal support to American museums today is tiny; less than one percent of their operating expenses comes from the Federal government.

Indeed, for too long, now, the Federal government has been following an ABM policy with respect to museums—"Anything But Money!"

Moreover, most of the Federal support for museums has gone for scientific ones only—and even then for research rather than for operating expenses or building—while there has been little Federal help at all for art and history museums.

The National Endowments for the Arts and Humanities have been aware of the needs of museums, but the limited funds available to the Endowments are reflected in their modest allocations to museums last year of $500,000 in all.

Let me here interject that I think all of us and, indeed, all Americans owe a great debt of gratitude to a man whose tenacity and dedication to support of the arts and humanities, especially as a principal champion and leader of the Arts and Humanities Endowments since their inception, has been in large measure responsible for what advances have been made on this front in recent years—Roger L. Stevens.

Museums have benefitted very little from the Elementary and Secondary Education Act. And museum libraries are excluded from the benefits of the Library Services and Construction Act.

And although Congress passed the National Museum Act in 1966 to support a variety of museum activities, Congress has yet to appropriate any funds under the law.

Four years from now, we shall mark the 200th anniversary of the establishment of the first American museum, in Charleston, South Carolina, in 1773. I hope we shall not have to wait for money under the National Museum Act until 1973!

GUNS AND CULTURE

It may seem passing strange to you that at a time when President Nixon has proposed slashing President Johnson's fiscal year 1970 budget for education by nearly $400 million, . . . at a time when the new Administration is pressing for a defense budget of nearly $80 billion . . . and urging on Congress an ABM whose cost seems mysteriously to rise daily—it may seem strange to you that in such an hour, I should be suggesting increasing Federal funds for museums.

But let me make very clear my profound disagreement with those who argue that we cannot afford to support education or the arts or humanities or museums until the Vietnam war is over.

On the contrary, I strongly agree with the view expressed by W. McNeil Lowry of the Ford Foundation in his recent report on the economic crisis in the arts. Mr. Lowry, commenting on the meager funding of the Arts and Humanities programs, noted that:

"Pressures of war and other crises have been freely cited in explanation of this action, but there is no reason to believe that any significant Federal program in the arts can be effectively argued either in Congress or in the public if its justification must be that all other great national questions are in equilibrium. Other governments—democratic, socialist or oligarchic—have proceeded without such a justification . . .

"The arts [should] not always depend upon a contest over priorities . . . There will not exist an effective public policy for the arts until they are treated as important in their own right."

This is the point—that the arts, like education—and like museums—must come to be viewed as "important in their own right".

And with this understanding, there will then become possible "an effective public policy" for museums.

FUTURE SUBCOMMITTEE HEARINGS

In order to contribute to such an understanding and, hopefully, to the development of an effective public policy for museums, I plan to have the subcommittee of which I have the honor to be chairman, as part of its responsibility to oversee the operation of Arts and Humanities Foundation programs, conduct hearings during this Congress on the major problems facing American museums with a view toward appropriate legislative action.

I propose to invite the authors of the Belmont Report and other representatives of the American Association of Museums to testify before the subcommittee on their views on the museum situation in America today.

Such hearings should afford an opportunity for Congress, and the American people generally, to obtain a clearer picture of the kinds of problems I have been discussing with you this evening.

SPECIFIC PROPOSALS

Let me conclude my remarks by offering a number of specific proposals which seem to me must be central to any progress both in the country and in Congress in shaping a sound and intelligent public policy for the support of America's museums.

First, I believe that leaders of the museum community should begin to develop concrete legislative proposals for supporting museums to present to Congress.

This means you. We want to know what you who live with the problems of museums daily think we should do—and what we should not do.

Second, I believe Congress should provide some appropriations to make good on its commitment under the National Museum Act. The Belmont Report suggests $1 million for the first year.

Third, Federal policy-makers should recognize that museums play an important educational role in our society, working with schools, colleges and universities. Qualified museums should, therefore, like these institutions, be recognized as eligible for direct Federal support. To achieve this goal may involve amending existing Federal legislation, such as the several Higher Education Acts, the Elementary and Secondary Education Act, the National Defense Education Act, and others.

This effort should include consideration of support for construction and operating costs of museums perhaps along the lines of the Library Services and Construction Act.

Fourth, there should be increased financial support for museums from those Federal departments and agencies that are already concerned with museums, specifically the National Endowments for the Arts and Humanities, the U.S. Office of Education, and the National Science Foundation.

In this connection, greater attention should be given both to compensating museums more fully for their contributions to certain Federally funded programs such as Head Start and Title I of the Elementary and Secondary Education Act, and others, and to more effective joint planning between schools and other educational institutions and museums as, for example, with programs provided under Title III of ESEA, which authorizes supplementary educational centers and services.

Fifth, the museum community should develop standards of accreditation against which the excellence of individual museums can be measured. Federal support should not be provided to museums which have not reached a level of quality accepted in the museum field. I therefore congratulate you of the American Association of Museums on the adoption this week of a resolution approving the principle of accreditation.

Sixth, more support should be provided for training first-class museum staff through museum internships, fellowships and training courses.

There are, I believe, several other areas of museum activity which deserve careful consideration as appropriate for Federal support, such as research, traveling exhibits, television and other mass media, conservation and restoration—and we should also look at the possibility of developing a computer network for storing and retrieving information about the resources of our museums.

I believe Congress should consider as well changes in the treatment of museums for tax purposes which would enable them to enjoy certain benefits now available to a wide variety of charitable, religious, and educational institutions.

And finally, I think we should take a careful look at the Belmont Report proposal to authorize Federal grants to museums on a matching basis to help them meet the expenses of providing regional and nationwide services.

THE NEED FOR IMMEDIATE ACTION

I do not suggest that this list is exhaustive or that every item in it is of equal importance. What I do suggest, however, is that these questions and others like them are the kinds of proposals for Federal support of our museums that ought to be carefully considered by Congress and the Administration. They are the kinds of questions that I plan to have discussed by the subcommittee which I chair during the 91st Congress.

I should like, however, in closing, to remind you that our capacity in Congress to make progress on such measures depends, in the final analysis, on the kind and degree of public support that people like you in this room can yourselves provide and, just as important, that you can generate and encourage across the country. This means that you must speak up, forcefully and clearly, in your own communities. In particular, it means that you must communicate your convictions about the need for adequate Federal support for education, for the arts and humanities, for museums, to your Senators and Representatives in Congress. As one of them, I can assure you that they will give respectful at-

tention to the voices represented in this room and to other voices like yours across the country.

Ours then is a common task. For you and I know that we live in a time of immense and growing pressures—of rapid urbanization, of war, of racial and social and economic conflict.

In such a time, we need all the more, if we are to make this land what it ought to be, generously to support those institutions that elevate the character and quality of our national life.

And among those institutions surely are the museums of America and the treasures of mind and spirit and history of which they are the keepers.

STATEMENT OF CONGRESSMAN BRADEMAS BEFORE THE DEFENSE SUBCOMMITTEE OF THE HOUSE COMMITTEE ON APPROPRIATIONS

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

Mr. BRADEMAS. Mr. Speaker, I had the opportunity this past Monday, June 9, 1969, to testify before the Defense Subcommittee of the House Committee on Appropriations. At that time I discussed a problem of growing concern to Members of Congress and to the American people, and I want today to share these views with my colleagues. I refer in general to increasing evidence that the Department of Defense is willing to pay excessively high costs for weapons systems and equipment that often provide only marginal improvements in combat effectiveness.

Mr. Speaker, I know that my colleagues are vitally interested in both our national defense and our national economy. Their concern is to act upon Defense Department requests for weapons and equipment essential to our national defense while at the same time disapproving the expenditure of public tax moneys when not essential to our national security.

Mr. Speaker, I want to bring to your attention some details of a Government procurement with important implications for the public interest in terms both of our national defense and our national economy.

UNNECESSARY EXPENDITURES OF $150 MILLION

Specifically, I intend to demonstrate that the U.S. Army is now procuring a 1¼-ton truck—the XM–705—which will burden the American taxpayer with as much as $150 million in unnecessary expenditures. Yet abundant evidence shows that the XM–705 will produce at best only a modest improvement in combat effectiveness.

Moreover, the Army seeks to buy this vehicle, with all the risks attendant to buying a vehicle that exists only on paper, despite the fact that a modestly improved version of an existing vehicle, the M–715, can substantially meet the Army's requirements.

Mr. Speaker, these conclusions are not merely my own. The General Accounting Office, which at my request has undertaken an examination of the XM–705 program, only last week made the following tentative observations:

It appears that the XM705 does not represent a real stride forward in terms of combat effectiveness. Rather, it appears to offer only a relatively small increase in terms of combat effectiveness over the XM715 1¼-ton truck already in the Army system and no clearly significant superiority over the improved XM715 proposed by the Kaiser Jeep Corporation. Accordingly, the XM705 appears to represent an excessive expenditure for marginal improvements in combat effectiveness over the improved XM715.

Moreover, Mr. Speaker, the Army's ill-advised decision to procure the XM–705 flatly and unconscionably contradicts the explicit conclusions reached by the Army's own Army Materiel Command. This report, prepared by the Systems and Cost Analysis Division of the Army Materiel Command, dated July 8, 1968, compares the proposed XM–705 both with the existing and the improved M–715. The report finds:

The XM705 has all the uncertainties associated with a vehicle that does not exist . . . With the improvements proposed, an adequate design guarantee and warranty, and contractor liability established by demonstration to Government test specifications, there are no known performance or effectiveness preclusions to selection of the improved M715.

With respect to this report the Chief of the Vehicles and Equipment Division, Maintenance Directorate, Army Materiel Command, states flatly:

We conclude that there is questionable necessity for going through the expense of developing a replacement vehicle at this time.

He recommended that:

The M715 series of trucks be considered for adoption as the standard replacement for the M37 series and that procurement of the M705 series of trucks be held in abeyance pending the acquisition of more definitive operation and maintenance experience with the M715.

Thus, Mr. Speaker, the evidence available at this time, developed both by the General Accounting Office and, indeed, by the Army itself militates strongly against procurement of the untested, untried paper XM–705 at an additional cost to the American taxpayer estimated by the Army Materiel Command to be $150 million. Here again is the conclusion from the Army Materiel Command report I have already cited:

Introduction of improved M715's requires fewer vehicles in the total fleet and approximately $150 million less for the total fleet life cycle costs than does the XM–705.

Mr. Speaker, let me elaborate:

I first began looking into the Army's procurement of a new fleet of 1¼-ton vehicles this past January when officials of the Kaiser Jeep Corp., which has a plant located in the congressional district which I represent, brought to my attention the Army's intention to procure the XM–705 from the General Motors Corp.

After a period of several months of investigation on my part, which included meeting personally with the Secretary of the Army, Mr. Stanley R. Resor, on February 18, 1969, I became increasingly convinced that the XM–705 program could not be justified. I first transmitted my concern in a letter dated March 19, 1969. At that time, I indicated my serious reservations about the XM–705 program. Concurrently, I advised the Comptroller General of the United States of my concern about the XM–705 program and requested that the General Accounting Office undertake a thorough investigation.

After several months of continuing inquiry on my part, and on the basis of the preliminary review submitted to me by the General Accounting Office, I am thoroughly convinced that the XM–705 program has not been justified by the Army, and that, as available expert evidence indicates, this program will cost the American taxpayer many millions of dollars beyond what is required for an adequate 1¼-ton truck fleet.

HISTORY OF THE ONE-AND-A-QUARTER-TON TRUCK PROGRAM

Let me briefly summarize the U.S. Army 1¼-ton truck program.

At the present time the Army has about 30,000 M–715 trucks. This 1¼-ton truck is a conventional mobility truck which first went into production in January 1967, at a cost of less than $3,500 apiece to the Government.

Notwithstanding the success of the M–715 in the field, the Army has embarked on a program to procure another 1¼-ton conventional mobility truck—the XM–705. The complete acquisition cost for the first 18,000 of these vehicles is scheduled to be $8,160 per truck, according to data provided me by Army officials.

The Army made this award despite the fact that for more than 6 months, the Army had held in abeyance an unsolicited firm fixed price proposal from the Kaiser Jeep Corp., in the amount of $71 million to produce a like quantity of improved M–715 trucks. The improved M–715 is a modification of a similar and apparently satisfactory M–715 vehicle already in the military system.

Congress has repeatedly cautioned the Army about introducing a new truck into the logistics system. The full House Committee on Appropriations, as far back as June 1963, questioned the Army's continued sole-source procurement of the M–34 ¾-ton truck and emphasized the need to develop the follow-on XM–561 vehicle with competitive procurement at the earliest practical date. The M–561, known as the Gama Goat, is a high mobility truck now being procured at a cost of about $11,000 each. The Appropriations Committee, however, approved a limited procurement for ¾-ton trucks for fiscal year 1964, anticipating that these vehicles as well as existing inventory would be adequate to meet Army requirements until the successor M–561 was ready for procurement.

The Appropriations Committee further noted that the Army was looking into the possibility of utilizing other commerically available trucks that might meet the Army's requirements. The committee admonished the Army that the advantages of competitive procurement must be weighed against the higher costs associated with introducing a new vehicle into the logistics system.

Thus, the Army at present is faced with logistically supporting two trucks of the same class—the M–37 and the M–715—and will soon have a third truck, the high mobility M–561 truck, in its system. Procurement of the XM–705 will add yet a fourth 1¼-ton truck to the system.

The Army Materiel Command itself, in its comparison of the improved M–715 and the XM–705, warned of the additional expense and unnecessary logistical complications that would result from adding this fourth 1¼-ton truck—the XM–705—to the fleet. In its report, the Army Materiel Command emphasized the logistical advantages of retaining the M–715 and rejecting the XM–705:

Selection of the improved M–715 would have the following effects on *Logistic Factors:*

a. Reduces the types of major items in the fleet.

b. Reduces the number of new component line items introduced into the system.

c. Avoids increased supply and distribution costs. The XM–705 would require complete logistics introduction.

Mr. Speaker, a comparison of initial investment costs for the XM–705 and for the M–715 is plain evidence of the Army's misjudgment in this matter.

For an intial buy of 18,000 vehicles, the Army estimates that the initial investment cost will be $8,160 for each XM–705. This figure compares with $5,120 for each improved XM–715. The additional cost, then, is over $54 million for the XM–705. Moreover, based on a projected fleet of 50,000 vehicles, the Army Materiel Command estimated that the total additional cost to the taxpayer would be approximately $150 million.

Mr. Speaker, I have sought time and time again to obtain from the Army satisfactory explanations to questions I have raised about the basis for its determination to procure the XM–705.

Following my meeting with the Secretary of the Army in February, I exchanged correspondence with him. I subsequently met at some length with a team of Army officials dispatched by the Secretary of the Army which included the Army's Director of Materiel Acquisition, Maj. Gen. Roland B. Anderson. I have studied materials thereafter prepared for me by General Anderson. I have reviewed with care the answers concerning the XM–705 submitted by the Army to this subcommittee just 4 days ago.

SELF-SERVING COST-BENEFIT ANALYSIS

But, Mr. Speaker, the deeper I look into this matter, the more convinced I have become that the Army's justification of the XM–705 program is not only inadequate, but also misleading.

Essentially, Army officials have attempted to justify their decision to procure the XM–705 by stating that it would result, in contrast to continuing procurement of the M–715 or an improved version, in both substantial improvements in military effectiveness and lower life-cycle costs.

Mr. Speaker, the Army has failed to support either of those contentions. Let me explain.

1. LIFE CYCLE COSTS—CONTRIVED COST COMPARISONS

Life cycle costs lie at the heart of the issue and draw attention to the questionable accuracy of the Army's method of comparing the real-life M–715 and the paperwork XM–705.

I was informed by the Army that its decision to proceed with the procurement of the XM–705 was based on the Army's calculated higher life cycle cost of the improved M–715. In fact, however, as I have indicated, the internal Army study, to which I have already referred, stated in July 1968 that the additional life cycle cost of adding XM–705's to the fleet would be approximately $150 million over the alternative of procuring the improved M–715.

Yet, Maj. Gen. Roland B. Anderson, who headed up the delegation sent to my office by Secretary Resor, represented this figure to be only $75 million. Moreover, he dismissed the savings which would result from purchasing improved M–715's as unsubstantiated in the eyes of the Army. According to General Anderson, in a document he submitted to me on April 18, 1969:

A cost comparison study made by the Army Materiel Command Comptroller and Director of Programs did indicate a life-cycle cost advantage of $75 million for the improved M–715 on the basis of a 50,000 vehicle fleet. However, this study was made on the basis of the assumptions that Kaiser Jeep's unsupported claims as to reliability and durability could be attained. For that reason it has never been accepted by the Army. This study was accomplished in July 1968.

General Anderson's letter of April 18 takes the unequivocal position that the Army's life cycle cost computations showed a lower cost for the XM–705. But the general's assertion is in direct conflict with the earlier determination of the Comptroller and Director of Programs, Army Materiel Command, that the life cycle cost for the improved M–715 would be substantially lower than that for the XM–705.

Notwithstanding this Army Materiel Command report, the Army subsequently contrived—and I use that word advisedly—an unrealistic life cycle cost for the improved M–715 in order to justify procurement of the XM–705.

Let me explain.

The Army has relied heavily on the alleged high life cycle cost of the improved M–715 as compared to the life cycle cost for the XM–705. Simply stated, the life cycle cost is the initial acquisition cost of a vehicle, plus the maintenance and repair cost for that vehicle over its expected lifetime.

In calculating a life cycle cost, the so-called "maintenance index" is vitally important. This is because a maintenance index indicates just how much time a vehicle will be unable to operate because of the need for repairs and other maintenance.

To illustrate how crucially important the maintenance index is, the Army stated that repair parts and maintenace for each improved M–715 would amount to approximately $13,500—over $1,000 each year for each year of the M–715's 12-year life span. At the same time, the Army stated that the repair parts and maintenance for each XM–705, which exists on paper only, would be slightly over $6,000 for the lifetime for each vehicle—or approximately $500 each year.

As a result, the difference in cost as given between maintaining a fleet of XM–705's and maintaining a fleet of improved M–715's, based on Army assumptions is enormous. In fact, that difference, based on a projected fleet of 50,000 vehicles over a 12-year life expectancy for each vehicle, amounts to several hundred million dollars.

And yet, when I sought to learn the basis on which the Army assigned these very different, yet crucially important maintenance indexes to both of these vehicles, I was astonished by the lack of integrity of the criteria the Army chose to use.

What I learned was this:

The Army had assigned a maintenance index for the XM–705 based on conjecture, assumption, and insufficient data. In fact, no XM–705 has ever been built. The index assigned for the vehicle is based entirely on values calculated by the contractor which the Army, after checking, accepted. And yet the vehicle exists only on paper, and I will indicate later in my statement how dangerous this practice of failing to rely on prototype development has been in the past.

Moreover, the very high maintenance index assigned for the improved M–715 is no more supportable than the very low index assigned to the XM–705. The Army has failed, despite my repeated requests to Army officials, to provide me with any explanation of how the figure for the improved M–715 was derived—an index almost three times as high as that of the XM–705. And yet there are at least three compelling reasons which suggest that the maintenance index assigned the M–715 is arbitrary in the extreme.

First. Apparently, the Army used only five of the first M–715's off the production line, tested them, but ignored considerable test data on later M–715's in calculating the maintenance index.

Second. At present, approximately 25,000 M–715's are operating in the field, many of these vehicles for close to 2 years. About 5,000 M–715's are in reserve storage. Yet neither officials of the Kaiser Jeep Corp. nor I have succeeded in getting any information from the Army which suggests that the existing M–715's have not been performing effectively and economically. In fact, one Army Materiel Command memorandum states specifically that "there are no reports pointing to other than normal maintenance and MWO—modification work order—requirements." Moreover, officials of the Kaiser Jeep Corp. have visited many field commands where the M–715 is deployed, both in the United States and abroad, and reported to me that the M–715 apparently has received wide acceptance among field commanders.

Third. Moreover, two reputable management consulting firms, Harbridge House and Communications & Systems, Inc., conducted studies, commissioned by the Kaiser Jeep Corp., based on test data made available by the Army. The conclusion of both of these studies is that the maintenance index assigned to the improved M–715 by the Army is much greater—and hence of course much more costly—than is justifiable based on the data used by the Army.

In sum, the Army has chosen to rely heavily on the alleged merits of the paper XM–705. Yet the truth is best stated in

the Army Materiel Command's study of the XM–705 and the M–715:

No conclusive difference in estimated reliability can be stated because of the uncertainties involved in both vehicles.

Mr. Speaker, I am convinced that in their assignment to the improved M–715 of a maintenance index almost three times greater than that assumed for the XM–705, the Army has taken elaborate pains to construct a self-serving case.

2. COMBAT EFFECTIVENESS: UNSUPPORTED AND UNTESTED COMPARISON OF BENEFITS OF XM–705 AND M–715 PROGRAMS

Mr. Speaker, Army regulations are clear that the bulk of research, development, testing and evaluation funds should be spent on items providing significant advances in combat effectiveness with emphasis on mobility, firepower, and communications. No substantial sums of money are to be spent for small, incremental increases in combat effectiveness with emphasis on mobility, firepower, and communications. Furthermore, regulations specify that the cost of new items must be carefully weighed against expected improvement in operational capability. According to Army doctrine, "improvements of modernization action are avoided," and "unnecessary technical features, overrefinement, and excessive durability must be eliminated."

Army regulation 11–25, entitled "Army Programs, the Management Process for the Development of Army Systems"—dated April 10, 1968—is clear and succinct:

Priority is placed on new capabilities which provide significant improvement in combat effectiveness.

Yet this explicit mandate has been ignored in the present case.

The General Accounting Office is conducting an extensive study of the Army's analysis and cost comparison of the XM–705 and the improved M–715 programs. As we are all aware, Mr. Speaker, the General Accounting Office was placed in the legislative branch of the Government to provide the committees and Members of Congress with independent reports on the management operations of the executive branch. The unremitting duty of the Comptroller General and the General Accounting Office staff is to serve Congress by searching continually for means of achieving greater effectiveness, economy, and efficiency throughout the Government.

Although the General Accounting Office has not yet completed its review I have been greatly impressed both by their findings to date and by the thoroughness of their investigation.

Mr. Speaker, let me here cite in detail some of the unequivocal, unambiguous findings of the General Accounting Office:

Based on our review of the XM705 development and the conclusion of the cost/effectiveness study made by AMC [Army Materiel Command] in July 1968, it appears that the XM705 does not represent a real stride forward in terms of combat effectiveness. Rather, it appears to offer only a relatively small increase in terms of combat effectiveness over the XM715 1¼ ton truck already in the Army system and no clearly significant superiority over the improved XM715 proposed by KJC [Kaiser Jeep Corporation]. Accordingly, the XM705 program appears to represent an excessive expenditure for marginal improvements in combat effectiveness over the improved XM715.

As far as we know, the Army does not accept the July 1968 AMC cost/effectiveness comparison because it was based on unsupported assumptions. It does not seem reasonable to make such a study for the apparent purpose of providing a better basis for decision making, when the input is based on unsupported assumptions that cannot be accepted. Further, the definitive data considered necessary to validate the assumptions was not requested by the Army for about 6 months. It appears that the Army should have taken action to obtain such data much sooner than it did. Further, we believe the award of the TPP [Total Package Procurement] contract to GM [General Motors] should not have been made prior to receipt and evaluation of the requested definitive data. If the evaluation was favorable to KJC, then it seems the course of less risk to the Government would have been to proceed with the development and test of KJC's improved XM715 since KJC also guaranteed performance and offered a significant saving in cost and time. While there is the possibility that the improved XM715 would fail during tests to meet the requirements although guaranteed, the same possibility also exists in the most costly current X705 program.

Mr. Speaker, having cited the findings of the General Accounting Office, I want, in order to complete the evidence for the members of the subcommittee, to cite several additional points contained in the Army Materiel Command's comparison study, to which I have earlier referred.

They are essential points which I have not yet made. The Army Materiel Command report said:

1. With the improvements proposed, an adequate design guarantee and warranty, and contractor liability established by demonstration to Government test specifications, there are no known performance or effectiveness preclusions to selection of the M715. Areas in which the QMR [Qualitative Materiel Requirements] are not met are not considered significant. Cost differentials are significant, particularly in the acquisition category (R & D and Investment) and are considered to be conservative. The current M715 is programed in the Army inventory through FY 78 and further logistics simplification and cost avoidance are factors for M715 selection. The Government's legal and moral obligations in abandonment of the XM705 are protectable and/or defensible. Government Rights-in-Data are roughly comparable between the two suppliers. Significant savings are also evident to the M715 in the ambulance version and high density kits. Other savings, on cost-effectiveness considerations, can be made from the improvements specified in both proposals.

2. Both the XM705 and the improved versions of the M715 are "paper vehicles" in the sense that neither exists or has been demonstrated. The current version of the M715 does exist . . . and both costs and performance values have some historical documentation. The values (performance and maintenance estimates) of the XM705 have been derived from quotations and estimates made by the contractor and modified where considered appropriate. These, therefore, are considered to have a greater uncertainty (plus or minus), than for the current M715 data.

In view of the unrelenting investigative work and the findings to date of the General Accounting Office in the present XM–705/M–715 controversy, and in further view of the devastating Army Materiel Command's comparison study, I must conclude that the method used by the Army to procure the XM–705 is unjustifiable and irresponsible.

Based on a careful examination of the XM–705 program, then, I fail to see any justification either for the increased costs or the complication of logistics caused by several equivalent vehicles in the military system. It is my understanding that the M–715, with minimum improvements, can fulfill the system's description of the XM–705. Accordingly, there is no reason for the Department of Defense to incur the additional cost of developing a new vehicle where the capabilities required can be provided through minor modification of the existing M–715. In summary, it appears that, at best, the XM–705 program offers a marginal improvement in overall vehicle performance at a disproportionate increase in cost.

At a time when the Federal Government is trying very hard to limit expenditures and when Defense Department appropriations are approaching $80 billion annually, I respectfully urged the members of the Defense Subcommittee carefully to review the entire XM–705 contract and the manner in which it was awarded.

Naturally, Mr. Speaker, I would hope that the distinguished Defense Subcommittee would also insist, in view of the kind of evidence I have here presented, that the Army give satisfactory responses to the questions I have raised, which the Army has up to now failed completely to do.

The American people are, I am confident, willing to support a strong defense for our national security. They are not willing, however, to see millions of their tax dollars squandered as the U.S. Army is doing in this ill-advised XM–705 contract.

Mr. Speaker, in response to my testimony before the Defense Subcommittee, I am told that the Army issued the following statement:

The Army does not agree that the purchase of the General Motors Corporation-designed XM705 1¼ ton truck will cost $150 million more than if the XM715 supplied by Kaiser Jeep Corporation were purchased. The XM705 is being designed with a high degree of reliability and durability and therefore does require a higher initial investment. However, Army studies indicate that on life cycle cost basis, taking in both the initial and 12-year operating cost, the XM705 will cost significantly less than the XM715.

Mr. Speaker, upon learning of the Army's response to my testimony I issued the following statement:

In my testimony on June 9 before the Defense Subcommittee of the House Committee on Appropriations, I charged the Army with having contrived to place a contract with General Motors to purchase a large fleet of XM705 1¼ ton trucks. I demonstrated, on the basis of evidence developed by the General Accounting Office and, indeed, by the Army Materiel Command, how the Army was willing to spend an additional $150 million in order to buy a truck that would provide only marginal improvements in combat effectiveness.

The Army issued a statement yesterday denying that the XM705 would cost $150 million more than a modified version of an existing Army vehicle, the M715 built by Kaiser Jeep Corporation. The Army alleged yesterday, without citing any evidence whatsoever, that the total life cycle cost for the XM705 would be "significantly less" than for the M715.

I challenge the Army to demonstrate that the XM705 would be significantly less expensive. To date, the Army's representations about the XM705 program have been riddled with blatant inconsistencies and half-truths.

I do not intend to let the matter of the XM705 drop. The Army should not be permitted to squander $150 million in taxpayers' money on this large and terribly expensive fleet of XM705 trucks.

Mr. Speaker, the XM–705 contract is a concrete example of the kind of waste of public tax dollars by the military which is increasingly disturbing to the American people.

SOME OBSERVATIONS ON LEGISLATION DEALING WITH CAMPUS UNREST

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

Mr. BRADEMAS. Mr. Speaker, several speeches have been made on the floor of the House today, and I am sure that in the days ahead many more speeches will be made concerning the issue of unrest on college campuses in the United States.

I take this opportunity, not in any effort to make an exhaustive discussion of this complicated issue, but only to draw to the attention of the Members of the House some factors which may be helpful as they consider this problem.

In the first place, Mr. Speaker, let me say that it is my own conviction, based on visits to many university campuses in recent weeks and months, that there is no simple or single cause of disorders on the American campus today.

For convenience, however, it might be possible to divide the causes into three chief kinds.

First, I believe there is a small, but nonetheless highly significant group of revolutionary extremists on our campuses who wish to destroy the university, not to elevate it and improve its quality. With this group and with the violent tactics that some of them are willing to employ, I have absolutely no sympathy; the criminal law should be enforced when they break the law—as with any other citizen.

But, Mr. Speaker, I believe it would be a great mistake to assert that the existence of this group is the only cause of disorders on the campus.

A second explanation for some of the troubles is criticism by students on the way the college or university is run. I refer here to complaints about curriculum, defense-related research, the impersonality of faculty-student relations, the roles of students, faculty, and trustees in the governing processes of the institution, the relationship between the university and the community of which it is a part, and similar dissatisfactions. Whether one agrees with a particular criticism in any given instance is another matter. All I am saying here is that criticisms of this kind are one of the principal sources of some of the student disorders.

A third major cause of student unrest is the entire spectrum of problems within the wider American society—the war in Vietnam, the draft, racial discrimination, poverty, and the feeling on the part of many students that too many Americans are more concerned with material gain than with making real the dreams of our Founding Fathers.

Mr. Speaker, if there is any truth in what I have been saying—that the causes of student unrest are multiple and complex—it follows that there is no simple solution.

It follows further that we should look somewhat skeptically on legislative proposals that purport to resolve student unrest.

Now, Mr. Speaker, let me say something about the present status of legislation in this area.

After several weeks of hearings on the general problem of student disorders, the Special Subcommittee on Education, of which I am a member, began on Thursday last, June 5, in markup session to consider legislative proposals in this field. For 2 hours in our first—and last—subcommittee markup session, members of the subcommittee gave consideration to a proposal not yet, I believe, introduced in the House, by the gentleman from Illinois (Mr. ERLENBORN). The gentleman from Wisconsin (Mr. STEIGER), a member of the subcommittee, raised several searching questions about Mr. ERLENBORN's proposal, and the gentleman from Minnesota (Mr. QUIE), also on the subcommittee, offered a number of amendments to the Erlenborn suggestion.

When the subcommittee finished its only markup session of 2 hours, Mr. ERLENBORN'S proposal and Mr. QUIE'S amendments were under very serious and thoughtful discussion by members of the subcommittee.

It was subsequently announced to the press, however, that this matter would be removed from the hands of the subcommittee and taken to the full Committee on Education and Labor.

On last Monday, June 9, a bill, H.R. 11941, was introduced in the House for the first time, and that bill was the measure brought before the full Committee on Education and Labor the following day, Tuesday, June 10.

It is therefore important to understand, Mr. Speaker, that not one witness from the administration or from the higher education community or from anywhere else has testified on H.R. 11941, a bill with potentially profound impact on all of American higher education.

In order that Members may understand the gravity of the implications for our colleges and universities of H.R. 11941, I insert the bill at this point in the RECORD:

H.R. 11941

A bill to encourage institutions of higher education to adopt rules and regulations to govern the conduct of students and faculty, to assure the right to free expression, to assist such institutions in their efforts to prevent and control campus disorders, and to amend the Higher Education Act of 1965

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Higher Education Protection and Freedom of Expression Act 1969".

TITLE I—PREVENTIVE AND CONTROL OF DISRUPTIVE ACTS

STATEMENT OF FINDINGS AND PURPOSE

SEC. 101. (a) The Congress hereby finds that the primary responsibility for maintaining freedom of expression, public order, and the effective functioning of the educational processes at American institutions of higher education rests with the trustees, administrators, and other duly-appointed collegiate officials.

(b) In light of the finding set forth in subsection (a), it is the purpose of this Act—

(1) to maintain within the scholarly community the basic American concepts of freedom of thought, inquiry, expression, and orderly assembly,

(2) to assist those who wish to pursue their education in a campus atmosphere free of disruption and violence,

(3) to afford encouragement and opportunity to administrators, faculty and students in working for orderly progress,

(4) to assist the academic community in maintaining institutions of higher education as centers for the free interchange of ideas, and

(5) to assure reasonable protection of the Federal investment in higher educational programs.

INSTITUTIONAL ACTION REQUIRED TO PREVENT AND CONTROL HIGHER EDUCATIONAL CONFLICTS AND DISRUPTIVE ACTS

SEC. 102. (a) Each institution of higher education (as defined in the first sentence of section 1201 of the Higher Education Act of 1965) which participates or proposes to participate in a program or activity receiving financial support, as set forth in section 104, from any department or agency of the United States shall file with the Commissioner of Education (hereinafter referred to as the "Commissioner") within sixty days following the enactment of this Act, or by January 1, 1970, whichever is later, or in the case of a new institution or one which has not previously applied for federal funds, at the time of filing its initial application for participation in such program or activity, a certification which—

(1) affirms the intention of the institution to take all appropriate actions to attain the purposes set forth in section 101(b), and sets forth such programs of action as the governing board of the institution, after consultation with administrators, faculty and students, deems appropriate to prevent at such institution the occurrence, or to assure the timely termination, of actions which tend to defeat such purpose, and

(2) set forth rules and regulations which are in effect at such institution (or, if none are in effect, a set of rules and regulations which will be put into effect within sixty days) relating to standards of administrative practice, conduct of students and faculty, and other university employees and the maintenance of public order and the continuing function of the educational processes on the properties and facilities of the institution. Such rules and regulations shall be certified after consultation with administrators, faculty, and students, and shall as a minimum—

(A) provide for an effective means to assure adequate opportunity for free expression, consultation and orderly discussion of educational and associated problems which affect and are of concern to trustees, administrators, faculty, and students of the institution;

(B) govern the administrative practice, the conduct of students, faculty, other staff, and visitors on such property and facilities;

(C) assure that fair procedures will be adopted to deal with cases of administrative personnel, faculty, and other staff, and stu-

dents charged with violation of such institution's rules and regulations; and

(D) clearly set forth a table of penalties for violations of such rules and regulations.

(b) Revisions to such rules and regulations shall be filed with the Commissioner not later than ten days following their adoption.

(c) If the Commissioner determines that an institution of higher education has failed to file the certification required by subsection (a) and (b), he shall immediately give notice to all Federal departments and agencies providing financial assistance for programs and activities at the institution. Thereafter, such institution shall not be eligible for the award of any Federal financial support as set forth in section 104, until such time as the Commissioner shall determine that such failure to file has been corrected.

(d) When the Commissioner determines that special circumstances exist which would make the application of the preceding subsection inequitable, unjust or not in the public interest, he may waive its application to the institution, in whole or in part.

(e) Any institution of higher education which is dissatisfied with the Commissioner's final action with respect to any matter arising out of this section shall have the same right of appeal under the same conditions as a State under section 608 of the Higher Education Act of 1965.

ASSISTANCE BY COMMISSIONER OF EDUCATION

SEC. 103. The Commissioner is authorized to provide, only upon request, appropriate technical and other assistance to institutions of higher education in carrying out the purposes of this Act.

FEDERALLY ASSISTED PROGRAMS COVERED BY ACT

SEC. 104. For the purposes of this title, financial support includes all forms of Federal financial assistance including but not limited to research grants and contracts, fellowship grants, loans and grants for construction of facilities, grants for library resources and instructional equipment, grants for teacher training, and grants for curriculum improvement.

TERMINATION OF TITLE I

SEC. 105. This title shall expire five years after the date of its enactment.

TITLE II—HIGHER EDUCATION AMENDMENTS OF 1968

SEC. 201. (a) Section 504 of the Higher Education Act of 1965 is amended to read as follows:

"SEC. 504 (a) If an institution of higher education determines, after affording notice and opportunity for hearing to an individual attending, teaching, doing research or otherwise employed by, such institution, that such individual has been convicted by any court of record of any crime which was committed after the date of enactment of the Higher Education Protection and Freedom of Information Act of 1969 and which involved the use of (or assistance to others in the use of) force, disruption, or the seizure of property under control of any institution of higher education to prevent officials or students in such institutions from engaging in their duties or pursuing their studies, and that such crime was of a serious nature and contributed to a substantial disruption of the administration of the institution with respect to which the crime was committed, then the institution which such individual attends, or is employed by, shall deny for a period up to five years any further payment to, or for the direct benefit of, such individual under any of the programs specified in subsection (d). If an institution denies an individual assistance under the authority of the preceding sentence of this subsection, then any institution which such individual subsequently attends shall deny for the remainder of that period any further payment to, or for the direct benefit of, such individual under any of the programs specified in subsection (d).

"(b) If an institution of higher education determines, after affording notice and opportunity for hearing to an individual attending, teaching, doing research, or otherwise employed by, such institution, that such individual has willfully refused to obey a lawful regulation or order of such institution after the date of enactment of the Higher Education Protection and Freedom of Information Act of 1969, and that such refusal was of a serious nature and contributed to a substantial disruption of the administration of such institution, then such institution shall deny, for a period up to five years, any further payment to, or for the direct benefit of, such individual under any of the programs specified in subsection (d). If an institution denies an individual assistance under the authority of the preceding sentence of this subsection, then any institution which such individual subsequently attends shall deny for the remainder of that period any further payment to, or for the direct benefit of, such individual under any of the programs specified in subsection (d).

"(c) As a condition to receipt of any payment described in subsection (d) (1) (2) (3) (4) (5) (6) and (9) the public or private agency, officer, institution, or organization making the payment shall require the individual to whom the payment is made to execute an affidavit (in such form as the Commissioner shall prescribe) with respect to any finding made by an institution of higher education under subsections (a) or (b), Section 1001 of title 18, United States Code, shall apply with respect to such affidavits. In regard to payments described in subsection (d) not processed or disbursed through the institution, the institution shall notify the public or private agency, officer, institution, or organization making such payment to an individual as described in subsection (d) that such individual has been denied payment. No payment shall be made to any such individual for the period determined by the institution under subsection (a) or subsection (b). Any such agency, officer, institution, or organization that violates this subsection shall be liable to the United States for the amounts paid in violation of the subsection.

"(d) The payments referred to in the preceding subsections of this section are the following:

"(1) payments to students under a student loan program carried on by an institution of higher education under title II of the National Defense Education Act of 1958,

"(2) payments to students under a student loan program carried on by an institution of higher education under part C of title VII or part B of title VIII of the Public Health Service Act,

"(3) payments under the student loan insurance program under part B of title IV of the Higher Education Act of 1965,

"(4) payments under a college work-study program carried on under part C of title IV of the Higher Education Act of 1965,

"(5) payments of salary to teachers and other employees of institutions of higher education, who are employed in connection with the training of volunteers for the Peace Corps or for service in domestic volunteer service programs carried on under title VIII of the Economic Opportunity Act of 1964,

"(6) payments of salary to teachers and other employees of institutions of higher education who receive their salaries from funds made available under title III of the Higher Education Act of 1965,

"(7) payments of subsistence allowances under section 1504 or of educational assistance allowances under subchapter IV of chapter 34, or of subchapter IV of chapter 35 of title 38 of the United States Code, or

"(8) payment of a child's insurance benefit under section 202(d) of the Social Security Act to a student who at the time of the act for which he is convicted, had attained age 18 and was not under a disability (as defined in section 223(d) of the Social Security Act),

"(9) other payments to students or faculty members at institutions of higher education under fellowships, scholarships, traineeships, or research grants carried on with Federal funds.

"(e) For purposes of this section a student shall be deemed to have received a payment referred to in subsection (d) if such a payment was received by his parent, guardian, or by any other person for his benefit.

"(f) Nothing in this section shall be construed as limiting or prejudicing the rights and prerogatives of any institution of higher education to institute and carry out an independent disciplinary proceeding pursuant to existing authority, practice, and law."

(b) The amendments made by subsection (a) shall not be deemed to affect the applicability of section 504 of the Higher Education Amendments of 1968, as in effect on the date of enactment of this Act, with respect to acts committed prior to the date of enactment of this Act.

SEC. 202. (a) Section 427(a)(2) of the Higher Education Act of 1965 is amended by redesignating subparagraph (G) as (H) and by inserting after subparagraph (F) the following new subparagraph:

"(G) provides that, contingent upon certification by the institution at which the borrower is enrolled that he is in good standing, the loan will be paid in periodic installments (as prescribed by the Commissioner) which are geared to the borrower's rate of necessary expenditures, and"

(b) Effective July 1, 1970, section 428(b)(1) of such Act is amended by redesignating subparagraph (K) as (L) and by inserting after subparagraph (J) the following new subparagraph:

"(K) requires that, contingent upon certification by the institution at which the borrower is enrolled that he is in good standing, the loan be paid in periodic installments (as prescribed by the Commissioner) which are geared to the borrower's rate of necessary expenditure; and"

Now, Mr. Speaker, by way of indicating the surprise and dismay of representative spokesmen of the higher education community about this bill, on which there has been afforded no opportunity to testify, I here insert in the RECORD the text of a letter to the distinguished chairman of our Committee, the gentleman from Kentucky (Mr. PERKINS), from Mr. John F. Morse, director of the Commission on Federal Relations of the American Council on Education, dated June 10, 1969. Mr. Morse makes clear that the American Council on Education is indeed interested in having an opportunity to testify on H.R. 11941. He also indicates that—

There are many specific provisions in the bill which appear to us, in the brief time we have had to study it, almost disastrous.

The letter follows:

AMERICAN COUNCIL ON EDUCATION,
Washington, D.C., June 10, 1969.

HON. CARL PERKINS,
Washington, D.C.

DEAR MR. CHAIRMAN: I gather there is some misunderstanding within the Education and Labor Committee as to the position of the American Council on Education on H.R. 11941. More specifically, I am informed that the Committee believes that the Council did not wish to offer testimony on the issues involved. The purpose of this letter is to set the record straight.

When the Special Subcommittee on Education began its hearings, its purpose was to explore the causes and the nature of campus unrest. It had no specific legislation before it. When, therefore, we were asked by the Chairman and Committee Counsel whether ACE wished to testify, we indicated that we did not believe that Washington-based associations had enough firsthand knowledge to be helpful. We suggested that we could be most useful by identifying witnesses who were actually on the campuses and could make their insights and firsthand knowledge available to the Subcommittee. Virtually every higher education witness who has appeared before the Subcommittee has come from an institution that is a member of the American Council on Education.

To illustrate our belief that the Subcommittee should be provided with the broadest possible perspective, we agreed, at the Chairman's request, to pay the expenses of Professor John Bunzel of San Francisco State College so that he might appear before the Committee and express his views. We had no idea what his testimony would be. Our sole objective was to enable the Subcommittee to see the problem from the point of view of a faculty member from one of our most embattled institutions.

As of yesterday, however, the situation has changed. The Committee now has before it a specific piece of legislation. Under these circumstances, the American Council on Education would, of course, wish to testify if such an opportunity were given us. In keeping with our position that no additional legislation is necessary and that any additional legislation is likely to be inflammatory, we would be strongly opposed to H.R. 11941 in principle. But, beyond that, there are many specific provisions in the bill which appear to us, in the brief time we have had to study it, almost disastrous.

Thanks to the nature of the academic calendar, there are now three months in which to consider soberly and carefully what, and indeed whether, additional legislation is necessary. It is our official position that it is unnecessary, but if the Committee is in doubt, there is ample time to hold hearings on the specific measures before you. Such hearings, whether conducted by the Subcommittee or the full Committee, would give everyone time for careful reflection and objective analysis, or, in short, the kind of scrutiny that has not yet been applied to the bill you are considering.

Sincerely yours,

JOHN F. MORSE,
Director.

I might here note, Mr. Speaker, that next Monday and Tuesday there will be a meeting in Washington of some of the presidents of the universities which belong to the American Council on Education. I have been assured that a number of the most distinguished college presidents in America would be willing to testify on H.R. 11941 before the members of the Committee on Education and Labor.

For example, I know that the Reverend Theodore Hesburgh, C.S.C., the distinguished president of the University of Notre Dame, in my congressional district, will be in Washington for the ACE meeting, and he will be willing to testify if afforded the opportunity.

Moreover, Mr. Speaker, it seems to me that in view of the fact that we have not had a single witness on H.R. 11941, or on any measure resembling it, we ought to hear from the Secretary of Health, Education, and Welfare, Mr. Finch, and from Dr. Allen, the Assistant Secretary of Health, Education, and Welfare for Education and Commissioner of Education. Their views are important on legislation which, if passed, would mean significant additional administrative responsibilities for them.

I note also, Mr. Speaker, that both Secretary of Health, Education, and Welfare Finch and Attorney General Mitchell have indicated that they do not believe Congress should pass legislation of the kind which I have been here discussing.

The New York Times of today, June 11, reports that spokesmen for Secretary Finch said that "he firmly opposed any legislation preventing the flow of Federal funds to colleges."

The Times article went on to add that a spokesman at the Justice Department said:

Attorney General Mitchell is on record that no new legislation is needed at this time. There has been no change in his stand.

Furthermore, Mr. Speaker, we have not heard, for example, from either the Director of the Veterans' Administration or the Commissioner of the Social Security Administration—yet H.R. 11941 extends existing law to reach payments of a surviving child's insurance benefits under social security and beneficiaries of the GI bill. Should we not hear from the administrators of the appropriate agencies their views on legislation which provides administrative responsibilities for them?

Having given a brief historical background underlying consideration of H.R. 11941, Mr. Speaker, I want to make several other observations about the bill.

The distinguished U.S. Commissioner of Education, Dr. Allen, said of the proposed measure, as quoted in the June 10, 1969, issue of the Washington Post:

Administratively I think it would be impossible. I generally don't think this is good. I think this is interfering in the internal affairs of the university. This is bad.

I have myself discussed this proposal with Commissioner Allen earlier this week, and I am satisfied that this quotation accurately reports his views.

I have earlier alluded to Father Hesburgh, an extraordinarily gifted American and in my view one of the truly great leaders in American higher education. Father Hesburgh is quoted in the Washington Post of June 10, 1969 as criticizing this bill.

Father Hesburgh said in referring to campus unrest:

This is a new phenomenon, we have to give universities time to deal with it themselves. They are as concerned about solving it as anyone else.

Mr. Speaker, I might also here quote from the transcript of a television interview on May 25, 1969, "The Evans-Novak Report," on WTTG, Washington, D.C., in which Father Hesburgh was interviewed by Roland Evans and Robert Novak.

Said Father Hesburgh during this interview:

I still think that the universities ought to control themselves. The day that people start controlling them in this aspect they will begin to control them in other aspects, and the day that the freedom and autonomy of the university is abridged that day, I think, is the end of the university as we have known it, because the university has to be a critical force in society, and to do it it has to be able to stand back from society and make its judgments, make its study, make its analysis.

Father Hesburgh said in the same interview:

I think you would have to say in all honesty there is a rebirth of a kind of repression of the university or outside forces pressing in upon it to control it, and I think this is a sad thing to happen.

Let me here, Mr. Speaker, also quote from an interview with Commissioner Allen by Garven Hudgins of the Associated Press, published in the South Bend Tribune, May 27, 1969:

Q. Do you think the rash of proposals in state legislatures and in Congress for legislation against campus dissidents will be effective in curbing disruption?

A. I can appreciate and understand the concern that Congress and the legislatures have over the disruption and violence which has been taking place on campus. But I simply do not believe that punitive, negative legislation can solve the problem.

Generally, I think there are enough laws already available to us for handling those few students who have violated the laws of the universities and of society.

WOULD FORFEIT RIGHTS

I am particularly opposed to legislation which would withdraw funds from institutions. Any student found guilty of a crime or of illegal disruption and expelled from an institution would automatically forfeit the right to any federal financial help to pay for his college education.

I think we ought to begin to think in terms of how we can help colleges and universities achieve changes in curricula; how they can handle legitimate student protests and legitimate requests from students for change. We should also seek to bring about those changes which are so long overdue in our institutions.

I think we could accomplish far more this way than we could through any kind of punitive, negative legislation.

Mr. Speaker, I think it is also significant that this week the National Commission on the Causes and Prevention of Violence issued a statement on campus disorders that is directly relevant to H.R. 11941. According to the Commission, headed by the distinguished educator, Dr. Milton Eisenhower:

Those who would punish colleges and universities by reducing financial support, by passing restrictive legislation or by political intervention in the affairs of educational institutions, may unwittingly be helping the very radical minority of students whose objective is to destroy our present institutions of higher education. . . . We counsel patience, understanding and support for those in the university community who are trying to preserve freedom and order on the campus. We do so in the conviction that our universities and colleges are beginning to learn how to achieve change without disorder or coercion.

I here note, Mr. Speaker, that Dr. Eisenhower pointed out in another statement this week:

If aid is withdrawn from even a few students in a manner that the campus views as unjust, the result may be to radicalize a much larger number by convincing them that existing governmental institutions are as inhumane as the revolutionaries claim.

At this point I insert in the RECORD, Mr. Speaker, the text of the statement on

campus disorders by the National Commission on the Causes and Prevention of Violence on June 9, 1969, followed by a list of the members of the Commission:

TEXT OF STATEMENT ON CAMPUS DISORDERS BY THE NATIONAL COMMISSION ON THE CAUSES AND PREVENTION OF VIOLENCE

The members of this commission, along with most Americans, are deeply disturbed by the violence and disorder that have swept the nation's campuses.

Our colleges and universities cannot perform their vital functions in an atmosphere that exalts the struggle for power over the search for truth, the rule of passion over the rule of reason, physical confrontation over rational discourse.

We are equally disturbed, however, by the direction of much public reaction to campus unrest. Those who would punish colleges and universities by reducing financial support, by passing restrictive legislation, or by political intervention in the affairs of educational institutions, may unwittingly be helping the very radical minority of students whose objective is to destroy our present institutions of higher education.

Thoughts for summer

So threatening is the situation, so essential is the need for understanding and calm appraisal, that this commission feels compelled to speak now rather than to remain silent until publication of its final report next fall.

We offer our comments during the summer pause in the hope that they will contribute to constructive thought and action before the beginning of the new academic year in September.

The problem of campus unrest is more than a campus problem. Its roots lie deep in the larger society. There is no single cause, no single solution. We urge all Americans to reject hasty and simplistic answers. We urge them to distinguish between peaceful protest and violent disruption, between the nonconformity of youth and the terror tactics of the extremists.

We counsel patience, understanding and support for those in the university community who are trying to preserve freedom and order on the campus. We do so in the conviction that our universities and colleges are beginning to learn how to achieve change without disorder or coercion.

I

During the past year, many of America's universities and colleges have been seriously wounded. These wounds arise from multiple causes. One is the increasingly violent expression of widespread student discontent.

Although much of this discontent often focuses on grievances within the campus environment, it is rooted in dissatisfactions with the larger society that the campus can do little about.

Students are unwilling to accept the gaps between professed ideals and actual performance. They see afresh the injustices that remain unremedied. They are not impressed by the dangers that previous generations have overcome and the problems they have solved.

It means little to them that the present adult generation found the way out of a major depression to unparalleled heights of economic abundance, or that it defeated a massive wave of vicious totalitarianism and preserved the essential elements of freedom for the youth of today.

To students, these triumphs over serious dangers serve primarily to emphasize other problems we are just beginning to solve.

Idealism and impatience

Today's intelligent, idealistic students see a nation which has achieved the physical ability to provide food, shelter and education for all, but has not yet devised social institutions that do so.

They see a society, built on the principle that all men are created equal, that has not yet assured equal opportunity in life. They see a world of nations—states with the technical brilliance to harness the ultimate energy but without the common sense to agree on methods of preventing mutual destruction.

With the fresh energy and idealism of the young, they are impatient with the progress that has been made but seems to them to be indefensibly slow.

At a time when students are eager to attack these and other key problems, they face the prospect of being compelled to fight in a war most of them believe is unjustified. This traumatic experience has precipitated an unprecedented mass tension and frustration.

In assessing the causes of student unrest, it would be a mistake to assume that all causes are external. There are undoubtedly internal emotional pressures and internal value conflicts in many students which contribute to their own dissatisfaction and thus to the tension and turmoil of campus life.

Students attribute the shortcomings they see to the smugness of their elders and the weaknesses of social institutions. They see the university, guardian of man's knowledge and source of his new ideas, as an engine for powering the reform of the larger society, and as the first institution they are in a position to reform.

ACCEPTANCE OF DEMOCRACY

We emphasize that most students, despite their view of society's failures, accept as valid the basic structure of our democratic system; their main desire is to improve its ability to live up to its stated values.

Their efforts to do so are welcome when they take the form of petitions, demonstrations and protests that are peaceful and nonviolent. Although many persons are unsettled by these activities (which are often of a bizarre nature), we must all remember that peaceful expression of disturbing ideas and petitions for the redress of grievances are fundamental rights safeguarded by the First Amendment of our Constitution.

Methods of dealing with "campus unrest" must not confuse peaceful protest and petition with violent disruption. To do so will aggravate rather than solve the problem.

A small but determined minority, however, aims not at reform but at the destruction of existing institutions. These are the nihilists. They resort to violent disruption as the means best suited to achieve their ends.

By dramatic tactics of terror, they have focused widespread public attention upon themselves and have often induced university authorities either to surrender or to meet force with force. When they have managed on occasion to provoke counterforce to an excessive degree, they have succeeded in enlisting the sympathies of the more moderate campus majority.

They are the agent that converts constructive student concern into mindless mob hysteria. They are the chief danger to the university and its basic values.

There is also a minority of students who are not nihilists, but who feel that violence and disruption may be the only effective way of achieving societal and university reform.

II

Forcible obstruction and violence are incompatible with the intellectual and personal freedom that lies at the core of campus values. In its recent declaration on campus unrest, the American Council on Education noted that "there has developed among some of the young a cult of irrationality and incivility which severely strain attempts to maintain sensible and decent human communications. Within this cult is a minute group of destroyers who have abandoned hope in today's society, in today's university and in the processes of orderly discussion to secure significant change."

These "destroyers" seek to persuade more moderate students that verbal expressions of grievance go unheeded while forcible tactics bring affirmative results.

Despite some eloquent and subtle rationalizations for violent methods of protest, the record of experience is incontrovertible. While violent protest is sometimes followed by the concessions sought, it more often produces a degree of counterviolence and public dismay that may gravely damage the cause for which violence is invoked.

Even when violence succeeds in achieving immediate social gains, it tends frequently to feed on itself, with one power group imposing its will on another until repressive elements succeed in re-establishing order.

The violent cycles of the French and Russian Revolutions and of the decade resulting in the Third Reich are stark summits of history to ponder. All history teaches that as a conscious method of seeking social reform, violence is a very dangerous weapon to employ.

President's reminder

That is why our nation has sought to avoid violent methods of effecting social change, and to foster instead the principles of peaceful advocacy proclaimed in the Bill of Rights and the rule of law. As the President has just reminded us:

"The purpose of these restraints is not to protect an 'establishment' but to establish the protection of liberty; not to prevent change but to insure that change reflects the public will and respects the rights of all."

The university is the citadel of man's learning and of his hope for further self-improvement and is the special guardian of this heritage. Those who work and study on the campus should think long before they risk its destruction by resorting to force as the quick way of reaching some immediate goal.

Father Theodore Hesburgh of Notre Dame has observed that the University, precisely because it is an open community that lives by the power of reason, stands naked before those who would employ the power of force.

It can prevail only when the great majority of its members share its commitment to rational discourse, listen closely to those with conflicting views, and stand together against the few who would impose their will on everyone else.

Kingman Brewster of Yale has persuasively articulated this policy:

"Proposition one is the encouragement of controversy, no matter how fundamental; and the protection of dissent, no matter how extreme. This is not just to permit the 'letting off of steam' but because it will improve (the university) as a place to be educated.

"Proposition number two is a convincing intention to deal speedily and firmly with any forcible interference with student and faculty activities or the normal use of any (university) facilities . . . I see no basis for compromise on the basic proposition that forcible coercion and violent intimidation are unacceptable means of persuasion and unacceptable techniques of change in a university community, as long as channels of communication and the chance for reasoned arguments are available."

Belief in an enclave

Several attitudes held by members of the university community have often interfered with the application of these sensible standards.

One is the belief of many that the civil law should not apply to internal campus affairs. They feel that the academy is an enclave, sheltered from the law, that the forces of civil authority may not enter the campus, save by invitation. This is a serious misconception—a residue of the time when the academy served in loco parentis, making and

enforcing its own rules for students' behavior and protecting them from the law outside, save for such extreme crimes as murder and arson.

Now that students themselves have finally discarded school authority over their personal lives, they must logically accept the jurisdiction of civil authority. They cannot argue that of all Americans they are uniquely beyond the reach of the law.

At the same time, the university is ill equipped to control violent and obstructive conduct on its own. Most institutions have few campus police; most of these are not deputized and thus do not possess true police power.

Few schools have explicit rules either defining the boundaries of permissible protest or stating the consequences if the boundaries are crossed. Some have very loose rules for disciplinary proceedings; others have diffused disciplinary power so widely among students, faculty and administration that effective discipline is difficult to impose, and is seldom imposed quickly enough to meet an emergency.

And in most institutions the ultimate internal disciplinary sanction of suspension or expulsion lies unused because the campus community shrinks from its probable * * * dismissed students to the draft and what students call the "death sentence" of Vietnam.

III

Out of many discussions with faculty members, students and administrators, and with full appreciation that no two institutions are the same, we offer the campus community the following specific suggestions:

1. A broad consensus should be achieved among students, faculty and administration concerning the permissible methods of presenting ideas, proposals and grievances and the consequences of going beyond them.

Excellent guidelines have been provided by the American Council on Education's recent declaration on campus protest. These could usefully be supplemented by more detailed statements developed by representatives of the American Association of University Professors, the American Association of Universities, the American Council on Education, the Assocation of Land Grant Colleges and State Universities, the National Student Association, and possibly others.

Where agreed upon and explicit codes of student conduct and procedures for student discipline are lacking, they should be adopted; where they already exist they should be reviewed and, if necessary, improved.

Students have the right to due process and to participate in the making of decisions that directly affect them, but their right of participation should not be so extensive as to paralyze the disciplinary process itself.

Codes for campus conduct should place primary reliance on the power of the institution to maintain order in its own house, and on its courage to apply its own punishment when deserved.

These codes should also recognize the universal duty to obey the civil and criminal laws of the larger society, and the right of the civil authorities to act when laws are violated.

The use of police

2. Universities should prepare and currently review contingency plans for dealing with campus disorders. Advance plans should be made to determine, insofar as possible, the circumstances under which the university will use (I) campus disciplinary procedures, (II) campus police, (III) court injunctions, (IV) other court sanctions and (V) the civil police.

A definite plan, flexibility employed at the moment of crisis, is essential. There have been enough violent and obstructive incidents on enough campuses to permit institutions to assess alternative courses of action and to anticipate both the varieties of disorder which might occur and the most appropriate response.

Most importantly university authorities should make known in advance that they will not hesitate to call on civil police when circumstances dictate and should review in advance with police officials the degree of force suitable for particular situations.

It is a melancholy fact that even in cases where the need for calling the civil police has been generally recognized, the degree of force actually employed has frequently been perceived as excessive by the majority of the campus community, whose sympathies then turned against the university authorities.

Indeed, there is reason to believe that a primary objective of campus revolutionaries is to provoke the calling of police and the kinds of police conduct that will bring the majority over to their side.

Clear decisionmaking

3. Procedures for campus governance and constructive reform should be developed to permit more rapid and effective decisionmaking. There is great misunderstanding and confusion as to where ultimate authority for campus decision-making lies. The fact is that the authority is shared among several elements.

By law, trustees are granted full authority over colleges and universities. But trustees cannot supervise the day-to-day affairs of a university; hence they delegate power to the president. The president, however, in addition to being the agent of the trustees, is the leader of the faculty. His effectiveness derives as much from campus consensus of faculty and students as it does from the power delegated to him by the trustees.

In the American system of higher education, the faculty plays the primary role in determining the educational program and all issues directly relevant to education and faculty research. Unlike the systems of some other countries, educational control in the American system is faculty-oriented; anything else is a deviation from the norm.

Faculty control of education and research is the best guarantee we have of academic freedom. It is a precious asset that must not under any circumstances be sacrificed. Most student demands for change pertain to educational and research matters and too often their efforts have been directed toward administrative officers who usually do not have the power the students assume they possess.

And often, too, some faculty members have mistakenly joined with students in using coercive force against administrative officers when it is the faculty itself that should deal appropriately and effectively with the issues in question.

Quick response urged

Most other powers in the university are diffused. For most purposes, shared power is an asset. But to prevent disorders, universities must be able to respond quickly.

Campus protests are sometimes escalated to the level of force because legitimate grievances, peacefully urged, have been referred to university committees which were slow to respond. Scholars have the habit of examining any hypothesis, debating it exhaustively, deferring decision to await more evidence, and when something must be decided, shunning a consensus in favor of subtle shades of disagreement and dissent.

For the process of education, these are admirable qualities. But for dealing with naked force, they can be prescription for disaster. Faculties therefore have a special obligation to organize themselves more effectively, to create representative groups with power to act and to maintain constant and systematic lines of communication with students.

They should be ready to meet every challenge to the educational integrity of the institution. If this integrity is compromised, it will be the faculty that suffers the most.

Students should, of course, have a meaningful role in the governance of all noneducational, nonresearch functions. They should serve, too, on committees dealing with educational and related questions, exercising their right to be heard on these subjects, so long as the faculty remains paramount.

Better communications

4. Faculty leaders and administrative officers need to make greater efforts to improve communications both on the campus and with alumni and the general public.

Campus difficulties are constantly aggravated by misinformation and misunderstanding. On campus, large numbers of faculty and students often act on the basis of rumor or incomplete information. Alumni and the general public receive incomplete, often distorted, accounts of campus developments.

The communications media, on and off the campus, concentrate on controversy. Much of the peaceful progress of our colleges and universities is never communicated to the outside world. Campus authorities have the responsibility to see to it that a balanced picture is portrayed.

IV

To the larger society, we make these suggestions:

1. The majority of the American people are justifiably angry at students who engage in violent and obstructive tactics. While the public varies widely in its desire for social change, it shares a common belief in the value of social order.

It also regards university students as among the most privileged in society—among those who should understand best the importance of freedom and the dangers of anarchy.

One outlet for this public resentment has been the support of legislation withholding financial aid both from students who engage in disruption and from colleges and universities that fail to control them.

There has also been a steady weakening of public sentiment in favor of the additional public funding that higher education so badly needs. Current appropriations for new facilities and for annual operating costs have been insufficient. Some private universities have faced a reduction in individual and corporate gifts.

Existing laws already withdraw financial aid from students who engage in disruptive acts. Additional laws along the same lines would not accomplish any useful purpose. Such efforts are likely to spread, not reduce the difficulty.

More than seven million young Americans are enrolled in the nation's colleges and universities; the vast majority neither participate in nor sympathize with campus violence.

If aid is withdrawn from even a few students in a manner that the campus views as unjust, the result may be to radicalize a much larger number by convincing them that existing governmental institutions are as inhumane as the revolutionaries claim.

If the law unjustly forces the university to cut off financial aid or to expel a student, the university as well may come under widespread campus condemnation.

Use of legislation

2. We believe that the urge to enact additional legislation should be turned into a channel that could assist the universities themselves to deal more effectively with the tactics of obstruction. State and municipal laws against trespass and disorderly conduct may not be wholly effective means of dealing with some acts of physical obstruction.

They were not written to deal with such conduct, and they do not cope with the central issue—forcible interference with the First Amendment rights of others.

We are presently considering whether there is a need for statutes authorizing uni-

versities, along with other affected persons, to obtain court injunctions against willful private acts of physical obstruction that prevent other persons from exercising their First Amendment rights of speech, peaceable assembly, and petition for the redress of grievances.

Such laws would not be aimed at students exclusively, but at any willful interference with First Amendment rights, on or off the campus, by students or by nonstudents. They would also be available to uphold the First Amendment rights of students as well as other citizens.

3. Finally we urge the American people to recognize that the campus mirrors both the yearnings and the weaknesses of the wider society. Erik Erikson, a renowned student of youth, has noted that young and old achieve mutual respect when "society recognizes the young individual as a bearer of fresh energy, and he recognizes society as a living process which inspires loyalty as it receives it, maintains allegiance as it extracts it, honors confidence as it demands it."

One effective way for the rest of us to help reduce campus disorders is to focus on the unfinished task of striving toward the goals of human life that all of us share and that young people admire and respect.

LIST OF MEMBERS OF THE NATIONAL COMMISSION ON THE CAUSES AND PREVENTION OF VIOLENCE

Milton S. Eisenhower, president emeritus, Johns Hopkins University, chairman.

Judge A. Leon Higginbotham Jr., United States District Court for the Eastern District of Pennsylvania, vice chairman.

Representative Hale Boggs, Democrat of Louisiana.

Cardinal Cooke, Archbishop of New York.

Patricia Harris, professor of law, Howard University.

Senator Philip A. Hart, Democrat of Michigan.

Eric Hoffer, author, San Francisco.

Senator Roman L. Hruska, Republican of Nebraska.

Leon Jaworski, senior partner, Fulbright, Crooker, Freeman, Bate & Jaworski, Houston.

Albert E. Jenner Jr., lawyer, Raymond, Mayer, Jenner & Block, Chicago.

Representative William M. McCulloch, Republican of Ohio.

Judge Ernest W. McFarland, chief judge, Arizona Supreme Court.

Dr. W. Walter Menniger, psychiatrist, Topeka Kans.

I want also, Mr. Speaker, to insert at this point in the RECORD several columns and editorials that have been published this week respecting H.R. 11941.

[From the New York Times, June 8, 1969]

IN THE NATION: HYSTERIA AND HYPOCRISY AND STUDENTS

(By Tom Wicker)

WASHINGTON, June 7.—The extent to which fear and anger have warped the judgment and blinded the vision of supposedly mature Americans is exposed in the "compromise" bill that would require colleges to establish codes of conduct governing the behavior of their students. Now pending in the House, this act of hysteria would refuse Federal aid to any college, and its students, if it did not draw up such a code.

The authors of this measure and the leaders of the House, who put their weight behind it, suppose themselves to be standing at the barricades against even worse legislation; if the "compromise" can be passed, then perhaps the House will not insist on further punitive steps such as cutting off aid to any college that suffers any student disturbance.

A little sober reflection ought to suggest to the House that adoption even of the compromise would be to throw the baby out with the bath water. For the Federal Government to require universities and their students to meet certain norms of conduct, as a condition of Federal aid, amounts to little less than Federal control of education.

No matter how menacing today's students look from the citadel of maturity in the House of Representatives, and no matter how worthy that institution's members may consider their own motives, the fact remains that the Government has no constitutional or other right to distribute its aid on the basis of the social and political views of potential recipients. It is intended in this bill that those who believe and behave as Congress approves will be rewarded, and those who don't will be punished.

MANIFESTLY UNFAIR

Yet, the proposed plan would be scandalously ineffective and unfair. If for any reason some college failed to establish the required code of conduct, it and its students—however innocent of rebellious thoughts—would lose their Federal aid. Yet, if a university did establish such a code, its students might ignore it and riot to their hearts' content and neither they nor the institution would lose a penny.

Finally, has anyone in the House stopped to think that a "code of conduct" commanded by Congress and established by universities for students to obey, is the worst possible medicine for what ails young people today? They want more freedom from the mores, standards and attitudes of older generations, whose way of life they neither admire nor find fitting for their own lives; so Congress proposes, instead, to establish written codes of behavior, and to pay those who follow them and penalize those who don't. Even to debate such a senseless proposal makes the situation worse; it confirms precisely what all too many young people believe about their elders anyway.

It will be said *ad nauseam*, of course, that students have brought such a reaction on themselves by their demonstrations and sit-ins and building seizures—that if only they had followed "democratic processes" and presented their problems to the forces of "reason and order," there would be no punitive legislation and no police repression.

NO ROCKTHROWING

There would be very little change and reform, too, as all too many students at all too many colleges have learned. They are learning it all over again at Berkeley in the struggle for People's Park, where the authorities already have used against them a helicopter spraying a variety of gas heretofore sprayed only on the Vietcong. There was, moreover, no disruption or rock-throwing over the park issue until after university officials and police seized and closed the park while discussions about its future were supposed to be going forward.

On the last Friday in May, even so, 15,000 or more students and sympathizing citizens of Berkeley obtained a permit and staged a peaceful assembly to dramatize their protest over the park seizure. There was no violence, but lots of singing and flowers. And what was the response of the authorities?

Fred Dutton, a member of the Board of Regents of the University of California, and formerly an assistant to both President Kennedy and Robert Kennedy, described that response in a statement this week:

"In effect, the students are being told that the massive effort made by them and others to make their walk peaceable will be answered by the older society with business as usual, with well-spaced foot dragging. . . . during the week before the students' peaceable walk, university officials met privately with student leaders almost daily, and sometimes twice a day, even very late at night, to talk about amicably solving the park dispute . . . But after the students had peacefully walked and kept things cool, there were no more discussions. In fact, a unilateral decision was then announced by university officials that, in effect, no immediate or reasonably early action would be taken to resolve the dispute, but rather it would be left for the next regular meeting of the Regents in the last half of June."

That is, as Dutton notes, "after the end of the present school term when most of the young people who feel so strongly about the park have gone home for the summer."

[From the New York Times, June 10, 1969]

HOW TO RADICALIZE STUDENTS

(By Tom Wicker)

WASHINGTON, June 9.—It may already be too late to stop the punitive, unnecessary and ill-conceived legislation against students and universities now being seriously considered in the House of Representatives; but if anything can halt the blundering rush of vengeful politicians into Federal control of education, it may be the sensible statement issued today by the National Commission on the Causes and Prevention of Violence.

Mrs. Edith Green of Oregon apparently does not have the votes to get this legislation out of her subcommittee. So she will try to get the full Education and Labor Committee at its meeting tomorrow to take the bill away from the subcommittee; for this purpose she is believed to have a majority of nineteen—fourteen Republicans and five Democrats—of the 35 members. And if it can be pushed through the Education and Labor Committee, it will almost surely reach the House floor, where the spirit of vengeance is matched, these days, only by the mood of panic.

It is incredible, even so, that such legislation could even be contemplated; one has to go back to the South of a decade ago, when communities closed their schools to save them from integration, to find such suicidal folly. This bill would make mandatory the complete cutoff of Federal assistance of any kind to any university or college that did not set up a rigid code of conduct, including a table of penalties, for its student and faculty (as if the latter were mere employes); however viewed, that is intolerable intrusion by the Government into the control and administration of private institutions.

Since colleges themselves administer such programs as National Defense Education loans and the college work-study program, they would lose Federal funds for them. Many students who have never participated in any kind of disorder, but who either receive these funds or ought to, would thus be penalized.

CUTTING OFF AID

The Green bill also would force colleges to cut off any form of Federal assistance to any student, faculty member, research fellow or employe who had contributed to a substantial disruption of the administration of such institution" (whatever that may mean).

This does not refer merely to student loans and grants; the bill says specifically that the assistance to be terminated also includes veterans' benefits under the G.I. Bill of Rights; payments of a surviving child's insurance benefits under Social Security; and salaries of faculty members engaged in training Peace Corps volunteers. All these, plus loans and grants, to be denied for a period of five years, and almost as an afterthought, the bill adds that if a student so penalized at one institution then transfers to another, the second has to honor the cutoff of assistance ordered by the first, no matter what the student's subsequent conduct.

DANGERS OF MEASURE

The thought-control aspects of the bill are made even more clear by the fact any student

applying for or entitled to any form of Federal payment would have to sign an affidavit that he had never "contributed to a substantial disruption."

Representatives Ogden Reid of New York and John Brademas of Indiana, who are leading the opposition to this repugnant measure, circulated today a number of statements by college presidents denying the need for it and pointing to its inequities and dangers.

The college heads emphasized that such punitive legislation would have as a primary effect the further embitterment and alienation of a student generation already in revolt against the standards and attitudes of its elders. That also was a main point of today's statement by the Commission on Violence.

Its chairman, Dr. Milton Eisenhower, himself a former college president, pointed out on the commission's behalf that if "aid is withdrawn from even a few students in a manner that the campus views as unjust, the result may be to radicalize a much larger number by convincing them that existing governmental institutions are as inhumane as the revolutionaries claim."

The Violence Commission, scarcely a radical body, viewed the roots of student unrest as lying "deep in the larger society" and one effective remedy, it suggested, "is to focus on the unfinished task of striving toward the goals of human life that all of us share and that young people admire and respect."

Now *there* would be something really useful for Congress to do. Fat chance.

[From the Washington Post, June 11, 1969]

TO CONTROL CAMPUS VIOLENCE

The Violence Commission rejects the notion that college campuses are sheltered enclaves beyond the reach of civil authority except by invitation. It also disapproves of punitive proposals for restrictive legislation and political intervention to curb campus disorder. Obviously searching for the middle ground where "rational discourse" can continue, the Commission has come up with a number of ways to enable the institutions to help themselves, while insisting on the preservation of "the right of the civil authorities to act when laws are violated."

Few will quarrel with the Commission's interim statement that "the university is ill equipped to control violent and obstructive conduct on its own." The campus disorders of the past two years have demonstrated this almost beyond debate. Contingency planning, the Commission suggested, should include the circumstances for use of campus disciplinary procedures, campus police, court injunctions, other court sanctions and the civil police. Most troublesome, of course, to college administrators, mayors and governors, is the question of when to call the police. It is here that the Commission does a better job of defining the problem than in suggesting solutions. It said:

"Most importantly, university authorities should make known in advance that they will not hesitate to call on civil police when circumstances dictate, and should review in advance with police officials the degree of force suitable for particular situations. It is a melancholy fact that even in cases where the need for calling the civil police has been generally recognized, the degree of force actually employed has frequently been perceived as excessive by the majority of the campus community, whose sympathies then turned against the university authorities. Indeed, there is reason to believe that a primary objective of campus revolutionaries is to provoke the calling of police and the kinds of police conduct that will bring the majority over to their side."

Once the authorities—campus or civil—call in the police, they lose control of them and excesses are likely to occur. It is this fact that may prove even more inhibiting to college administrators in summoning outside help than their very real worries about preserving the special status of their universities. The Commission can perform a useful service in its final report by devoting more attention to these questions of police conduct and control. Here in the Capital, the city has had considerable success placing strong reliance on court injunctions enforced by the elite staff of Federal marshals commanded by Luke C. Moore, a force that unfortunately is not available to non-Federal jurisdictions.

The Commission stresses the importance of faster decision-making by campus authorities. It emphasizes their need to establish a consensus among students, faculty and administration about codes of campus conduct and to present to the general public a balanced picture of what is happening on the campuses. Such steps will promote better public understanding of the issues and enable the institutions to "reject hasty and simplistic answers" to their problems.

Because state and local laws against trespass and disorderly conduct have not been effective in campus disorders, the Commission has suggested a novel approach to guard against what it calls the central issue in campus disorder, "forcible interference with the First Amendment rights of others." The Commission said it was considering: . . . whether there is a need for statutes authorizing universities, along with other affected persons, to obtain court injunctions against willful private acts of physical obstruction that prevent other persons from exercising their First Amendment rights of speech, peaceable assembly, and petition for the redress of grievances.

Such a measure would work to protect the rights of students and non-students both on and off the campuses. If it is drawn to protect the right of orderly protest against arbitrary interference, it might do much to keep the vast majority of students from being swept up by what the Commission calls "the terror tactics of the extremists." The tactical effect of such an approach is also of great importance. Under it, the authorities would be able to call on the judicial system for enforcement, holding off the use of police, except as a last resort and then for the purpose of carrying out a court decision defining the First Amendment rights of all the parties. The availability of police for this purpose might reduce the number of occasions when they would actually need to be called.

OR TO SNARL AT THE STUDENTS

It is a boon that Rep. Edith Green's reckless attempt to punish the whole younger generation was at least held up yesterday for a closer look by the House Committee on Education and Labor. Mrs. Green is rapidly dissipating a reputation for understanding and generosity in educational affairs to play, instead, a role as one of the Maenads or Furies. Her bill is a blunderbuss. It would deal with university administrators and faculty members as though they were a collection of minor Federal hired hands. And it would treat college students—especially those in need of financial assistance—as though higher education were some sort of indulgence conferred upon them by a gracious monarch instead of an invaluable means of advancing the general welfare of a self-governing society.

The Green bill would, among other forms of restraint, deny to students guilty of any sort of disruptive activity on college campuses any of the benefits not only of Federal scholarship programs but even of programs administered by the Defense Department, Social Security and the Veterans Administration. And just to make sure that despair is added to deprivation, the Green bill would extend from two to five years the period during which a disruptive student might be denied any form of Federal aid.

Apart from their extremely dubious constitutionality, these proposals are dangerously imprudent. "Administratively," the new U.S. Commissioner of Education, Dr. James E. Allen, said of the Green bill, "I think it would be impossible. . . . I think this is interfering in the internal affairs of the university." The president of Notre Dame University, the Rev. Theodore Hesburgh, who has been anything but soft about campus troublemakers, said much the same thing. Mrs. Green's bill, whether she realizes it or not, constitutes a very grave attack on the independence and the essential freedom of American universities.

It happened that the Green bill came before the House Education and Labor Committee on the very day that Harvard University's Committee of 15 issued its report recommending rules for discipline on the Harvard campus. That report afforded a demonstration that universities are quite capable, if afforded the opportunity, of continuing to manage their own affairs with dignity and order. The Harvard committee report combines flexibility with firmness, tolerance with toughness in a way likely to enlist the support of student bodies generally. It appeals to the student sense of fair play because it is discriminating and just. Mrs. Green's bill would punish without discrimination and without the elements of due process. It is a snarl, not a code.

The Education and Labor Committee ought to read carefully the latest statement on campus disorders by the National Commission on the Causes and Prevention of Violence—issued also, fortuitously, on the very day it took up the Green bill. "Those who would punish colleges and universities by reducing financial support, by passing restrictive legislation, or by political intervention in the affairs of educational institutions," the Commission observed, "may unwittingly be helping the very radical minority of students whose objective is to destroy our present institutions of higher education. . . . We counsel patience, understanding and support for those in the university community who are trying to preserve freedom and order on the campus. We do so in the conviction that our universities and colleges are beginning to learn how to achieve change without disorder or coercion."

It may take some self-discipline for members of Congress to grant university authorities the freedom they need to meet their responsibilities. But that kind of self-discipline is an obligation of legislators in a free society. Compassion and forbearance are much more likely to be helpful than rage and retribution.

[From the New York Times, June 11, 1969]

NO PUNITIVE LEGISLATION

In its special statement on campus disorders, the National Commission on the Causes and Prevention of Violence equally condemns those who condone coercive acts by young totalitarians and those who would mobilize state and Federal action against academic independence.

The Commission emphasizes what too many sympathizers with various facets of the student rebellion have denied, that "during the past year, many of America's universities and colleges have been seriously wounded." But it is just as emphatic in warning that they will be even more grievously wounded if, in a mood of vindictive backlash, Congress passes laws to coerce or punish students and universities through fiscal sanctions.

After all the rambling discourses and paternalistic lectures from high Federal officials, there is special merit in the Commission's straightforward declaration that the

power to destroy now held by a "small but determined minority" must be broken by effective agreement within the campus community to uphold the rule of reason and law and without limitation of legitimate protest and dissent.

To evolve broadly understood and generally accepted codes of conduct must remain the task of each institution—as Harvard has just acknowledged in the resolution of its Faculty of Arts and Sciences. It is not within the province of Congressional committees. Indeed it would be ironic if politicians who so regularly extol the diversity of American education were to strap the universities into a disciplinary straightjacket to achieve uniformity of campus policies.

The ultimate burden of campus peace rests on the ability of faculty and students to agree on its maintenance. The Commission frankly stated what is often obscured: most of the reforms legitimately demanded by students are within the faculty's power to set in motion. And because some faculty members "have mistakenly joined with students in using coercive force against administrative officers," peace on campus and orderly reform of higher education have been further impaired.

Acceptance of faculty-student responsibility is essential to neutralize the campus revolutionaries and to block the reactionary counter-force that always stands ready to subvert freedom. But any effort to strengthen academic self-government will be seriously injured by such punitive legislation and fiscal sanctions as are now being readied by panicky and myopic forces in Congress. Such action would give student radicals new strength, while pushing a disillusioned "vital center" over to their side. It would invite disaster by undermining the freedom of higher education.

Mr. Speaker, it is said by the proponents of H.R. 11941 that if the Federal Government does not compel them to act, university authorities will not move to cope with student disorders. But on June 9, Monday of this week, Harvard University ordered the severance of 16 students from the university for their role of seizing an administration building earlier this year, disciplined 99 other students by placing them under a warning. At the same time the Harvard faculty of arts and sciences approved a statement outlining general standards of behavior for students, faculty, and administrators at the university.

Another comment which I think relevant to note at this point is the article by Joseph Kraft in the June 10, 1969, Washington Post:

VAST PROGRESS IS BEING MADE IN COOLING OFF THE CAMPUSES

As the academic year draws to a close, event after event shows students and faculty making vast progress in dealing sensibly with campus disorders. Given a little luck, the universities can heal themselves.

But they still need time to sort out difficult issues. And that means the rest of us must behave responsibly too, particularly in holding off the political philistines now itching for all the usual rabble-rousing reasons to lay their murderous hands on the student dissenters.

The most obvious sign of progress on the campus lies in the interim report of the Committee of Fifteen set up at Harvard after police had been called to rout students occupying University Hall on April 9. The Committee, it should be remembered, consisted of ten elected faculty members, and five elected members of the student body.

That group has now recommended discriminate disciplinary action against those who occupied University Hall. It has represented what is perhaps the first comprehensive code of good behavior in the university since that problem passed beyond the matters of sex and liquor. Most important of all, it has set up a practical means for immediate activation of the code of conduct and its sanctions whenever trouble threatens.

The upshot is that university discipline no longer presents a choice between surrender and overkill—between either the crude workings of the police or the slow workings of a faculty body too unwieldy and distracted to make tough decisions. Good practical arrangements for maintaining discipline on the spot have been blocked out. It is a clear case of what the Committee calls "the good uses of reason."

In the same vein, though perhaps less obviously so, is the anti-Vietnam statement which marked the Yale commencement. For the statement expresses something rarer than a day in June—a return to reason by a protest movement.

As everybody knows, Vietnam has been a central element in campus unrest for years. It is the awful idiocy, borne in upon students daily through the agency of the draft, which inspires a rage and frustration that makes all adult institutions seem bad, and all protests seem legitimate.

Initially these protests were straightforward enough. But after the students failed to get their man in the White House, they turned to symbolic targets against which they could act directly. They began beating up on ROTC, university research institutions with Pentagon connections and that sort of thing. But precisely because they were symbolic, these protests confused people and drew down upon the universities the wrath of the great majority.

At the Yale commencement, the students shucked the symbol for the substance. They found an occasion of moment—a commencement speech which, after President Kennedy's 1962 address was only the second in Yale's 268-year history. And the speaker for the senior class said, particularly after the Midway conference, the right things:

"False rhetoric is no longer acceptable. Immediate action must be taken to extricate us from the disaster that is Vietnam. The war must end now, and the fight for our cities, for our Nation, for our people must begin."

As still another example of growing responsibility on campus, there is the protest march which took place in Berkeley on Memorial Day. Twenty-five thousand people turned out to demonstrate against the closing down of a "People's Park" which had been set up on an unused piece of university property.

Though they had previously been poked by bayonet and choked with tear gas sprayed from a helicopter, the marchers went through their paces without any violent incident. It was an extraordinary example of responsible group behavior.

But the growing good sense of the academic community will continue only if those on the outside also behave in a responsible way. Students and faculty have to be allowed to get on with the job of self-discipline free from interference.

That means an absolute prohibition on meddling by political authorities, notably the Congress and its committees. Even the well-meaning suggestion by the President's Commission on Violence of new statutes authorizing the universities to obtain court injunctions against private acts of obstruction is a bad idea. For once legislation gets on the floor of the Congress, it will be worked over by the know-nothing demogogues in a way sure to do harm to the spirit of university life.

Lastly, with students and faculty showing their good sense, it is more than ever incumbent upon the rest of us to build pressure for a winding down of the violence in Vietnam. As the Yale statement put it: "The connection between violence here and abroad must be made; the violence home will not end while the violence abroad continues."

Mr. Speaker, if Congress seeks to impose on the colleges and universities of our country the kinds of controls represented by H.R. 11941, what is to prevent Congress from moving to impose similar controls on vocational schools, elementary and secondary schools, impacted area schools and other institutions, even including hospitals, in all of which there have been in recent months some disruptions and all of which receive significant amounts of Federal funds?

Let me then, Mr. Speaker, reiterate my agreement with the warning voiced this week by the National Commission on Violence about legislation such as H.R. 11941—"such efforts are likely to spread, not reduce, the difficulty."

It seems to me, Mr. Speaker, that the passage of H.R. 11941 would play directly into the hands of the revolutionary extremist militants and, if for no other reason, would be a most unwise measure for this House to approve.

Surely, Mr. Speaker, on legislation of this nature, the Congress of the United States owes our colleges and universities—and the Nation—an obligation to give careful, unhurried consideration to such legislation.

I hope, therefore, Mr. Speaker, that hearings can soon be scheduled on this bill.

THE NEED TO PRESERVE OUR WETLANDS AND WILDLIFE RESOURCES

(Mr. WOLFF asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. WOLFF. Mr. Speaker, a district court in Florida recently ruled that the Army Corps of Engineers could not deny a permit for dredging and filling operations on the grounds of damage to wildlife resources. Because the operations would not hinder navigation, the court maintained that a permit must be granted, in spite of the unanimous opposition of the U.S. Fish and Wildlife Service, the Army Corps of Engineers, and the county commissioner and county board of health.

I feel that the precedent set by this court is a serious setback in our efforts to preserve valuable wetlands and wildlife resources. Moreover it appears to be contrary to the intention of Congress as expressed in the Fish and Wildlife Conservation Act. The act states that Government agencies must consult with the Fish and Wildlife Service with a view to the conservation of these resources before granting any permit to dredge or otherwise modify large bodies of water. The evident intention is to give Govern-

ment agencies the discretionary authority to deny a permit for these activities when they are found to inflict severe damage upon wildlife. I am therefore introducing a bill to amend this act and state explicitly that the recommendations of the Interior Department are sufficient grounds for the refusal to issue such a permit.

Our rivers, estuaries and other natural waterways are a rich source of beauty, wildlife, and recreation. Yet our fast-growing industrial society threatens to destroy these areas at the very time that we need them most. We spend much of our lives surrounded by steel and concrete, and we must leave certain areas unspoiled to provide a refuge not only for wildlife but for our own peace of mind.

This issue is of special concern to me because my district on Long Island Sound contains extensive wetlands that provide a valuable refuge for birds and wildlife of all kinds. I have joined with Long Island conservationists in a concerted effort to preserve these wetlands, but I fear that our efforts could be severely hampered unless we clarify the existing legislation.

The preservation of our wetlands and wildlife resources is not a luxury, but an ecological and psychological necessity. That is why I am introducing this bill, and why I will continue to work for their preservation in the future.

JOHN E. BARRIERE

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

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that I may include in the RECORD a citation in connection with the conferring of a doctor's degree on the very able and distinguished John E. Barriere by Clark University in Worcester, Mass., on June 8, 1969.

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

There was no objection.

The citation referred to follows:

JOHN E. BARRIERE

Mr. President on behalf of the Trustees and Faculty of Clark University, I have the honor to present John E. Barriere.

A native of Worcester and a Clark alumnus, John Barriere is an outstanding example of that group of professional legislative staff, far too little known outside the precincts of Washington, whose commitment and activity out of the public eye make it possible for policy to be developed and enacted. As Executive Director of the House Democratic Steering Committee, Staff Director of the Housing Subcommittee, and chief legislative assistant to the Speaker, John Barriere has for almost two decades been a chief actor in transmuting visions for a more just and equitable America into operating governmental programs. The Housing laws of the 1950's and 1960's, the Model Cities Act, facets of the Appalachia program, the Urban Mass Transportation Act, important federal education amendments, and most recently the Civil Rights Act of 1968 all bear the imprint of John Barriere's hand and mind. Some of these, indeed, exist primarily because of his ability to apply his profound understanding of the intricacies of the legislative process and of politics as the "art of the possible," aided by a genial personality, to ease areas of conflict and secure a viable law on the books.

Honored and respected by Presidents, members of Congress, administrators and private leaders in the urban problems field, it is time, Mr. President, for his alma mater to recognize her son. In recognition of his contribution to grappling with the illnesses of our society, it is with personal pleasure that I request that the degree of Doctor of Laws, *Honoris Causa* be conferred upon him.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. PATMAN (at the request of Mr. BOGGS), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mrs. GREEN of Oregon, for 60 minutes, today; to revise and extend her remarks and include extraneous matter.

Mr. CHAMBERLAIN (at the request of Mr. STEIGER of Arizona), for 10 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. PUCINSKI, for 30 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. HARSHA, for 10 minutes, on June 12; to revise and extend his remarks and include extraneous matter.

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

Mr. FARBSTEIN, for 20 minutes, today.

Mr. GONZALEZ, for 10 minutes, today.

EXTENSIONS OF REMARKS

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

Mr. HOSMER in three instances and to include extraneous material.

Mr. HALL.

Mr. FALLON (at the request of Mr. GRAY) to extend his remarks preceding those of Mr. GRAY during general debate on H.R. 1035, today.

Mr. SCHERLE to include extraneous matter with his remarks made in the Committee of the Whole today.

Mr. OBEY to revise and extend his remarks made in Committee of the Whole today.

Mr. PUCINSKI's special order to follow Mrs. GREEN of Oregon's special order.

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

Mr. ROBISON.

Mr. MILLER of Ohio.

Mr. SEBELIUS.

Mr. MCKNEALLY in two instances.

Mr. DERWINSKI in three instances.

Mr. BRAY in three instances.

Mr. WYMAN in two instances.

Mr. HALPERN.

Mr. KEITH.

Mr. CLEVELAND in two instances.

Mr. SAYLOR.

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

Mr. EILBERG.

Mr. MONTGOMERY in four instances.

Mr. LONG of Maryland.

Mrs. GRIFFITHS in three instances.

Mr. GIAIMO in two instances.

Mr. GILBERT in two instances.

Mr. EDWARDS of California in two instances.

Mr. FISHER in three instances.

Mr. PATMAN.

Mr. VANIK in two instances.

Mr. MCCARTHY in five instances.

Mr. DULSKI in three instances.

Mr. WOLFF.

Mr. STEED in two instances.

Mr. GONZALEZ in two instances.

Mr. HAWKINS.

Mr. BOLAND.

Mr. DONOHUE in two instances.

Mr. MURPHY of New York.

Mr. MINISH.

Mr. WHITE in two instances.

Mr. BIAGGI in two instances.

Mr. GALLAGHER.

Mr. GRIFFIN in three instances.

BILL PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 3480. An act for the relief of the New Bedford Storage Warehouse Co.

ADJOURNMENT

Mr. PUCINSKI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 16 minutes p.m.), the House adjourned until tomorrow, Thursday, June 12, 1969, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DADDARIO: Committee on Science and Astronautics. House Joint Resolution 589. Joint resolution expressing the support of the Congress, and urging the support of Federal departments and agencies as well as other persons and organizations, both public and private, for the international biological program (Rept. No. 91-302). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 265. A bill to amend section 502 of the Merchant Marine

Act, 1936, relating to construction-differential subsidies; with amendment (Rept. 91–303). Referred to the Committee of the Whole House on the State of the Union.

Mr. PHILBIN: Committee on Armed Services. S. 1647. An act to authorize the release of 100,000 short tons of lead from the national stockpile and the supplemental stockpile; with amendment (Rept. 91–304). Referred to the Committee of the Whole House on the State of the Union.

Mr. TAYLOR: Committee on Interior and Insular Affairs. H.R. 11069. A bill to authorize the appropriation of funds for Padre Island National Seashore in the State of Texas, and for other purposes; with amendment (Rept. No. 91–305). Referred to the Committee of the Whole House on the State of the Union.

Mr. TAYLOR: Committee on Interior and Insular Affairs. H.R. 2785. A bill to authorize the Secretary of the Interior to convey to the State of Tennessee certain lands within Great Smoky Mountains National Park and certain lands comprising the Gatlinburg Spur of the Foothills Parkway, and for other purposes (Rept. No. 91–306). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG: Committee on Rules. House Resolution 437. Resolution for consideration of H.R. 6543. A bill to extend public health protection with respect to cigarette smoking, and for other purposes (Rept. No. 91–307). Referred to the House Calendar.

Mr. YOUNG: Committee on Rules. House Resolution 438. Resolution for consideration of H.R. 7906. A bill to regulate and foster commerce among the States by providing a system for the taxation of interstate commerce (Rept. No. 91–308). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. BURTON of Utah:

H.R. 12039. A bill to exempt a member of the Armed Forces from service in a combat zone when such member is the only son of a family, and for other purposes; to the Committee on Armed Services.

By Mr. HANSEN of Idaho:

H.R. 12040. A bill to convey certain phosphate rights to the State of Idaho; to the Committee on Interior and Insular Affairs.

By Mr. CRAMER:

H.R. 12041. A bill to amend title 18, United States Code, to prescribe the manner in which a witness in a Federal proceeding may be ordered to provide information after asserting his privilege against self-incrimination and to define the scope of the immunity to be provided such witness with respect to information provided under an order; to the Committee on the Judiciary.

By Mr. DIGGS (for himself, Mr. CULVER, Mr. RYAN, Mr. MIKVA, Mr. RODINO, Mrs. MINK, Mr. LOWENSTEIN, Mr. MOORHEAD, Mr. ROSENTHAL, Mr. STOKES, Mr. FRASER, Mr. BURTON of California, Mr. FASCELL, Mr. CHARLES H. WILSON, Mr. ASHLEY, Mr. NEDZI, Mr. HAWKINS, Mr. BRADEMAS, Mr. ANDERSON of California, Mr. FARBSTEIN, Mrs. CHISHOLM, Mr. OTTINGER, Mr. MATSUNAGA, Mr. GILBERT, and Mr. MORSE):

H.R. 12042. A bill to amend section 1102 of the Federal Aviation Act of 1958 to safeguard American citizens from racial and religious discrimination, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DIGGS (for himself, Mr. REID of New York, and Mr. BROWN of California):

H.R. 12043. A bill to amend section 1102 of the Federal Aviation Act of 1958 to safeguard American citizens from racial and religious discrimination, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DULSKI:

H.R. 12044. A bill to provide for public disclosure by Members of the House of Representatives, Members of the U.S. Senate, justices and judges of the U.S. courts, and policymaking officials of the executive branch as designated by the Civil Service Commission, but including the President, Vice President, and Cabinet members; and by candidates for the House of Representatives and the Senate, the Presidency, and the Vice-Presidency; and to give the House Committee on Standards of Conduct, the Senate Select Committee on Standards of Conduct, the Director of the Administrative Office of the U.S. courts, and the Attorney General of the United States appropriate jurisdiction; to the Committee on the Judiciary.

By Mr. EDMONDSON:

H.R. 12045. A bill to convey certain federally owned land known as the Yardeka School land to the Creek Tribe or Nation of Oklahoma; to the Committee on Interior and Insular Affairs.

By Mr. FARBSTEIN:

H.R. 12046. A bill to amend title I of the International Claims Settlement Act of 1949 to permit the filing of additional claims against the Government of Poland; to the Committee on Foreign Affairs.

By Mr. FOLEY:

H.R. 12047. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. FULTON of Pennsylvania:

H.R. 12048. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit donations of surplus property to volunteer firefighting organizations and volunteer rescue squads, and for other purposes; to the Committee on Government Operations.

H.R. 12049. A bill to extend benefits under section 8191 of title 5, United States Code, to law enforcement officers and firemen not employed by the United States who are killed or totally disabled in the line of duty; to the Committee on the Judiciary.

H.R. 12050. A bill to provide compensation for firemen not employed by the United States killed or injured in the performance of duty during a civil disorder, and for other purposes; to the Committee on the Judiciary.

H.R. 12051. A bill to authorize the President to proclaim the second Saturday in May of each year as a "Day of Recognition" for firefighters; to the Committee on the Judiciary.

H.R. 12052. A bill relating to the income tax treatment of statutory subsistence allowances received by law enforcement officers and firemen; to the Committee on Ways and Means.

By Mr. FULTON of Tennessee:

H.R. 12053. A bill to provide for orderly trade in footwear; to the Committee on Ways and Means.

By Mr. GALLAGHER:

H.R. 12054. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GRAY:

H.R. 12055. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GUBSER:

H.R. 12056. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. HOGAN:

H.R. 12057. A bill to amend the Internal Revenue Code of 1954 to provide that any unmarried person who maintains his or her own home shall be entitled to be taxed at the rate provided for the head of a household; to the Committee on Ways and Means.

By Mr. KLUCZYNSKI:

H.R. 12058. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. McKNEALLY:

H.R. 12059. A bill to amend the Communications Act of 1934 so as to prohibit the granting of authority to broadcast pay television programs; to the Committee on Interstate and Foreign Commerce.

By Mr. MICHEL:

H.R. 12060. A bill to amend section 245 of title 18, United States Code, to make it a crime to deny any person the benefits of any educational program or activity where such program or activity is receiving Federal financial assistance; to the Committee on the Judiciary.

By Mr. MICHEL (for himself and Mr. KLUCZYNSKI):

H.R. 12061. A bill to amend the Federal Food, Drug, and Cosmetic Act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MIKVA:

H.R. 12062. A bill to amend the Internal Revenue Code of 1954 to disallow any deduction for depreciation for a taxable year in which residential property does not comply with requirements of local laws relating to health and safety, and for other purposes; to the Committee on Ways and Means.

By Mr. MURPHY of New York:

H.R. 12063. A bill to reclassify certain key positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PODELL (for himself, Mr. MORGAN, Mr. BROWN of Michigan, Mr. GIBBONS, Mr. BURKE of Massachusetts, Mr. RIEGLE, Mr. CARTER, Mr. BUCHANAN, Mrs. GREEN of Oregon, Mr. McKNEALLY, Mr. SCHWENGEL, Mr. WAGGONNER, Mr. BIESTER, Mr. EDWARDS of Alabama, Mr. HANLEY, Mr. FUQUA, Mr. BLANTON, Mr. CORMAN, Mr. GALIFIANAKIS, Mr. HOGAN, Mr. WYDLER, Mr. DICKINSON, Mr. ROONEY of Pennsylvania, Mr. GALLAGHER, and Mr. WOLD):

H.R. 12064. A bill to amend the Legislative Reorganization Act of 1946 to provide for annual reports to the Congress by the Comptroller General concerning certain price increases in Government contracts and certain failures to meet Government contract completion dates; to the Committee on Government Operations.

By Mr. QUILLEN:

H.R. 12065. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ST. ONGE:

H.R. 12066. A bill to include firefighters within the provisions of section 8336(c) of title 5, United States Code, relating to the retirement of Government employees en-

gaged in certain hazardous occupations; to the Committee on Post Office and Civil Service.

By Mr. STAGGERS:

H.R. 12067. A bill to amend the Public Health Service Act to provide authorization for grants for communicable disease control; to the Committee on Interstate and Foreign Commerce.

H.R. 12068. A bill to amend the first section of the Federal Power Act; to the Committee on Interstate and Foreign Commerce.

By Mr. VANDER JAGT:

H.R. 12069. A bill to amend the Internal Revenue Code of 1954 to treat certain foster children of an individual as his natural children for purposes of the dependency exemption; to the Committee on Ways and Means.

By Mr. WAMPLER:

H.R. 12070. A bill to amend the Communciations Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. BURKE of Massachusetts:

H.R. 12071. A bill to assist students who, to attend college, are relying on their own wage-earning capacity rather than depending on others; to the Committee on Education and Labor.

H.R. 12072. A bill to amend title 39, United States Code, to provide work clothing for postal field service employees engaged in vehicle repair or maintenance, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GALIFIANAKIS:

H.R. 12073. A bill for the relief of Siler City, N.C.; to the Committee on the Judiciary.

By Mr. KLUCZYNSKI:

H.R. 12074. A bill to supplement the antitrust laws of the United States by providing for fair competitive practices in the termination of franchise agreements; to the Committee on the Judiciary.

By Mr. MEEDS:

H.R. 12075. A bill to amend section 7902 of title 5 of the United States Code so as to provide for the establishment of a Federal employee accident prevention program; to the Committee on Education and Labor.

By Mr. MILLER of Ohio:

H.R. 12076. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

By Mr. OTTINGER:

H.R. 12077. A bill to amend the Fish and Wildlife Coordination Act to provide for the establishment of a Council on Environmental Quality, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. PERKINS:

H.R. 12078. A bill to amend the Railroad Retirement Act of 1937 to provide that a spouse otherwise qualified may become entitled to a full spouse's annuity at age 55; to the Committee on Interstate and Foreign Commerce.

H.R. 12079. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 12080. A bill to amend subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ROGERS of Florida:

H.R. 12081. A bill to designate certain lands in the Pelican Island National Wildlife Refuge, Indian River County, Fla., as "wilderness"; to the Committee on Interior and Insular Affairs.

By Mr. SANDMAN:

H.R. 12082. A bill to establish fee programs for entrance to, and use of, areas administered for outdoor recreation and related purposes by the Secretary of the Interior and the Secretary of Agriculture, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 12083. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. SKUBITZ (for himself, Mr. WATKINS, Mr. MOSS, Mr. VAN DEERLIN, Mr. HASTINGS, Mr. ADAMS, Mr. OTTINGER, Mr. SAYLOR, Mr. RUPPE, Mr. MCCLURE, Mr. EDMONDSON, Mr. WAGGONNER, Mr. RANDALL, Mr. ANDREWS of North Dakota, Mr. BELCHER, Mr. CAMP, Mr. RARICK, Mr. LONG of Louisiana, Mr. BERRY, Mr. REIFEL, Mr. SCHERLE, Mr. LUJAN, Mr. KYL, Mr. WINN, and Mr. SEBELIUS):

H.R. 12084. A bill to amend section 13a of the Interstate Commerce Act, to authorize a study of essential railroad passenger service by the Secretary of Transportation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. STAGGERS:

H.R. 12085. A bill to amend the Clean Air Act to extend the program of research relating to fuel and vehicles; to the Committee on Interstate and Foreign Commerce.

By Mr. WOLFF:

H.R. 12086. A bill to amend the Fish and Wildlife Coordination Act to authorize certain activities not to be undertaken and to permit the refusal of Federal licenses or permits for such activities; to the Committee on Merchant Marine and Fisheries.

By Mr. WYMAN:

H.R. 12087. A bill to amend title 38 of the United States Code to entitle certain veterans of peacetime service to hospitalization for non-service-connected disabilities on the same basis as veterans of period of war; to the Committee on Veterans' Affairs.

By Mr. BELCHER:

H.J. Res. 773. Joint resolution authorizing the President to invite the States of the Union and foreign nations to participate in the International Petroleum Exposition to be held at Tulsa, Okla., May 15 to 23, 1971; to the Committee on Foreign Affairs.

By Mr. DUNCAN:

H.J. Res. 774. Joint resolution proposing an amendment to the Constitution of the United States to authorize Congress, by two-thirds vote of both Houses, to override decisions of the Supreme Court; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas:

H.J. Res. 775. Joint resolution to authorize the President to award appropriate medals honoring those astronauts whose particular efforts and contributions to the welfare of the Nation and of mankind have been exceptionally meritorious; to the Committee on Science and Astronautics.

By Mr. FULTON of Pennsylvania:

H. Con. Res. 288. Concurrent resolution expressing the sense of Congress that the United States should have one uniform nationwide fire reporting telephone number and one uniform nationwide police reporting telephone number; to the Committee on Interstate and Foreign Commerce.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

212. By Mr. ULLMAN, Mrs. GREEN of Oregon, Mr. DELLENBACK and Mr. WYATT: Memorial of the 55th Legislative Assembly of the State of Oregon, memorializing Congress to amend the existing Wholesome Poultry and Wholesome Meat Acts to permit the interstate shipment of Oregon-inspected meats and poultry which meet Federal inspection standards; to the Committee on Agriculture.

213. Also, memorial of the 55th Legislative Assembly of the State of Oregon, memorializing Congress to make available to the U.S. Forest Service a fixed percentage of the revenue from national forest lands for investment in intensive forest management practices and roads in order to increase the productivity of the national forests; to the Committee on Agriculture.

214. Also, memorial of the 55th Legislative Assembly of the State of Oregon, memorializing Congress to direct the Secretary of Agriculture and the Secretary of the Interior to direct the U.S. Forest Service and the Bureau of Land Management to establish an annual harvest volume of alder and other hardwood timber on the lands under their jurisdiction; to evaluate and establish a workable hardwood management program; and to add a member of the Northwest hardwood industry to the Pacific Northwest Advisory Committee on the regional forester; to the Committee on Agriculture.

215. Also, memorial of the 55th Legislative Assembly of the State of Oregon, memorializing the Secretary of Agriculture to cause to be adopted for forests administered by the U.S. Forest Service management and production policies which will provide the needed lumber for housing, employment opportunities, and recreational purposes for the present and for renewal of the forests for future; to the Committee on Agriculture.

216. Also, memorial of the 55th Legislative Assembly of the State of Oregon, memorializing the President and the Congress of the United States to continue the initiative in exercising every peaceful effort to bring about a cease-fire in Biafra and to extend aid to the starving peoples of Biafra; to the Committee on Foreign Affairs.

217. Also, memorial of the 55th Legislative Assembly of the State of Oregon petitions Congress to support legislation now pending which would establish a quota-tariff on undressed mink imports; to the Committee on Ways and Means.

218. By the SPEAKER: Memorial of the Legislature of the State of Minnesota, relative to limiting the right of nonfarm corporations and individuals to write off farm losses against nonfarm profits, for Federal income tax purposes; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 12088. A bill for the relief of Giuseppe and Grazia Compartao and minor children, Angelo, Giancarlo, and Giuseppina Comparato; to the Committee on the Judiciary.

By Mr. CAREY:

H.R. 12089. A bill for the relief of Rose Minutillo; to the Committee on the Judiciary.

H.R. 12090. A bill for the relief of Mrs. Raisla Stein and her two minor children; to the Committee on the Judiciary.

By Mr. DUNCAN:

H.R. 12091. A bill for the relief of Robert D. Lange; to the Committee on the Judiciary.

By Mr. NELSEN:

H.R. 12092. A bill to authorize and direct the District of Columbia to convey certain real property to the Washington International School, Inc.; to the Committee on the District of Columbia.

By Mr. WRIGHT:

H.R. 12093. A bill for the relief of Carlos Manuel Nogueira-Martins; to the Committee on the Judiciary.