

Paris-based John T. Cusack, the chief U.S. narcotics agent for Europe and the Middle East, estimates that foreign police and customs agents are booking young American smugglers at the rate of 40 per month. In Morocco, five Americans have been arrested on drug charges in the past five weeks. Last week in Lebanon, Morocco's main rival as a Mecca for drug-seeking tourists, police arrested eight youthful Americans who were trying to sneak some 70 kilos of hash out of the country. The catch brought Lebanon's current population of Americans imprisoned on drug charges to 15, pushing the country ahead of Italy (12) and Greece (13), and close to the league leaders, which are Spain (about 50 jailed Americans) and West Germany (30).

**Drug Scare.** The prison population explosion is worrying the State Department, which calls it "a very important question." In many areas, it is rapidly becoming the prime concern of American diplomats. In Rabat, U.S. Consul Joseph Cheevers is besieged by requests for such items as antiscorbutic vitamin C, soap and blankets from American inmates of Morocco's dank jails (40 to a room). At the same time, he is handling twice as many requests for information from worried parents in the U.S. as he was a year ago.

The surge in overseas drug arrests of American travelers is largely the result of a crack-down by foreign governments. They are disturbed at the emergence of narcotics problems in their own country. Furthermore, some widely publicized drug-connected horrors, particularly the Sharon Tate murders, have helped to erode whatever benign neglect traveling American hippies once enjoyed abroad. A few of the jailed Americans are professional smugglers, supplying the Mob in the U.S. "But most of them," says Cusack, "are not pros in the true sense. They have no records. They are users, and many of them are 'missionaries.' They want to turn others

on—and if there's a profit in it, so much the better."

**Busted Playmate.** There are profits aplenty. A \$10 or \$20 "key" of Lebanese hash can fetch \$1,500 or more in the U.S., and the figures tempt a wide variety of improbable smugglers. Book-of-the-Month Club Author W. S. Kuniczak (*The Thousand Hour Day*) was arrested last December for smuggling 160 lbs. of hash into Greece; he is presently serving a 4½-year sentence on the island of Corfu. *Playboy's* December Playmate Gloria Root, 21, currently graces Athens' stark Averoff prison, where she is serving a ten-month sentence for crossing into Greece from Turkey with 38 lbs. of hash: Nearly all of the amateur smugglers are under 30, but surprisingly few are drifters or dropouts. One of three young Americans who have been cooling their heels in Bierut's Asfourieh Prison Hospital since they were arrested on smuggling charges last August is Harvard Sophomore Steven Miller, 21, a grandson of a former dean of the Harvard Divinity School.

Although they are generally long on education (and long on hair), the young tourists are strictly bush-league smugglers. Says Agent Cusack: "They use methods that would make a professional pusher blush—putting the stuff in the mail or hiding it under the back seat of a car." In Algieras, Spanish custom officers last year arrested 64 Americans as they stepped off the ferry from Morocco. If Moroccan dope peddlers have not already fingered the Americans in advance, Spanish agents have little trouble picking out probable smugglers. The giveaways: hippy dress ("a long or loose anything"), and talkative overfriendliness.

At Beirut International Airport, customs men have trained dogs to sniff out drugs hidden in luggage. In Tashkent, a woman Soviet agent with a superb olfactory sense sniffed hash carried by three young Americans, who were flying via Aeroflot from Af-

ghanistan to Finland. Two are still serving time in the infamous Potma labor camp southeast of Moscow.

**Series of Horrors.** Often the youthful smugglers are suckers from the start. In Lebanon, tourist guides around Baalbek's famous Roman ruins sidle up to adventurous-looking American kids and sell them not only cheap hash but identical cheap cardboard tourist suitcases to carry it in. Airport customs officials are so familiar with the suitcases that they almost yawn as they arrest the tourists who show up with them.

Arrest is only the first of a series of horrors. Beyond helping young smugglers to get a reputable lawyer, U.S. consuls can only ensure that Americans get the same treatment as the local nationals do—which is often a far cry from U.S. standards. Ball is unknown in many countries, and there are long waits in crowded prisons before cases come to trial. Beirut's notorious Sands prison, where seven Americans are currently awaiting trial, is filled with rats, homosexuals and filth.

American parents of jailed students are invariably flabbergasted at how little they can do to ease their cases. Ronald Lee Emmons, 22, a black Chicagoan and a former basketball player at the University of Illinois, was picked up in Istanbul for possession of two kilos of hash. Despite the efforts of his mother, he waited 13 months in Istanbul's Sagmalcilar prison before his case came to trial last February. He was sentenced to five years in jail, where all he can look forward to are the letters, books, money and extra food that U.S. Consul Douglas Heck brings on his twice-monthly visits. As a U.S. consular official in Lebanon confesses: "The truth is we simply can't do any more." The only American ever to be sprung from a Lebanese prison by executive clemency was a Los Angeles youth who was found to have terminal cancer. He was allowed to go home to die.

## HOUSE OF REPRESENTATIVES—Monday, May 4, 1970

The House met at 12 o'clock noon.

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

*Be strong in the Lord and in the power of His might.—Ephesians 6: 10.*

Almighty God, infinite in wisdom, power and love, whose mercy is over all Thy works and whose will is ever directed to Thy children's good, humbly we bow in Thy presence as we pray for those in the service of our country, particularly those who are prisoners of war—absent from their loved ones, yet always present with Thee. Protect them from all dangers of body and spirit, grant unto them humane treatment, help them to be patient with themselves, good to their fellow men, and strong in Thee who art the strength of all Thy children.

Bless their families with the assurance of Thy presence and the comfort of Thy spirit. May they look forward with faith and hope to a safe return of their loved ones and to the end of war.

We pray for the family of our beloved colleague who has gone home to be with Thee. Grant them Thy comfort and the strength of Thy spirit as they live through these days.

In the Master's name we pray. Amen.

### THE JOURNAL

The Journal of the proceedings of Thursday, April 30, 1970, was read and approved.

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 1049. An act to amend the Anadromous Fish Conservation Act of October 30, 1965, relating to the conservation and enhancement of the Nation's anadromous fishing resources, to encourage certain joint research and development projects, and for other purposes;

H.R. 1187. An act to amend the act of August 7, 1961, providing for the establishment of Cape Cod National Seashore; and

H.R. 1706. An act to provide for the conveyance of certain mineral rights in and under lands in Pike County, Ga.

The message also announced that the Senate agrees to the amendment of the House to the amendment of the Senate to a bill of the House of the following title:

H.R. 12605. An act to amend section 613 of the Merchant Marine Act, 1936, as amended.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 515) entitled "An act to amend the National School Lunch Act and the Child Nutrition Act of 1966 to clarify responsibilities related to providing free and re-

duced-price meals and preventing discrimination against children, to revise program matching requirements, to strengthen the nutrition training and education benefits of the programs, and otherwise to strengthen the food service programs for children in schools and service institutions."

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 11372. An act to amend the act entitled "An act to authorize the partition or sale of inherited interests in allotted lands in the Tulalip Reservation, Washington, and for other purposes", approved June 18, 1956 (70 Stat. 290).

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

S. 1461. An act to amend section 3006A of title 18, United States Code, relating to representation of defendants who are financially unable to obtain an adequate defense in criminal cases in the courts of the United States;

S. 1751. An act to declare that certain federally owned land is held by the United States in trust for the Lac du Flambeau Band of Lake Superior Chippewa Indians; and

S. 2362. An act to amend certain Federal laws relating to the State of Oklahoma.

**DEATH OF CONGRESSMAN  
WILLIAM L. ST. ONGE**

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

Mr. MONAGAN. Mr. Speaker, I have the sad duty of informing the House of the sudden death of our beloved friend and colleague, the gentleman from Connecticut (Mr. ST. ONGE). BILL died on Friday afternoon in Connecticut. He was engaged upon work of his office and driving to a launching ceremony at the time of his death. His wife was with him and members of his staff were with him. So he died in the pursuit of his duty, as I am sure he would have been proud to do. His passing was a particular shock to me since I had lunched with him on Thursday and had flown to Connecticut with him on that evening.

The funeral will be tomorrow morning at 11 a.m. at St. Mary's Church in Putnam, his hometown.

I know that all of us, particularly those of us from Connecticut who served with him, will always have in mind his courtesy, his kindness, his devotion to his constituents, his high standards of individual integrity, and his dedication to excellence in the performance of his congressional duties.

Since many of his friends are not here at the present time, Mr. Speaker, I do not suggest that we have eulogies today, but a future time will be set and due notice will be given so that all those who may care to join in eulogies of our late friend, BILL ST. ONGE, will have an opportunity to do so.

May I close by expressing on behalf of the House our deepest sympathy to BILL's widow, Dorothy, and all the members of his family.

**PERMISSION FOR JOINT COMMITTEE  
ON ATOMIC ENERGY TO FILE  
REPORT ON H.R. 17405**

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent that the Joint Committee on Atomic Energy may have until midnight tonight to file a report to accompany the bill H.R. 17405, to authorize appropriations for fiscal year 1971.

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

There was no objection.

**SUPPORT OF PRESIDENT'S POLICY  
IN CAMBODIA AND SOUTHEAST  
ASIA**

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

Mr. DORN. Mr. Speaker, I rise in support of the President's policy in Cambodia and Southeast Asia.

President Nixon had no alternative to ordering the elimination of the enemy sanctuary in Cambodia. The President had possession of the facts. He acted wisely and with great courage.

The President's decision will serve the cause of peace and will save American lives, and that of countless women and children of South Vietnam who have

been the victims of savage brutality and ruthless aggression.

Our troops cannot be disengaged or withdrawn from South Vietnam as long as their flank is subjected to continuous bombardment from this privileged sanctuary, a sanctuary seized by brutal aggression in a neutral country, a country whose neutrality was guaranteed by the Geneva agreement of 1954—a solemn treaty signed by North Vietnam.

The Communist aggressor from North Vietnam answered our bombing halt by further aggression in neutral Cambodia. The North Vietnamese aggressor answered our offer of peace at the Paris conference by further aggression in Laos and South Vietnam. The Communist aggressor has answered our withdrawal of troops and deescalation of the war by invasion of its neighbors and inhuman cruelty beyond imagination.

There can be no peace with this enemy dagger in Cambodia aimed at Saigon, our men, and the heart of South Vietnam.

The President's forthright action is in the interests of self-defense and peace in Southeast Asia. I commend the President and support him in doing what is morally right and just.

**CAMBODIA**

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

Mr. MAYNE. Mr. Speaker, the Commander in Chief responsible for the safety of our troops has taken the action he considers necessary to protect them and continue our policy of withdrawal. It was a hard decision, damaging from a political standpoint, but in the tradition of Presidents who have risen above politics when the lives of Americans were at stake.

Some anti-Nixon commentators and columnists and political opponents of the President are eagerly rushing to the attack, apparently confident that this is the opening they have been waiting for. From a purely political point of view, they may temporarily achieve their purpose in seeking to exploit the President's bold move against the enemy's sanctuaries.

But President Nixon is entitled to a much fairer consideration and appraisal of his courageous action than he is receiving from these hecklers, and he will receive it from the American people. He would not have taken this step unless convinced it was necessary to protect our fighting men and in the national interest.

**ACTION TAKEN IN CAMBODIA BY  
THE PRESIDENT**

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

Mr. KING. Mr. Speaker, I support the action taken in Cambodia by the President. He showed great courage in making a most difficult decision. He has shown that he has the guts to face up to situations. When a man is President and puts his country and the safety of his

men in Vietnam ahead of the possibility of being rejected at the polls for a second term, I am for him.

The Communists left us no other choice. For years they have enjoyed the sanctuaries of Cambodia knowing we would not pursue them. They have set up elaborate bases across the Cambodian line from which they make repeated incursions into South Vietnam. They used hit and run tactics.

We have offered them every concession at the bargaining table in Paris and elsewhere to no avail. They demand abject surrender which the American people would not accept from any President. We had no other recourse in the defense of our flank and the protection of our men in Vietnam.

It will not, in my opinion, enlarge and evolve into a full-scale Indochinese war. The President has said we will withdraw when we succeed in obliterating the festering sores on the borders of Cambodia. I believe him and support his efforts to bring about peace on honorable terms.

**AFFIRMATION OF PRESIDENT'S  
ACTION IN SOUTHEAST ASIA**

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

Mr. THOMPSON of Georgia. Mr. Speaker, over the weekend I had the opportunity to talk with many people in my district and my State concerning the President's actions in Southeast Asia. While to a man all of these people would like to see this war brought to a conclusion, they all recognized the fact that there are certain hard decisions that must be made, and basically there are three choices in Southeast Asia; namely the surrender of America to the Communist position, all-out military victory, or Vietnamization. If Vietnamization is to proceed, it must be on a basis wherein we can protect and defend the American troops as they are being phased out and allow the South Vietnamese a chance to establish an army to defend themselves. The action of the President in going into Cambodia has the support of a vast majority of the people in my district and in my State. Frankly, the people with whom I talked felt that it took great courage for the President to make the decision he did. They realize that the President placed his political future last and the interest of the United States and the free world first. Most Americans admire the President for acting and I support the President in this endeavor to end the war.

**VETERANS' ADMINISTRATION PRO-  
GRAM OF SHARING SPECIALIZING  
MEDICAL RESOURCES**

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 9634) to amend title 38 of the United States Code in order to improve and make more effective the Veterans' Administration program of sharing specialized medical resources, with Senate amendments

thereto, and consider the Senate amendments.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the first Senate amendment as follows:

Page 1, after line 2, insert:

"That section 4114 of title 38, United States Code, is amended by inserting in subsection (a) (3) (A) immediately after the first sentence thereof the following: 'Temporary full-time appointments of persons who have successfully completed a full course of nursing in a recognized school of nursing, approved by the Administrator, and are pending registration as a graduate nurse in a State, shall not exceed one year.'"

MOTION OFFERED BY MR. TEAGUE OF TEXAS

Mr. TEAGUE of Texas. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. TEAGUE of Texas moves to concur in Senate amendment No. 1.

The motion was agreed to.

The Clerk read Senate amendment No. 2, as follows:

Page 1, after line 2, insert:

"Sec. 2. Section 4114 of title 38, United States Code, is amended by deleting '(b)' at the beginning of subsection (b) and inserting in lieu thereof '(b) (1)' and by adding the following new paragraph:

"(2) In order to more efficiently carry out the provisions of paragraph (1) of this subsection, the Administrator may contract with one or more hospitals, medical schools, or medical installations having hospital facilities and participating with the Veterans' Administration in the training of interns or residents to provide for the central administration of stipend payments, provision of fringe benefits, and maintenance of records for such interns and residents by the designation of one such institution to serve as an agency for this purpose. The Administrator may pay to such designated central administrative agency, without regard to any other law or regulation governing the expenditure of Government moneys either in advance or in arrears, an amount to cover the cost for the period such intern or resident serves in a Veterans' Administration hospital of (A) such stipends as fixed by the Administrator pursuant to paragraph (1) of this subsection, (B) hospitalization, medical care, and life insurance, and any other employee benefits as are agreed upon by the participating institutions for the period that such intern or resident serves in a Veterans' Administration hospital, (C) tax on employers pursuant to chapter 21 of the Internal Revenue Code of 1954, where applicable, and in addition, (D) an amount to cover a pro rata share of the cost of expense of such central administrative agency. Any amounts paid by the Administrator to such fund to cover the cost of hospitalization, medical care, or life insurance or other employee benefits shall be in lieu of any benefits of like nature to which such intern or resident may be entitled under the provisions of title 5 of the United States Code, and the acceptance of stipends and employee benefits from the designated central administrative agency shall constitute a waiver by the recipient of any claim he might have to any payment of stipends or employee benefits to which he may be entitled under this title or title 5 of the United States Code. Notwithstanding the foregoing, any period of service of any such intern or resident in a Veterans' Administration hospital shall be deemed creditable service for the purposes of section 8332 of title 5 of the

United States Code. The agreement may further provide that the designated central administrative agency shall make all appropriate deductions from the stipend of each intern and resident for local, State, and Federal taxes, maintain all records pertinent thereto and make proper deposits thereof, and shall maintain all records pertinent to the leave accrued by each intern and resident for the period during which he serves in a participating hospital, including a Veterans' Administration hospital. Such leave may be pooled, and the intern or resident may be afforded leave by the hospital in which he is serving at the time the leave is to be used to the extent of his total accumulated leave, whether or not earned at the hospital in which he is serving at the time the leave is to be afforded."

MOTION OFFERED BY MR. TEAGUE OF TEXAS

Mr. TEAGUE of Texas. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. TEAGUE of Texas moves to concur in Senate amendment No. 2 with an amendment; as follows:

In lieu of the matter proposed to be inserted by Senate amendment numbered 2, insert the following:

"Sec. 2. (a) Section 4107(a) of title 38, United States Code, is amended—

"(1) by striking out the comma immediately after 'Chief Medical Director' and inserting in lieu thereof 'and';

"(2) by striking out 'and Associate Deputy Chief Medical Director'; and

"(3) by inserting immediately below the heading 'Section 4103 Schedule' the following:

"Associate Deputy Chief Medical Director, \$36,000."

"(b) Section 103(c) of the Act of November 7, 1966, entitled 'An Act to amend title 38 of the United States Code to clarify, improve, and add additional programs relating to the Department of Medicine and Surgery of the Veterans' Administration, and for other purposes' is hereby repealed."

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

Mr. TEAGUE of Texas. Yes; I shall be glad to yield to the gentleman from Iowa.

Mr. GROSS. May the House be assured that all the Senate amendments are germane to the bill?

Mr. TEAGUE of Texas. Mr. Speaker, I assure the gentleman from Iowa that they are all germane to the bill.

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

Mr. TEAGUE of Texas. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I appreciate the distinguished chairman of the Committee on Veterans' Affairs yielding to me at this time. I appreciate the problem that we have with the returning veterans from Vietnam receiving adequate and continuing care. I certainly know of the diligent work of the distinguished gentleman from Texas in trying to assure this in a program of follow-on hospitalization, if, indeed, maximum benefit or adequate medical care cannot be obtained under the current circumstances without adequate personnel in the various military services, and I am aware of the personnel problems involved.

I hope the gentleman from Texas can give the Members of the House assurance that by the last amendment of the other body, which we are about to accept; we are not removing the function of the Veterans' Administration facility

hospitals providing, or being provided by the so-called deans committees from associated teaching institutions to help guide our procedures and our training services so that maximum benefits and continuing care to veterans is always available, including the new regional stroke, cancer, heart services, and all other assistance that the teaching institutions have to give to the VA hospitals.

Can the gentleman assure us that this amendment will not work in reverse?

Mr. TEAGUE of Texas. I can assure the gentleman from Missouri that this will not work in reverse. In fact, we think this will strengthen what the gentleman is talking about. That is one of the purposes.

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

The motion was agreed to.

The Clerk read Senate amendment No. 3, as follows:

Page 1, after line 2, insert:

"Sec. 3. Section 4114 of title 38, United States Code, is amended by inserting in subsection (d) (1) immediately after the word 'physician' the following: 'or dentist.'"

MOTION OFFERED BY MR. TEAGUE OF TEXAS

Mr. TEAGUE of Texas. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. TEAGUE of Texas moves to concur in Senate Amendment No. 3.

The motion was agreed to.

The Clerk read Senate amendment No. 4 as follows:

Page 1, line 3, strike out [That section] and insert:

"Sec. 4. Section".

MOTION OFFERED BY MR. TEAGUE OF TEXAS

Mr. TEAGUE of Texas. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. TEAGUE of Texas moves to concur in Senate Amendment No. 4.

The motion was agreed to.

Mr. TEAGUE of Texas. Mr. Speaker, the bill, H.R. 9634, which passed the House on June 2, 1969, was suggested by the Veterans' Administration in a formal presentation to the Congress. As passed by the House, the Veterans' Administration was authorized to cooperate in the sharing of specialized medical resources with community hospitals and other medical installations for the mutual use or the exchange of use of such resources. The previous requirement had been limited to the exchange of use.

The Senate in reporting and passing the bill, included provisions which authorized the Veterans' Administration to make temporary full-time appointments of nurses where a nurse has completed a full course of nursing in a recognized school of nursing and is pending registration as a graduate nurse in a State. Such appointments would be limited to 1 year. This, of course, is an effort to meet the shortage of nursing personnel. My motion proposes to concur in that Senate amendment.

Another Senate amendment is to enlarge the authority of the Veterans' Administration Chief Medical Director to permit the appointment of dentists, with-

out State licenses, by waiving the requirement that a physician or dentist be licensed in a State in those cases where he is to be used only in research with no direct responsibility for the care of patients. I propose to ask the House to concur in that Senate amendment also.

The other amendment of the Senate has to do with individual Veterans' Administration hospitals entering into agreements with medical schools for the central administration of training programs involving interns and residents. In view of the difficulty which has been experienced in recent months in the Veterans' Administration hospital system with regard to such programs, I am not moving to concur in that Senate Amendment.

At the request of the Veterans' Administration, I am moving to set the salary of the Associate Deputy Chief Medical Director at \$36,000.

Mr. AYRES. Mr. Speaker, H.R. 9634, as passed by the House, permits the Veterans' Administration to enter into agreements providing for the mutual use of certain specialized medical resources shared with community medical facilities. Existing law limits such sharing agreements to the exchange or reciprocal use of scarce resources.

The Senate added a provision authorizing the Veterans' Administration to enter into agreements with university hospitals and medical schools for the central administration of shared and rotating training programs for interns and residents. The committee has discovered in recent months that the sharing of medical personnel with medical schools creates a number of difficulties. Until these are resolved, I believe it unwise to enter into additional agreements. I support the motion to reject this amendment and substitute language that will set the salary of the Associate Deputy Chief Medical Director at \$36,000. This amendment has been requested by the Veterans' Administration.

The Senate also included provisions which authorized 1-year full-time appointments of Veterans' Administration nurses when they have completed a full course of nursing in a recognized school of nursing and are pending registration as a graduate nurse in a State. This will help to meet the shortage of nursing personnel. I support the motion to concur in that Senate amendment.

Another Senate amendment will permit the Veterans' Administration Chief Medical Director to appoint dentists, without State licenses, by waiving the requirement that he be licensed in a State in those cases where he is to be used only in research with no direct responsibility for the care of patients. I support the motion to concur in that Senate amendment.

The Clerk read the Senate amendment to the title of the bill, as follows:

Amend the title so as to read: "An Act to amend title 38, United States Code, to authorize the Administrator of Veterans' Affairs to appoint certain persons in the nursing service in the Department of Medicine and Surgery of the Veterans' Administration and to enter into agreements with hospitals, medical schools, or medical installations for the central administration of a program of training for interns or residents, to improve and make more effective the Veterans' Ad-

ministration program of sharing specialized medical resources, and for other purposes."

MOTION OFFERED BY MR. TEAGUE OF TEXAS

Mr. TEAGUE of Texas. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. TEAGUE of Texas moves to concur in the Senate amendment to the title of the bill, with the following amendment: In lieu of the matter proposed to be inserted by the Senate amendment to the title of the bill, insert the following: "An Act to amend title 38 of the United States Code in order to improve and make more effective the Veterans' Administration program of sharing specialized medical resources, and for other purposes."

The motion was agreed to. So the Senate amendments, as amended, were concurred in.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

**TO REVISE THE DEFINITION OF A "CHILD" FOR PURPOSES OF VETERANS' BENEFITS**

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 10106) to revise the definition of a "child" for purposes of veterans' benefits provided by title 38, United States Code, to recognize an adopted child as a dependent from the date of issuance of an interlocutory decree, with Senate amendments thereto, and consider the Senate amendments.

The Clerk read the title of the bill. The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection. The Clerk read the first Senate amendment as follows:

Page 1, after line 11, insert: "Sec. 2. Section 413 of title 38, United States Code, is amended to read as follows: "§ 413. Dependency and indemnity compensation to children

"Whenever there is no widow of a deceased veteran entitled to dependency and indemnity compensation, dependency and indemnity compensation shall be paid in equal shares to the children of the deceased veteran at the following monthly rates:

- "(1) One child, \$88.
- "(2) Two children, \$127.
- "(3) Three children, \$164.
- "(4) More than three children, \$164, plus \$32 for each child in excess of three."

MOTION OFFERED BY MR. TEAGUE OF TEXAS

Mr. TEAGUE of Texas. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. TEAGUE of Texas moves that the House concur in the Senate amendment numbered 1.

The motion was agreed to. The Clerk read Senate amendment No. 2 as follows:

Page 1, after line 11, insert: "Sec. 3. (a) Subsection (a) of section 414 of title 38, United States Code, is amended by striking out '\$29' and inserting in lieu thereof '\$32'.

"(b) Subsection (b) of section 414 of such title is amended by striking out '\$80' and inserting in lieu thereof '\$88'.

"(c) Subsection (c) of section 414 of such title is amended by striking out '\$41' and inserting in lieu thereof '\$45'."

MOTION OFFERED BY MR. TEAGUE OF TEXAS

Mr. TEAGUE of Texas. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. TEAGUE of Texas moves that the House concur in the Senate amendment numbered 2.

The motion was agreed to. The Clerk read Senate amendment No. 3 as follows:

Page 1, after line 11, insert:

"Sec. 4 (a) The first sentence of section 417(a) of title 38, United States Code, is amended by inserting '(1)' immediately after 'unless', and by striking out the period at the end of such sentence and inserting in lieu thereof a comma and the following: 'or (2) the total amount paid to the widow, children, or parents of such veteran under any such policy is equal to or exceeds the face value of the policy and such amount paid when added to any amounts paid as death compensation is equal to or less than the total amount which would have been payable in dependence and indemnity compensation following the death of such veteran if such widow, children, or parents had been eligible for such compensation upon the death of such veteran. Any person receiving death compensation at the time he becomes eligible for dependency and indemnity compensation pursuant to clause (2) of the preceding sentence shall continue to receive such death compensation unless he makes application to the Administrator to be paid dependency and indemnity compensation. An election by such person to receive dependency and indemnity compensation shall be final.'

"(b) The last sentence of section 417(a) of such title is amended by striking out 'preceding sentence' and inserting in lieu thereof 'first sentence'.

"(c) No dependency and indemnity compensation shall be payable to any person by virtue of the amendments made by subsection (a) of this section for any person prior to the effective date of this Act."

MOTION OFFERED BY MR. TEAGUE OF TEXAS

Mr. TEAGUE of Texas. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. TEAGUE of Texas moves that the House disagree to Senate amendment numbered 3.

The motion was agreed to. The Clerk read Senate amendment No. 4 as follows:

Page 1, after line 11, insert:

"Sec. 5. The amendments made by sections 2 and 3 of this Act shall become effective on the first day of the second calendar month following the month in which this Act is enacted."

MOTION OFFERED BY MR. TEAGUE OF TEXAS

Mr. TEAGUE of Texas. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. TEAGUE of Texas moves that the House concur in the Senate amendment numbered 4 with the following amendment:

On page 3, line 20, of the Senate engrossed amendments, strike out "5" and insert "4".

The motion was agreed to.

Mr. TEAGUE of Texas. Mr. Speaker, this bill, as passed by the House on October 6, 1969, contained a new definition of a child to include as a child a person to whom an interlocutory decree of adoption had been issued by an appropriate adoption authority. It was formally requested by the Veterans' Administration and passed by the House unanimously.

The Senate, in passing the bill, continued the House language which is contained in section 1 and added to it in sections 2 and 3, increases for children under the dependency and indemnity compensation structure of title 38. It also included language to provide for the payment of dependency and indemnity compensation to certain widows who are receiving death compensation today. All of this relates to service-connected cases and would cost approximately \$3½ million the first year.

The motions which I have offered would retain the House language in section 2, accept sections 2 and 3 relating to increases for dependency and indemnity compensation to children, and reject the amendment with regard to the old death compensation being merged into dependency and indemnity compensation. The latter action is due to the fact that it is already covered on a more liberal basis in the bill, H.R. 16661, which the House will shortly consider, and which I feel sure will pass unanimously.

Mr. AYRES. Mr. Speaker, this bill passed the House on October 6, 1969. It contained a new definition of a child for veterans' benefits to recognize an adopted child as a dependent from the date an interlocutory decree of adoption had been issued by an appropriate adoption authority, rather than from the time the decree becomes final.

The Senate amended the bill to increase by 10 percent payments to children under the dependency and indemnity compensation provision of title 38. It also provided for the payment of dependency and indemnity compensation to certain widows who are receiving death compensation today.

I support the motions offered by the distinguished chairman of the committee which would retain the House language, accept the Senate amendment relating to increases for dependency and indemnity compensation to children, and reject the amendment to permit certain widows to receive dependency and indemnity compensation. The latter action is due to the fact that similar provisions are contained in the bill, H.R. 16661, which the House will consider today.

The Clerk read the Senate amendment to the title of the bill, as follows:

Amend the title so as to read: "An Act to amend title 38, United States Code, to revise the definition of the term 'child' to recognize an adopted child of a veteran as a dependent from the date of issuance of an interlocutory decree, to increase the rates of dependency and indemnity compensation payable to dependent children of deceased veterans, and for other purposes."

MOTION OFFERED BY MR. TEAGUE OF TEXAS

Mr. TEAGUE of Texas. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. TEAGUE of Texas moves that the House concur in the Senate amendment to the title of the bill.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

#### NECESSARY HOSPITAL OR DOMICILIARY CARE FOR VETERANS 72 YEARS OF AGE OR OLDER

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 693) to amend title 38 of the United States Code to provide that veterans who are 72 years of age or older shall be deemed to be unable to defray the expenses of necessary hospital or domiciliary care, and for other purposes, with the Senate amendments thereto, and consider the Senate amendments.

The Clerk read the title of the bill. The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the first Senate amendment as follows:

Page 1, line 7, strike out all after "the" over to and including line 3 on page 2 and insert: "receipt of pension under any law administered by the Veterans' Administration shall constitute sufficient evidence of inability to defray necessary expenses, and any veteran in receipt of such pension shall be exempt from making any statement under oath regarding his inability to defray necessary expenses."

MOTION OFFERED BY MR. TEAGUE OF TEXAS

Mr. TEAGUE of Texas. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. TEAGUE of Texas moves that the House disagree to Senate amendment numbered 1.

The motion was agreed to.

The Clerk read Senate amendment No. 2 as follows:

Page 2, strike out all after line 16 over to and including line 16 on page 3.

MOTION OFFERED BY MR. TEAGUE OF TEXAS

Mr. TEAGUE of Texas. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. TEAGUE of Texas moves that the House concur in Senate amendment numbered 2, with the following amendments:

On page 2, line 1, of the Senate engrossed amendments, strike out "2" and insert "3", and strike out "16" and insert "2".

On page 2, line 2, of the Senate engrossed amendments, strike out "on page 3".

The motion was agreed to.

Mr. TEAGUE of Texas. Mr. Speaker, this bill which was passed by the House on June 2, provided—

First. That a veteran who is 72 years of age or older will no longer be required to sign a statement of inability to defray necessary hospital or domiciliary expenses to gain admission to a VA hospital or domiciliary for treatment of a non-service-connected disability.

Second. Authorize furnishing of outpatient care and such other medical services as are reasonably necessary to any veteran who is in receipt of pension or compensation based on need of regular aid and attendance of another person, or who is permanently housebound.

Third. Permit the Veterans' Administration to furnish drugs and medication to veterans who are receiving the housebound rate of compensation or pension. Existing law permits furnishing of drugs and medication to those in receipt of the aid and attendance rate.

Fourth. Extend eligibility for medical care for non-service-connected disabilities to veterans who served on the Mexican border during the period beginning May 9, 1916, and ending April 6, 1917.

Fifth. Remove the limitations imposed by section 201 of the Revenue and Expenditure Control Act of 1968—Public Law 364—insofar as they apply to ceilings placed on personnel within the Veterans' Administration.

The Senate, in passing the bill on October 21, 1969, amended the proposal by writing into the bill what is already VA policy; namely, that receipt of pension from the Veterans' Administration shall constitute sufficient evidence of inability to pay as to permit the veteran to be admitted without making any statement regarding his inability to pay the cost of hospitalization. Veterans' Administration regulation today assumes that any person who is drawing pension is in need of hospital care and eligible for such insofar as economic factors are involved.

The Senate amendment also removed the proposed eligibility of Mexican border veterans for medical care.

The motion I have made will restore this feature to the form as passed by the House; namely, by providing that every applicant who is 72 years of age or older will no longer be required to sign any statement of inability to pay for hospitalization when he applies for admission to a Veterans' Administration hospital. My motion also restores the medical care feature for Mexican border veterans.

I hope that the other body will consider this to be a reasonable compromise, accept, and send the measure to the White House.

Mr. AYRES. Mr. Speaker, H.R. 693, as it passed the House, eliminated the oath of inability to pay for hospitalization sought by veterans who are 72 years of age or older.

The bill also extended eligibility for non-service-connected Veterans' Administration medical care to veterans who served on the Mexican border between May 9, 1916, and April 6, 1917.

The Senate amended the bill to provide that the oath of inability to pay for hospitalization be eliminated only for those who are in receipt of pension benefits. This is more restrictive than the House-passed provision, since it merely provides statutory authority for a procedure already accomplished under Veterans' Administration regulations.

The Senate also eliminated the provision that Mexican border veterans be entitled to Veterans' Administration hospital and medical care.

The effect of the motions offered will be to restore substantially the House language with respect to these Senate amendments. I support the motions.

The Clerk read the Senate amendment to the title of the bill, as follows:

Amend the title so as to read: "An Act to amend title 38, United States Code, to provide that veterans who are in receipt of pension shall be deemed unable to defray the expenses of necessary hospital or domiciliary care, and for other purposes."

MOTION OFFERED BY MR. TEAGUE OF TEXAS

Mr. TEAGUE of Texas. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. TEAGUE of Texas moves that the House disagree to the Senate amendment to the title of the bill.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

#### GENERAL LEAVE

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may have 5 legislative days in which to revise and extend their remarks on the veterans' legislation we have just considered.

The SPEAKER. Is there objection to the request of the gentleman from Texas? There was no objection.

#### CONFERENCE REPORT ON H.R. 515, CHILDREN'S FOOD SERVICE PROGRAMS

Mr. PERKINS. Mr. Speaker, I call up the conference report on the bill (H.R. 515) to amend the National School Lunch Act and the Child Nutrition Act of 1966, to clarify responsibilities related to providing free and reduced-price meals and preventing discrimination against children, to revise program matching requirements, to strengthen the nutrition training and education benefits of the programs, and otherwise to strengthen the food service programs for children in schools and service institutions, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of April 29, 1970.)

Mr. PERKINS (during the reading). Mr. Speaker, I ask unanimous consent that the further reading of the statement of the managers on the part of the House be dispensed with.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PERKINS. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, it is with great pride that I present today the conference report on H.R. 515. This bill creates a new charter for the child nutrition programs. It will strengthen the State and local administration of these programs and it will extend and improve their nutritional benefits to all children, especially to those children who come from poor families.

The history of this bill is worthy of brief review. It was first introduced nearly 2 years ago as H.R. 17873, on January 14, 1968. This action was an outgrowth of a series of hearings held by the House Education and Labor Committee on the subject of malnutrition and Federal food programs. Testimony from many groups brought out clearly the

need for greatly expanded efforts to provide better nutrition for our Nation's children.

H.R. 17873 was passed by the House and subsequently passed by the Senate as part of another measure and thus did not go to conference. H.R. 515, as it now stands, is a much improved version of the original bill as a result of the legislative process through both Houses of the Congress. In total, the bill is a product of all interested groups, both inside and outside of the Federal Government. It is a bipartisan effort and worthy of your full support.

Mr. Speaker, I also feel constrained to say that in the past 2 years there has been much clearer recognition of the compelling need for improvement in the child nutrition programs. Additional funds have been forthcoming and significant progress has been made in reaching more needy children. Only recently, H.R. 11651 was approved to provide an additional \$30 million to sustain the program of free or reduced-price lunches for needy children through the remainder of this school year.

I should like here to discuss some of the major features of the bill and their implications.

It carries authority for appropriations 1 year in advance for the School Lunch and Child Nutrition Act programs. For the first time, State departments of education and local school districts will be able to do effective planning on the use of Federal funds. The benefits of this major step from the standpoint of efficiency and good management will be far reaching and of great significance.

The authority for the appropriation of nonfood assistance funds to schools in low-income areas has been extended for 3 additional years. A major improvement has been made in the apportionment formula to direct these funds to the areas of greatest need.

Authority is given to the Secretary of Agriculture to make grants to the States for nutritional training and education for school lunch workers, cooperators, and participants and for necessary surveys and studies of requirements for food service programs. The provision means that State administration agencies will be able to give special attention to the important task of improving the knowledge of the principles of good nutrition among all those taking a part in the child feeding programs.

The matching of Federal funds by the States will be strengthened. For the first time, a portion of the matching requirement must be provided from the State level revenues. This provision will not take effect until July 1, 1971, in order to give State legislatures sufficient time to appropriate funds.

National standards, based on income poverty guidelines, are established for determining the eligibility of needy children for free or reduced-price meals. Local school authorities will publicly announce these standards and will be required to take necessary measures to avoid identification of children receiving free or reduced-price meals. Parents whose children qualify under these standards will apply on the basis of a simple

self-certification process free from any humiliating or discriminatory practices as recommended by the White House Conference on Nutrition and Health. We who were managers on the part of the House also wish to impress on local school administrators that such income data are confidential.

Section 11 of the National School Lunch Act is to be amended in order that Federal funds can be used in any school to finance lunches for needy children: the present law limits special Federal assistance of this type to those schools serving predominantly low-income areas.

In addition, a desirable change is to be made in the formula for the apportionment of these special assistance funds among the States. This action will direct the necessary funds to the areas of greatest need.

All State educational agencies will be required to submit a plan annually beginning January 1, 1971, describing the measures that will be taken to furnish free or reduced-price lunches to every needy child.

Authority is to be granted for States to transfer funds between authorized programs on the basis of an approved State plan of operation. States also may receive funds to carry out special developmental projects to test out new and improved methods for providing nutritious meals to children.

Finally, a National Advisory Council is to be established to make a continuing study of child nutrition programs with a view to determining how such programs may be improved.

Mr. Speaker, I have only touched on the major features of the bill before us. I can only repeat that it sets forth a new charter for the development of child nutrition programs in the Nation. State governments and local school authorities are given new authorities and new responsibilities in partnership between the Federal Government and the States. The framework has been established to see to it that no child shall go hungry, or lack proper nutrition. This is a goal to which we are all committed.

In the years to come, we and the States must honor this commitment with the funds and resources required. We can do no less.

In closing, I would like to express very sincere thanks and gratitude to the many individuals and organizations across the country who have helped to make the objectives of this legislation a reality.

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

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

Mr. GROSS. Mr. Speaker, I thank the gentleman from Kentucky for yielding.

How do the expenditures authorized in the conference report compare with the expenditures for this purpose as authorized in the legislation originally approved by the House?

Mr. PERKINS. Let me say to the distinguished gentleman from Iowa that the School Lunch Act authorizes the expenditure of such funds as may be necessary, but we have many different categories where we have different authorizations in this bill. Last year for the entire

school lunch program we spent \$551,650,000, not including the special milk program, which amounted to \$104 million in addition. We have in the budget this year \$684,978,000, not including the special milk program.

Mr. GROSS. Mr. Speaker, would the gentleman restate the last figure he gave for this year?

Mr. PERKINS. For fiscal year 1971, assuming that the House Committee on Appropriations, when they take up consideration of the moneys, appropriate the full amount in the budget, it will be \$684,978,000. But I may say there is nothing in the budget for fiscal year 1971 for the special milk program, where we expended \$104 million last year.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, will the \$684 million envisaged by the gentleman include the breakfast program?

Mr. PERKINS. It does include the breakfast program. It includes the regular school lunch program, the direct appropriation in the amount of \$169 million, and the free end reduced price lunches, and the special food services program.

Mr. GROSS. How about the special milk program?

Mr. PERKINS. It does not include that milk program. It does include the school breakfast and the administrative expenses, nutrition education, and direct lunch program expenditures. It includes that and the Federal operating expenses.

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

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

Mr. HALL. Mr. Speaker, I appreciate the gentleman yielding.

Apropos of the colloquy between the gentleman in the well and the gentleman from Iowa, is it \$684 million of Federal contribution to this program?

Mr. PERKINS. The \$684 million is all Federal contributions, including section 32 foods and section 416 foods that come from CCC stocks. Yes, sir.

Mr. HALL. Mr. Speaker, I thank the gentleman. I have one additional question. On page 10 of the report of the members of the conference on the part of the House, under "School breakfasts" it is not clear to me the way the report is written whether the conferees simply go from \$12 million for fiscal year 1971, to \$25 million, or whether they go on to \$50 million for fiscal year 1972 and \$75 million for fiscal year 1973.

The next sentence says:

There are no further extensions or increases nor other amendments.

Are we extending this for 3 years, or just doubling it for fiscal year 1971?

Mr. PERKINS. It was agreed among the conferees that we would extend the program only through fiscal year 1971 and set the authorization at \$25 million.

Mr. HALL. And it would require a further authorization for fiscal year 1972?

Mr. PERKINS. That is correct.

Mr. HALL. I thank the gentleman.

The SPEAKER. The time of the gentleman from Kentucky has again expired.

Mr. PERKINS. Mr. Speaker, I yield myself 3 additional minutes.

Mr. QUIE. My Speaker, will the gentleman yield?

Mr. PERKINS. I yield to the distinguished gentleman from Minnesota (Mr. QUIE).

Mr. QUIE. This will be the first time the States are required to participate in the School Lunch Act as we have provided in the bill that we first passed in the House.

Mr. PERKINS. The gentleman is absolutely correct. Heretofore we have required matching from the Federal level on a 3 to 1 basis, but that has mostly come from charges to schoolchildren, from money collected from schoolchildren for their lunches.

This really places the responsibility on the States. In my judgment, it will make the school lunch program a much greater and more effective program with that responsibility placed on the States, because they should be carrying a part of this burden.

Mr. QUIE. If the gentleman will yield further, it should not be an onerous burden on the States, since they start out with 4 percent for 2 years, and then 6 percent for 2 years, and then go to 8 percent.

Mr. PERKINS. That is correct. We may run into a problem, inasmuch as many of the various State legislatures will not meet until 1972. We would not want to punish those States which do not have a regularly scheduled meeting in 1971.

I know in my home State the legislature recently adjourned, before enactment of this legislation. But perhaps we may have to postpone that date to some future date. I hope not. I hope that special sessions and so forth will be called to take care of this important matter.

Mr. QUIE. The gentleman from Kentucky also raised a question as to affidavits, under the bill. While the Department of Agriculture has not yet worked out details of the specifications regarding the affidavits, the gentleman from Kentucky agrees with me, does he not, that this is merely a certification on the part of the parents to the school of their income level, rather than the normal sense of an affidavit notarized, going through complicated legal proceedings.

Mr. PERKINS. I agree wholeheartedly with the distinguished gentleman. Any other interpretation on the part of the Secretary of Agriculture would be embarrassing, and humiliating to the parents of poor children. I feel that any reasonable-minded Secretary would not resort to the technical requirements of an affidavit subscribed and sworn to before a notary or someone authorized to administer an oath.

The gentleman has stated the intent of the committee and of the conference committee correctly.

Mr. QUIE. Let me also ask a question with regard to private and parochial schools. There is some question as to whether private or parochial school students would be treated the same as public school students, or would the private or parochial schools be in any way handicapped in their effort to provide free or reduced cost school lunches for

children from families below the poverty level who attend their schools?

It is my understanding there is no intent to handicap private and parochial schools or inhibit them from providing free or reduced cost lunches.

Mr. PERKINS. That is absolutely correct. Where there is a conflict with State laws, the Secretary of Agriculture will deal directly with the private or parochial school, just as he has in the past. We do not intend to take one thing away from the private schools by this legislation, but we will let the Secretary deal directly with those private schools where a State law conflicts.

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

Mr. PERKINS. I am glad to yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, adoption of this conference report is another evidence of congressional leadership in responsible legislation.

The bill we send to the President today got its start in the Committee on Education and Labor in 1968, when a predecessor bill, with bipartisan sponsorship and support, was reported to the House. It was unanimously approved on July 1 by a 352-to-0 vote.

The Committee on Education and Labor again, unanimously, reported H.R. 515 on March 17, 1969. It passed the House without opposition on March 20, 1969. The Department of Agriculture was lukewarm in its support, sending a permanent civil servant to testify, rather than an official in a policymaking position.

Last fall the distinguished junior Senator from Georgia with a bipartisan group of cosponsors, introduced a bill somewhat similar to H.R. 515. It was strongly endorsed by Members of both Houses and interested public witnesses, but again the administration was reluctant to take strong, positive, and aggressive steps to solve the problems of hungry children.

The legislation finally has administration support, but it is a congressional mandate that we are giving today. We can all be proud because we have actual responsibility from both sides of the aisle.

I congratulate the gentleman from Kentucky, the chairman, and all of the members of the Committee on Education and Labor for their leadership in this field.

Hungry schoolchildren will thank them and us.

Mr. PERKINS. Mr. Speaker, I yield 15 minutes to the distinguished gentleman from Minnesota (Mr. QUIE).

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

Mr. QUIE. I yield such time as he may use to the gentleman from Nebraska.

(Mr. CUNNINGHAM asked and was given permission to speak out of order.)

TODAY'S UNANIMOUS SUPREME COURT RULING ON OBSCENITY LEGISLATION SPONSORED BY MR. CUNNINGHAM

Mr. CUNNINGHAM. Mr. Speaker, I just returned from my district about 15 minutes ago, but I have an important

news item which will be of interest to the House.

As you may recall, when we had the obscenity bill up before us last week and I had the privilege of managing it on our side of the aisle, I mentioned that the major bill that I sponsored and finally became law allowed parents to demand that their names and those of their minor children be removed from the smut dealers' mailing lists.

This has been a long struggle for me over about a 10-year period to get some major antismut legislation approved. It was approved but was immediately attacked by the smut dealers in California. But three Federal judges out there upheld the law. The smut dealers did not give up, however, and appealed to the Supreme Court. About 2 months ago the Supreme Court agreed to hear the challenge. Just this morning the Supreme Court unanimously agreed that the law was constitutional. On the news where I find this wordage:

From the Associated Press:

#### COURT-OBSCENITY

WASHINGTON.—The Supreme Court upheld today the Federal law that requires mailers to stop sending "obscene" advertisements to people who don't want them.

The court unanimously upheld a section of the Postal Revenue and Federal Salary Act of 1967 under which a householder may require that a mailer remove his name from its mailing lists and stop all future mailings to person complaining.

Chief Justice Warren Burger, writing for the court, swept aside contentions that access to the mail is a freedom protected by the first amendment.

Without doubt the postal system is an indispensable adjunct of every civilized society and communication is imperative to a healthy social order, Burger wrote. "But the right of every person 'to be let alone' must be placed in the scales with the right of others to communicate."

From United Press International:

#### SEX MAIL

WASHINGTON.—The Supreme Court today upheld the constitutionality of law which allows anybody to keep advertising out of his mailbox if he decides it is too sexy.

The law was challenged by 14 mail order houses, book publishers and others, who claimed it interferes with their right to free communication through the mail.

The vote of the eight-man court was unanimous, with Chief Justice Warren E. Burger speaking for the majority.

The law authorizes any addressee to take steps to stop "pandering advertisements" which he believes to be "erotically arousing or sexually provocative."

He asks the post office to order the firm to take his name off the mailing list. The firm can get a post office hearing if it wishes. In the event of non-compliance the postmaster general may ask the attorney general for a court order.

The mail order houses told the court deletions cost \$5 a name because the lists are not alphabetical.

Burger said:

"In effect, Congress has erected a wall—more accurately permits a citizen to erect a wall—that no advertiser may penetrate without his acquiescence. The continuing operative effect of a mailing ban once imposed presents no constitutional obstacles. . . .

"We . . . categorically reject the argument that a vendor has a right under the Constitution or otherwise to send unwanted material into the home of another. If this

prohibition operates to impede the flow of even valid ideas, the answer is that no one has a right to press even 'good' ideas on an unwilling recipient.

"That we are often 'captives' outside the sanctuary of the home and subject to objectionable speech and other sound does not mean we must be captives everywhere.

"The asserted right of a mailer, we repeat, stops at the outer boundary of every person's domain."

Justice William J. Brennan, Jr., and William O. Douglas added a word about another section of the law which allows an addressee to include the names of any minor children under 19 in any post office department stop order.

Speaking for the two, Brennan said under the Court's broad interpretation of the law, a parent could prevent children "even if they are 18 years old, from receiving political, religious or other materials which the parents find offensive."

Brennan said this construction "is not without constitutional difficulties" but this issue is not part of today's case. He said he understands the court to leave the matter open.

The complaining companies were American Book Service, Cal-Sur Co., Home Products, Ras Enterprises—Daro Industries, Athena Products, Cameo Distributors, Bilthels Mailing Service, Tiffany Enterprises, Quality Products, Media Consultants, United Surgical, Premier Products, Norman Stacy & Associates and C. & A. Sales.

This is a long story, Mr. Speaker. I will not go into it and take up the time of the gentleman from Minnesota, who yielded to me, but it is a great victory and a great breakthrough. Now we can proceed with other obscenity legislation.

As I said last week as I managed the bill, on behalf of the administration, which came out of our Committee on Post Office and Civil Service, there was tremendous help and encouragement, Mr. Speaker, which you gave to me on this bill during the long struggle. If we lost this case, we might as well forget about any legislation in this field of pornography and trying to stop it.

So, Mr. Speaker, this is a great victory for the American people. It is a great victory for the Congress. I am so happy about today's Supreme Court decision that I now know we must go full steam ahead with cleaning up this mess once and for all.

Mr. CUNNINGHAM. Mr. Speaker, I thank the distinguished gentleman from Minnesota for yielding to me for this purpose.

Mr. QUIE. Mr. Speaker, in recent years the problems of hunger in America have received a substantial degree of attention through the press and public and particularly in the Congress. The national school lunch bill has for years addressed itself to those needs. I have, since coming to Congress, been a supporter of this legislation, and have worked actively to promote and expand it through the years in an effort to extend its effectiveness. This has not been an exclusive effort on my part by any means. The gentleman from Kentucky, the chairman of our Committee on Education and Labor, CARL PERKINS, and I have worked together for years to develop our mutual concern for this program. I think, Mr. Speaker, it is significant that every piece of school lunch legislation to be signed into law in re-

cent years was initiated in the House of Representatives. It is important to note that these actions were started before, and continued after, the general public became concerned about hunger and organizations came into being to help eliminate this problem.

Specifically, Mr. Speaker, last year the gentleman from Kentucky and I recognized that there were insufficient funds to meet the school lunch needs in this country and introduced temporary emergency assistance legislation designed to meet that problem. This recognition came as a result of our feeling in the House of Representatives that some action had to be taken, not because of prompting by the other body. The gentleman from Kentucky and I introduced legislation the end of May and the House acted shortly thereafter, authorizing \$100 million to meet this emergency need. Yet, it took over 10 months before the President got the bill and signed it into law, after the other body reduced this to \$30 million.

This legislation that we are considering today was also initiated in this body and it was introduced the first day of the 91st Congress. It was passed by the House less than 2 months later. And yet, it has taken over a year for action to be forthcoming so that we can come before you today with a conference report and tomorrow send this bill to the President for signature. It has been the House of Representatives that has consistently taken the lead in this area. We may be short on the rhetoric, which appears to be commonplace elsewhere, but we are, Mr. Speaker, first to act on legislation because we do understand the problems and recognize the needs.

I think it is important to clarify some misunderstandings that may exist in regard to changes that were made in the conference report. As you know, several amendments to the original bill were made on the floor of the Senate. House conferees felt that some modifications to those amendments were necessary. Much attention has been focused specifically on the new eligibility language in section 9 which states:

Free lunches shall be served to low-income children or children being eligible for school lunches.

The wording in my judgment is academic because the existing School Lunch Act, in section 9, the third sentence, now reads:

Such meals shall be served without cost or at a reduced cost to children who are determined by local school authorities to be unable to pay the full cost of the lunch.

Mr. Speaker, our action in conference takes the basic concept already in the law and expands it so that all poor children shall be served free or reduced-price meals on a standard as determined by the Secretary of Agriculture. The discretion for determination as presently written in the law remains with the local school authority.

What we did in this legislation, the conference report, is to specify a national standard that shall apply to local school boards. So, as it was written previously into law, such meals free or at lowest cost shall be served, but instead



of left entirely to the discretion of the local school system a child coming from a family which is below the poverty level, \$3,800, nonfarm; and, \$3,200, farm must be served free or lowest cost lunches. The local school authorities retain their authority to provide free or reduced cost lunches for children who come from a family whose income is above the poverty lines.

Another change as noted in the newspapers, I feel there has been a misrepresentation of what we attempted to do on the House side in the conference report. When the Members of the other body suggested that we continue to use those words, "shall be served," instead of "shall be eligible," we accepted that change because we understood the meaning was the same anyway and while it made the language redundant, it made the amendment absolutely clear. That is the reason I suggested we change the words "shall be eligible" to "shall be served."

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

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

Mr. PERKINS. Mr. Speaker, I would like to say to the gentleman from Minnesota, who has labored so diligently and untiringly from the time we introduced the legislation, that I read the press release, and it was most difficult for me to understand because it was very clear that it was based altogether on hearsay evidence. In the first place, the gentleman from Minnesota (Mr. QUIE) offered the amendment to substitute the terminology "shall be served" instead of "shall be eligible."

Be that as it may, no one doubts the hard work the gentleman from Minnesota has done throughout the years in trying to strengthen the child feeding programs in this country, and the Federal lunch programs. No Member in this body has made a greater contribution to this, and I personally want to compliment the gentleman for the great work that he has done, and for his untiring work all the way through in connection with improving the school lunch program.

Mr. QUIE. Mr. Speaker, I thank the gentleman from Kentucky.

Mr. Speaker, I think it is important for me to point out that, in my judgment, the most significant change in the legislation, and one which I developed with the gentleman from Kentucky, is that when meals are provided free or at reduced cost to needy children, the first priority shall be given to free meals to the neediest. In other words, given the existing funds we have available, the poorest of the poor will be served under this legislation. It is my feeling that this approach is fair, rational and defensible.

As we point out in the conference report, those who are not able to pay for the lunches, even at a reduced cost, shall be provided free lunches by the local school authorities and Federal funds available shall be used for this purpose first.

I follow the developments in child feeding programs and note with great

enthusiasm that Federal interest and support is improving and achieving results. As of December 1969—the last month for which figures were available—4.6 million needy children were receiving free or reduced-price meals. That is nearly one-quarter of the more than 20 million school children whose school meals are supported in part by the national school lunch program. The 4.6 million figure is up from 3.4 million at the end of the last school year and from 2.2 million the year before that. Thus free and reduced-price meal participation has more than doubled in slightly more than 1 year. By the end of the current school year it is expected that more than 5.5 million of the estimated 6.6 million needy children eligible for free and reduced-price meals should be receiving them.

As I said earlier, the gentleman from Kentucky and I cosponsored legislation last year to assure that adequate funds for this purpose would be available and that legislation was accepted by the administration as a vehicle for providing an additional \$30 million for school feeding when program expansion outran earlier budget estimates. I am prepared to act again if I believe that funding is not adequate.

The legislative history of the Senate debate makes it clear that a State should not be cut off from program assistance because of the failure to reach every eligible child. The language of the conference amendment makes it clear that schools who make a good-faith effort to feed needy children and in fact do feed free meals to the neediest children first will not be subject to harassing lawsuits that may cause school districts to drop out of the lunch program entirely, as occurred to one school district.

Mr. Speaker, I raise this point because I am concerned that many well-meaning people who are enthusiastic about the cause may hurt the very children we are attempting to help here today. I point specifically to OEO's Legal Services unit, which is representing plaintiffs in suits challenging food assistance and school lunch programs throughout the country.

I have been advised there is a very active effort to generate extensive litigation. My concern is that successful suits could cause more schools to drop the national school lunch program entirely. It is my feeling that the mandate we are given here today addresses the needs of poor people and our desire that poor children be fed. I feel no end is served and no child's welfare advanced if a school closes its program. It is my hope that Federal, State, and local officials will work together to try to implement the provisions that we pass here today so that there will be an extension of food assistance for the young people who are in need rather than any curtailment as occurred in one school district so far.

We also have provisions here and language requiring that the State develop means of extending their school lunch program so that all of the schools within the State will be covered because at the present time not all of the schools are covered. This is especially difficult in some areas where the schools are extremely old.

We believe this will strengthen our hands in reaching these children in school and in day-care centers and in summer activities.

We all know that in this abundant land there is no excuse for malnutrition—let alone hunger. This bill removes the legislative inhibitions to fully meet the needs of our neediest children, and if any of us who have been working hard on this legislation find that additional legislative changes need to be made to reach our needy children, we stand ready to make those changes.

For the first time, we are requiring that the States contribute revenues toward the child feeding programs. Mr. Speaker, I recognize that there are tremendous demands on State revenues and, as a result, we built in a gradual and limited basis for matching funds from these sources. This change will mean far more than just additional funds for the program. I believe that it will introduce a new level of monitoring, and a new level of evaluation. This will result in closer scrutiny at the State and local level as to whether these programs are actually meeting the needs and whether the local tax money is being expended to fully meet the needs of the young people who do not have adequate revenue from their parents in order to buy the food they need.

We are talking about new developments, new approaches, new ways of getting meals to youngsters most in need of a good meal or two a day. We are talking about applying the new technology to an old problem.

Conventional thinking in the programs for feeding children tended toward duplicating restaurant-type facilities. Many of the newer suburban high schools and even elementary schools have gone this route. The parents can and are willing to support this type of operation.

But what do you do about feeding the youngster in overcrowded, old, elementary schools in downtown areas? Time was when the children attending these schools were expected to and did go home for lunch. It might have been a good lunch of a pickup kind of lunch—or it may not have been any lunch at all, if the school is in a ghetto area.

Times have changed. Now poor families in ghetto areas have greatly expanded. Also around our old schools we also have working mothers. Many by choice, but a great many because they have to. We have heard for years about the "door-key" or "latch-key" children who, by force of circumstances, must shift for themselves quite a few hours of the day.

With the new technology, any school in this country can provide a good meal for these children—can keep them from wandering the streets or dropping into the neighborhood store for empty calories that appease hunger but do nothing for nutrition.

I want to call your attention to another important factor in this bill which could be far reaching. This involves the provision for nutritional training and education for workers, as well as for the participants in these programs.

The school lunch program in the past, while being a great aid in supplying at least a portion of the dietary needs of children, did not seek to interest the child nor the family in the program's purpose. A child either liked, or disliked, the menu for the day and generally took no interest in learning to appreciate the value of any particular item toward improvement of mind or body. In fact, this situation exists at this moment. The youngster may read the menu or hear it on the radio prior to serving time. If he does not like the items for the day, he may bring an adequate lunch from home but otherwise will probably buy a candy bar or soft drink.

Nutritional education, if subtly handled, can do much to engender pride or discipline in eating necessary foods when the thought is present that a keener mind or a more athletic body will result.

The old phrase "You Are What You Eat" might well be revived in modern terms with all the promotional means we have at our disposal in our communication programs today.

Mr. Speaker, this legislation clarifies and enlarges the authority and the commitment to better child nutrition. It provides for better planning, clearer standards, and an enlargement of the Federal, State, and local coordination on which the program has been so successfully based.

The provisions for advance appropriations, for an annual State plan of operation and for surveys and studies at the State and local level will allow coordinated development and expansion.

Advance appropriations will allow the Department of Agriculture to allocate school feeding funds prior to the beginning of the school year. This will be a great improvement over the experience of recent years when delayed appropriations bills have kept schools in uncertainty about allocation levels until well into the school year.

The State plan of operation will require that every participating State outline the manner in which it proposes to extend the program to every school, and to meet the needs in every school for free and reduced price lunches. The State plan will also require States to coordinate the lunch program with the breakfast program and with plans for feeding in summer camps and day care centers. Thus the plan will outline a year-round nutrition strategy. And by allocating funds for surveys and studies on a local level, it will be possible to make programs more responsive where it counts.

While the bill clarifies eligibility standards for free and reduced-price lunches, it requires that there be no overt identification of recipients. This is particularly important. School children are particularly sensitive to identification as being different or in any way inferior. H.R. 515 assures that the school lunch program will not be used to divide school children into a universe of haves and a universe of have-nots.

This legislation extends the availability of free and reduced price lunches to those schools that have only received donated commodities from the Department

of Agriculture. Until now it has been possible for a school to obtain substantial commodity support for its lunch program without meeting the nutritional requirements of the type A lunch or providing free and reduced-price lunches to needy students. Now schools that wish to receive assistance for their feeding programs must participate in the national school lunch program and meet the program's requirements as to serving needy students and providing nutritious meals.

H.R. 515 makes an important change that will allow child nutrition programs to operate in a more flexible manner. Section 11 assistance for free and reduced-price lunches will be available for needy children in all schools. Previously it was only available to needy children in needy schools. Those schools with only small numbers of needy children were expected to provide free and reduced-price lunches out of regular funds. In practice children transferring to better schools have found themselves losing out on lunches. Now the funds can follow the child.

I am pleased that these changes have been made with the help of most involved.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

#### CONSENT CALENDER

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

#### GOLD AND SILVER ARTICLES— CONSUMER PROTECTION

The Clerk called the bill (H.R. 8673) to protect consumers by providing a civil remedy for misrepresentation of the quality of articles composed in whole or in part of gold or silver, and for other purposes.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa? There was no objection.

#### COMPENSATION FOR THE COMMANDING GENERAL OF THE MILITIA OF THE DISTRICT OF COLUMBIA

The Clerk called the bill (H.R. 350) to amend section 39-201 of the District of Columbia Code.

There being no objection, the Clerk read the bill as follows:

H.R. 350

A bill to amend section 39-201 of the District of Columbia Code

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the Act entitled "An Act to provide for the organization of the militia of the District of Columbia", approved March 1, 1889 (25 Stat. 772, 773), as amended (D.C. Code, sec. 39-201), is amended (1) by inserting "(a)" immediately after "Sec. 7.", and (2)

by adding at the end thereof the following new subsections:

"(b) Except as provided in subsection (c), any person serving as the commanding general of the District of Columbia National Guard shall be paid at a rate equal to the minimum rate for a GS-15 of the General Schedule under section 5332 of title 5 of the United States Code.

"(c) Any officer of the Armed Forces of the United States who, while serving on active duty, is detailed to serve as commanding general of the District of Columbia National Guard shall, while so detailed, be entitled to receive only the pay to which he is entitled as an officer of the Armed Forces."

SEC. 2. The paragraph contained in the District of Columbia Appropriation Act, 1961 (74 Stat. 25), under the caption "National Guard" is amended by striking out "at not to exceed \$13,300 per annum".

SEC. 3. The amendments made by this Act shall be construed as having taken effect on July 1, 1966.

Mr. HÉBERT. Mr. Speaker, H.R. 350 is a relatively simple bill which would amend section 39-201 of the District of Columbia Code insofar as it relates to compensation for the commanding general of the militia of the District of Columbia, and for other purposes.

The bill as introduced by the Honorable OLIN E. TEAGUE of Texas, was supported in principle by the Department of Defense and the Bureau of the Budget but language was submitted which revised the bill entirely. As revised in accordance with their suggestions, the bill provides that the position of the commanding general of the District of Columbia National Guard be placed within the general schedule under section 5332 of title 5, United States Code. This would allow the appropriate grade for the holder of this position to be determined in accordance with the classification prescribed under chapter 51 of that title. The bill would also transfer the position to the Department of Defense for pay purposes.

At the present time, through a paragraph contained in the District of Columbia Appropriation Act of 1961, the salary of the commanding general of the National Guard is fixed at \$13,300 per year. This is less than 49 of his technicians make. It is expected that the salary will be set at a GS-15 level which at the present time ranges between \$21,859 and \$28,069, the lowest and highest steps of that grade.

Under an Executive order issued in 1969, the President has directed the Secretary of Defense to supervise, administer, and control the District of Columbia National Guard while in a militia status, and the commanding general reports to the Secretary of Defense or an official of the Department designated by him. It seems logical that the position should be transferred to the Department of Defense rather than being a part of the District of Columbia government.

The enactment of the bill would result in an additional cost to the Department of Defense of approximately \$28,000 annually. However, this would be partially offset, in terms of overall cost to the Government, by the elimination of \$13,300 appropriated annually as a part of the District of Columbia Appropriation Act.

Mr. Speaker, I urge your support that the bill as amended be favorably reported to the House.

With the following committee amendment:

Strike all after the enacting clause and insert the following language:

"That section 7 of the Act entitled 'An Act to provide for the organization of the militia of the District of Columbia', approved March 1, 1889 (25 Stat. 772, 773), as amended (D.C. Code, sec. 39-201), is amended (1) by inserting '(a)' immediately after 'Sec. 7.', and (2) by adding at the end thereof the following new subsections:

"(b) Except as provided in subsection (c), a person serving as the commanding general of the militia of the District of Columbia shall be considered to be an employee of the Department of Defense, and of the United States, within the meaning of section 2105 of title 5, United States Code.

"(c) An officer of the Armed Forces of the United States who, while serving on active duty, is detailed to serve as commanding general of the militia of the District of Columbia shall, while so detailed, be entitled to receive only the pay and allowances to which he is entitled as an officer of the Armed Forces."

"Sec. 2. The paragraph contained in the District of Columbia Appropriation Act, 1961 (74 Stat. 25), under the caption 'National Guard' is amended by striking out 'at not to exceed \$13,300 per annum'."

The committee amendment was agreed to.

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

The title was amended so as to read: "To amend section 39-201 of the District of Columbia Code relating to the compensation of the commanding general of the militia of the District of Columbia, and for other purposes."

A motion to reconsider was laid on the table.

#### AUTHORIZING THE SECRETARY OF THE INTERIOR TO APPROVE AN AGREEMENT ENTERED INTO BY THE SOBOBA BAND OF MISSION INDIANS

The Clerk called the bill (H.R. 3328) to authorize the Secretary of the Interior to approve an agreement entered into by the Soboba Band of Mission Indians releasing a claim against the Metropolitan Water District of Southern California and Eastern Municipal Water District, California, and to provide for construction of a water distribution system and a water supply for the Soboba Indian Reservation.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

#### AUTHORIZING TRANSFER OF BROWN UNIT, FORT BELKNAP INDIAN IRRIGATION PROJECT TO LANDOWNERS WITHIN UNIT

The Clerk called the bill (H.R. 14253) to authorize the transfer of the Brown unit of the Fort Belknap Indian irrigation

project on the Fort Belknap Indian Reservation, Mont., to the landowners within the unit.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 3007, be considered in lieu of the House bill.

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

There being no objection, the Clerk read the Senate bill as follows:

S. 3007

An act to authorize the transfer of the Brown unit of the Fort Belknap Indian irrigation project on the Fort Belknap Indian Reservation, Montana, to the landowners within the unit

*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 is authorized to convey all of the right, title, and interest of the United States in the facilities of the Brown unit of the Fort Belknap Indian irrigation project, located in township 28 north, ranges 23 and 24 east, Montana principal meridian, including, but not limited to, easements, rights-of-way, canals, laterals, drains, structures of all kinds, and water rights held for the benefit of the unit, to an organization or association having forms and powers satisfactory to the Secretary which represents the owners of the lands served by the unit. As a condition to said conveyance, the grantee organization or association shall assume full and sole responsibility for the care, operation, and maintenance of the unit open conveyance, and shall hold the United States free of all loss or liability for damages or injuries, direct or consequential, caused by the existence or operation of the unit or any of its features or structures, from and after the date of its conveyance.

Sec. 2. Upon conveyance of the Brown unit of the Fort Belknap Indian irrigation project as provided for in section 1 of this Act, the Secretary is authorized to cancel all accrued operation and maintenance charges and all construction charges with respect to the said unit.

Mr. ASPINALL. Mr. Speaker, S. 3007 authorizes a transfer of the Brown unit of the Fort Belknap Indian irrigation project to the landowner within the unit, and a cancellation of the outstanding reimbursable charges against the lands in the unit.

The Brown unit consists of a distribution system for using water from the Little Peoples Creek. Most of the water available is flood water. The project is entirely within the Indian reservation, and all of the water users are Indian owners of allotted land.

The project was started by the Indians with their own labor and funds in 1892. Federal construction began in 1949. The total Federal construction cost was \$50,646.25, all of which is a lien against the land, but the lien is not assessable or collectible until the land passes out of Indian ownership.

The annual operation and maintenance costs are assessed against the landowners. If a landowner does not pay an assessment it is paid by the United States out of appropriated funds and the payment becomes a lien against the lands. The delinquent O. & M. assess-

ments are presently approximately \$1,200.

The Indian landowners have asked that the project be transferred to them, and they will then assume full responsibility for its operation and maintenance. The United States will have no further responsibility for the project. The request is based on a belief by the Indians that they can operate and maintain the project, using their own labor and equipment, more economically than can the Bureau of Indian Affairs. The Department of the Interior concurs in that belief.

Three other units of the Fort Belknap project were transferred to the water users under the act of September 14, 1961 (75 Stat. 509), which is similar to the pending bill. Indian operation of those three units without further Federal help has been successful. The Brown unit, which will be transferred under the pending bill, is the last of the active small irrigation units in this category.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 14253) was laid on the table.

#### STONE MOUNTAIN MEMORIAL COMMEMORATIVE MEDALS

The Clerk called the bill (H.R. 15929) to provide for the striking of medals in commemoration of the completion of the carvings on Stone Mountain, Ga., depicting American heroes of the past.

There being no objection, the Clerk read the bill, as follows:

H.R. 15929

A bill for the striking of medals in commemoration of the completion of the carvings on Stone Mountain, Georgia, depicting American heroes of the past

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SECTION 1. In commemoration of the completion of the carvings on Stone Mountain, Georgia, depicting American heroes of the past, the Secretary of the Treasury (referred to hereinafter in this Act as the "Secretary") is authorized to furnish to the Stone Mountain Memorial Association (referred to hereinafter in this Act as the "Association") medals with suitable emblems, devices, and inscriptions to be determined by the Association subject to the approval of the Secretary. The medals authorized by this Act shall be treated as national medals for the purposes of section 3351 of the Revised Statutes.

Sec. 2. The medals shall be made and delivered at such times as may be required by the Association, in quantities of not less than two thousand and not more than five hundred thousand, but none may be made after December 31, 1971.

Sec. 3. The Secretary shall furnish the medals at not less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses. The medals may not be struck unless security satisfactory to the Secretary is furnished to indemnify the United States for full payment of these costs.

Sec. 4. Medals struck under authority of this Act shall be of such size or sizes and of such metals as may be determined by the Secretary in consultation with the Association.

With the following committee amendments:

Page 2, line 1, immediately after "the 'Association'" insert "not more than five hundred thousand".

Page 2, lines 9 and 10, strike "and not more than five hundred thousand".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mrs. SULLIVAN. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency be discharged from further consideration of a similar Senate bill (S. 3435) to provide for the striking of medals in commemoration of the completion of the carvings on Stone Mountain, Ga., depicting heroes of the Confederacy, and ask for its immediate consideration.

The SPEAKER. Is there objection to the request of the gentlewoman from Missouri?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 3435

An act to provide for the striking of medals in commemoration of the completion of the carvings on Stone Mountain, Georgia, depicting heroes of the Confederacy

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SECTION 1. In commemoration of the completion of the carvings on Stone Mountain, Georgia, depicting heroes of the Confederacy, the Secretary of the Treasury (referred to hereinafter in this Act as the "Secretary") is authorized to furnish to the Stone Mountain Memorial Association (referred to hereinafter in this Act as the "association") not more than five hundred thousand medals with suitable emblems, devices, and inscriptions to be determined by the association subject to the approval of the Secretary. The medals authorized by this Act shall be treated as national medals for the purposes of section 3351 of the Revised Statutes.

SEC. 2. The medals shall be made and delivered at such times as may be required by the association, in quantities of not less than two thousand, but none may be made after December 31, 1971.

SEC. 3. The Secretary shall furnish the medals at not less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses. The medals may not be struck unless security satisfactory to the Secretary is furnished to indemnify the United States for full payment of these costs.

SEC. 4. Medals struck under authority of this Act shall be of such size or sizes and of such metals as may be determined by the Secretary in consultation with the association.

(Mr. BLACKBURN asked and was given permission to extend his remarks at this point in the Record.)

Mr. BLACKBURN. Mr. Speaker, I rise today in support of H.R. 15929, a bill authorizing the striking of medals in commemoration of the completion of the carving on the face of Stone Mountain in Georgia.

This mountain has been of great historical significance to the people of Georgia and the Nation. The original idea for the carving was presented by the United Daughters of the Confederacy

in 1915. Immediately following the conclusion of World War I, Gustav Borglum was commissioned as sculptor for the carving which was to depict the heroes of the Confederacy. Borglum's original idea called for an army marching across the face of the mountain with the leaders of the Confederacy leading this great mass.

However, Borglum was able to complete only the head and shoulders of General Lee by 1924 when he decided to leave the project because of financial difficulties. Borglum is well known for his carving at Mount Rushmore, S. Dak., where he carved four Presidents of the United States.

Augustus Lukeman was commissioned as the new sculptor in 1925 and he completely revised the Borglum plans. Lukeman planned to have only the leaders of the Confederacy riding on horseback depicted in the carving. Again financial difficulties stopped the project in 1928 and the half-completed carving of Jefferson Davis, Robert E. Lee, and Stonewall Jackson was to remain on the face of the mountain for 36 years.

In 1957, the Legislature of the State of Georgia purchased Stone Mountain and created the Stone Mountain Memorial Association for the purpose of completing the carving. In 1964, Walker Hancock of Gloucester, Mass., was retained as consulting sculptor. Lukeman's models were still available and are the basis for the present carving. On July 1, 1964, work was begun to complete the carving.

On May 9, 1970, President Nixon will present the dedicating address when the monument will be officially completed.

Stone Mountain is a monument to a people who, once divided by the bitterness of war, reunited in the name of peace and restored tranquillity and prosperity to their land.

This is not the first time Congress has helped to celebrate this great carving. In 1924, when the project was experiencing extreme financial difficulty, the Congress authorized the striking of a commemorative 50-cent coin which was sold for a dollar by the project's sponsors. This provided a great source of the funds which kept the carving going until 1928.

The medal which the House is considering today will again show that this body recognizes the contribution which these three great Americans made to our distinguished history. No one can doubt that these men were brave and fought for an ideal in which they would have given their lives. Furthermore, their valor and dignity has been a source of strength and inspiration to all men North and South for over a hundred years. We can only hope that our present leaders can show the courage of their conviction as much as these three Americans did.

Speaking for the people of the Fourth District of Georgia, I want to thank my colleagues for considering this legislation.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 15929) was laid on the table.

The SPEAKER. This concludes the call of the Consent Calendar.

#### ENACTMENT OF THE INTERSTATE AGREEMENT ON DETAINERS INTO LAW

Mr. KASTENMEIER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6951) to enact the Interstate Agreement on Detainers into law.

The Clerk read as follows:

H.R. 6951

A bill to enact the Interstate Agreement on Detainers into law

*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 "Interstate Agreement on Detainers Act".

SEC. 2. The Interstate Agreement on Detainers is hereby enacted into law and entered into by the United States on its own behalf and on behalf of the District of Columbia with all jurisdictions legally joining in substantially the following form:

"The contracting States solemnly agree that:

#### "ARTICLE I

"The party States find that charges outstanding against a prisoner, detainers based on untried indictments, informations, or complaints and difficulties in securing speedy trial of persons already incarcerated in other jurisdictions, produce uncertainties which obstruct programs of prisoner treatment and rehabilitation. Accordingly, it is the policy of the party States and the purpose of this agreement to encourage the expeditious and orderly disposition of such charges and determination of the proper status of any and all detainers based on untried indictments, informations, or complaints. The party States also find that proceedings with reference to such charges and detainers, when emanating from another jurisdiction, cannot properly be had in the absence of cooperative procedures. It is the further purpose of this agreement to provide such cooperative procedures.

#### "ARTICLE II

"As used in this agreement:

"(a) 'State' shall mean a State of the United States; the United States of America; a territory or possession of the United States; the District of Columbia; the Commonwealth of Puerto Rico.

"(b) 'Sending State' shall mean a State in which a prisoner is incarcerated at the time that he initiates a request for final disposition pursuant to article III hereof or at the time that a request for custody or availability is initiated pursuant to article IV hereof.

"(c) 'Receiving State' shall mean the State in which trial is to be had on an indictment, information, or complaint pursuant to article III or article IV hereof.

#### "ARTICLE III

"(a) Whenever a person has entered upon a term of imprisonment in a penal or correctional institution of a party State, and whenever during the continuance of the term of imprisonment there is pending in any other party State any untried indictment, information, or complaint on the basis of which a detainer has been lodged against the prisoner, he shall be brought to trial within one hundred and eighty days after he shall have caused to be delivered to the prosecuting officer and the appropriate court of the prosecuting officer's jurisdiction written notice of the place of his imprisonment and his request for a final disposition to be made of the indictment, information, or complaint: *Provided*, That for good cause shown in open court, the prisoner or his

counsel being present, the court having jurisdiction of the matter may grant any necessary or reasonable continuance. The request of the prisoner shall be accompanied by a certificate of the appropriate official having custody of the prisoner, stating the term of commitment under which the prisoner is being held, the time already served, the time remaining to be served on the sentence, the amount of good time earned, the time of parole eligibility of the prisoner, and any decision of the State parole agency relating to the prisoner.

"(b) The written notice and request for final disposition referred to in paragraph (a) hereof shall be given or sent by the prisoner to the warden, commissioner of corrections, or other official having custody of him, who shall promptly forward it together with the certificate to the appropriate prosecuting official and court by registered or certified mail, return receipt requested.

"(c) The warden, commissioner of corrections, or other official having custody of the prisoner shall promptly inform him of the source and contents of any detainer lodged against him and shall also inform him of his right to make a request for final disposition of the indictment, information, or complaint on which the detainer is based.

"(d) Any request for final disposition made by a prisoner pursuant to paragraph (a) hereof shall operate as a request for final disposition of all untried indictments, informations, or complaints on the basis of which detainers have been lodged against the prisoner from the State to whose prosecuting official the request for final disposition is specifically directed. The warden, commissioner of corrections, or other official having custody of the prisoner shall forthwith notify all appropriate prosecuting officers and courts in the several jurisdictions within the State to which the prisoner's request for final disposition is being sent of the proceeding being initiated by the prisoner. Any notification sent pursuant to this paragraph shall be accompanied by copies of the prisoner's written notice, request, and the certificate. If trial is not had on any indictment, information, or complaint contemplated hereby prior to the return of the prisoner to the original place of imprisonment, such indictment, information, or complaint shall not be of any further force or effect, and the court shall enter an order dismissing the same with prejudice.

"(e) Any request for final disposition made by a prisoner pursuant to paragraph (a) hereof shall also be deemed to be a waiver of extradition with respect to any charge or proceeding contemplated thereby or included therein by reason of paragraph (d) hereof, and a waiver of extradition to the receiving State to serve any sentence there imposed upon him, after completion of his term of imprisonment in the sending State. The request for final disposition shall also constitute a consent by the prisoner to the production of his body in any court where his presence may be required in order to effectuate the purposes of this agreement and a further consent voluntarily to be returned to the original place of imprisonment in accordance with the provisions of this agreement. Nothing in this paragraph shall prevent the imposition of a concurrent sentence if otherwise permitted by law.

"(f) Escape from custody by the prisoner subsequent to his execution of the request for final disposition referred to in paragraph (a) hereof shall void the request.

#### "ARTICLE IV

"(a) The appropriate officer of the jurisdiction in which an untried indictment, information, or complaint is pending shall be entitled to have a prisoner against whom he has lodged a detainer and who is serving a term of imprisonment in any party State made available in accordance with article V(a) hereof upon presentation of a written

request for temporary custody or availability to the appropriate authorities of the State in which the prisoner is incarcerated: *Provided*, That the court having jurisdiction of such indictment, information, or complaint shall have duly approved, recorded, and transmitted the request: *And provide further*, That there shall be a period of thirty days after receipt by the appropriate authorities before the request be honored, within which period the Governor of the sending State may disapprove the request for temporary custody or availability, either upon his own motion or upon motion of the prisoner.

"(b) Upon request of the officer's written request as provided in paragraph (a) hereof, the appropriate authorities having the prisoner in custody shall furnish the officer with a certificate stating the term of commitment under which the prisoner is being held, the time already served, the time remaining to be served on the sentence, the amount of good time earned, the time of parole eligibility of the prisoner, and any decisions of the State parole agency relating to the prisoner. Said authorities simultaneously shall furnish all other officers and appropriate courts in the receiving State who has lodged detainers against the prisoner with similar certificates and with notices informing them of the request for custody or availability and of the reasons therefor.

"(c) In respect of any proceeding made possible by this article, trial shall be commenced within one hundred and twenty days of the arrival of the prisoner in the receiving State, but for good cause shown in open court, the prisoner or his counsel being present, the court having jurisdiction of the matter may grant any necessary or reasonable continuance.

"(d) Nothing contained in this article shall be construed to deprive any prisoner of any right which he may have to contest the legality of his delivery as provided in paragraph (a) hereof, but such delivery may not be opposed or denied on the ground that the executive authority of the sending State has not affirmatively consented to or ordered such delivery.

"(e) If trial is not had on any indictment, information, or complaint contemplated hereby prior to the prisoner's being returned to the original place of imprisonment pursuant to article V(e) hereof, such indictment, information, or complaint shall not be of any further force or effect, and the court shall enter an order dismissing the same with prejudice.

#### "ARTICLE V

"(a) In response to a request made under article III or article IV hereof, the appropriate authority in a sending State shall offer to deliver temporary custody of such prisoner to the appropriate authority in the State where such indictment, information, or complaint is pending against such person in order that speedy and efficient prosecution may be had. If the request for final disposition is made by the prisoner, the offer of temporary custody shall accompany the written notice provided for in article III of this agreement. In the case of a Federal prisoner, the appropriate authority in the receiving State shall be entitled to temporary custody as provided by this agreement or to the prisoner's presence in Federal custody at the place of trial, whichever custodial arrangement may be approved by the custodian.

"(b) The officer or other representative of a State accepting an offer of temporary custody shall present the following upon demand:

"(1) Proper identification and evidence of his authority to act for the State into whose temporary custody this prisoner is to be given.

"(2) A duly certified copy of the indictment, information, or complaint on the basis of which the detainer has been lodged

and on the basis of which the request for temporary custody of the prisoner has been made.

"(c) If the appropriate authority shall refuse or fail to accept temporary custody of said person, or in the event that an action on the indictment, information, or complaint on the basis of which the detainer has been lodged is not brought to trial within the period provided in article III or article IV hereof, the appropriate court of the jurisdiction where the indictment, information, or complaint has been pending shall enter an order dismissing the same with prejudice, and any detainer based thereon shall cease to be of any force or effect.

"(d) The temporary custody referred to in this agreement shall be only for the purpose of permitting prosecution on the charge or charges contained in one or more untried indictments, informations, or complaints which form the basis of the detainer or detainers or for prosecution on any other charge or charges arising out of the same transaction. Except for his attendance at court and while being transported to or from any place at which his presence may be required, the prisoner shall be held in a suitable jail or other facility regularly used for persons awaiting prosecution.

"(e) At the earliest practicable time consonant with the purposes of this agreement, the prisoner shall be returned to the sending State.

"(f) During the continuance of temporary custody or while the prisoner is otherwise being made available for trial as required by this agreement, time being served on the sentence shall continue to run but good time shall be earned by the prisoner only if, and to the extent that, the law and practice of the jurisdiction which imposed the sentence may allow.

"(g) For all purposes other than that for which temporary custody as provided in this agreement is exercised, the prisoner shall be deemed to remain in the custody of and subject to the jurisdiction of the sending State and any escape from temporary custody may be dealt with in the same manner as an escape from the original place of imprisonment or in any other manner permitted by law.

"(h) From the time that a party State receives custody of a prisoner pursuant to this agreement until such prisoner is returned to the territory and custody of the sending State, the State in which the one or more untried indictments, informations, or complaints are pending or in which trial is being had shall be responsible for the prisoner and shall also pay all costs of transporting, caring for, keeping, and returning the prisoner. The provisions of this paragraph shall govern unless the States concerned shall have entered into a supplementary agreement providing for a different allocation of costs and responsibilities as between or among themselves. Nothing herein contained shall be construed to alter or affect any internal relationship among the departments, agencies, and officers of and in the government of a party State, or between a party State and its subdivisions, as to the payment of costs, or responsibilities therefor.

#### "ARTICLE VI

"(a) In determining the duration and expiration dates of the time periods provided in articles III and IV of this agreement, the running of said time periods shall be tolled whenever and for as long as the prisoner is unable to stand trial, as determined by the court having jurisdiction of the matter.

"(b) No provision of this agreement, and no remedy made available by this agreement shall apply to any person who is adjudged to be mentally ill.

#### "ARTICLE VII

"Each State party to this agreement shall designate an officer who, acting jointly with

like officers of other party States, shall promulgate rules and regulations to carry out more effectively the terms and provisions of this agreement, and who shall provide, within and without the State, information necessary to the effective operation of this agreement.

#### "ARTICLE VIII

"This agreement shall enter into full force and effect as a party State when such State has enacted the same into law. A State party to this agreement may withdraw herefrom by enacting a statute repealing the same. However, the withdrawal of any State shall not affect the status of any proceedings already initiated by inmates or by State officers at the time such withdrawal takes effect, nor shall it affect their rights in respect thereof.

#### "ARTICLE IX

"This agreement shall be liberally construed so as to effectuate its purposes. The provisions of this agreement shall be severable and if any phrase, clause, sentence, or provision of this agreement is declared to be contrary to the constitution of any party State or of the United States or the applicability thereof to any government, agency, person, or circumstance is held invalid, the validity of the remainder of this agreement and the applicability thereof to any government, agency, person, or circumstance shall not be affected thereby. If this agreement shall be held contrary to the constitution of any State party hereto, the agreement shall remain in full force and effect as to the remaining States and in full force and effect as to the State affected as to all severable matters."

Sec. 3. The term "Governor" as used in the agreement on detainers shall mean with respect to the United States, the Attorney General, and with respect to the District of Columbia, the Commissioner of the District of Columbia.

Sec. 4. The term "appropriate court" as used in the agreement on detainers shall mean with respect to the United States, the courts of the United States, and with respect to the District of Columbia, the courts of the District of Columbia, in which indictments, informations, or complaints, for which disposition is sought, are pending.

Sec. 5. All courts, departments, agencies, officers, and employees of the United States and of the District of Columbia are hereby directed to enforce the agreement on detainers and to cooperate with one another and with all party States in enforcing the agreement and effectuating its purpose.

Sec. 6. For the United States, the Attorney General, and for the District of Columbia, the Commissioner of the District of Columbia, shall establish such regulations, prescribe such forms, issue such instructions, and perform such other acts as he deems necessary for carrying out the provisions of this Act.

Sec. 7. The right to alter, amend, or repeal this Act is expressly reserved.

Sec. 8. This Act shall take effect on the ninetieth day after the date of its enactment.

The SPEAKER. Is a second demanded? Mr. GROSS. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, this measure would enact the Interstate Agreement on Detainers into law on behalf of the United States and of the District of Columbia.

Identical legislation—H.R. 15421, 90th Congress—passed the House under suspension of the rules on May 6, 1968, but the other body, regrettably, failed to act.

The Department of Justice originally

requested the legislation and the District of Columbia government joined in recommending its enactment in the 90th Congress. The Department and the District of Columbia government have repeated their favorable recommendation in the present Congress. We know of no opposition whatsoever to this legislation.

#### THE AGREEMENT

By enactment of this bill the United States and the District of Columbia would become parties to an Interstate Agreement on Detainers which has already been adopted and is being participated in by 25 States—listed below. Participation by the United States and the District of Columbia is contemplated by article II(a) of the existing Agreement which defines the term "State" to include them both—page 2—if they enact it into law—article VIII, page 12.

For the purpose of this legislation a detainer is a notification filed with the institution in which a prisoner is serving a sentence, advising that he is wanted to stand trial on pending criminal charges in another jurisdiction.

In the absence of the agreement on detainers, a prisoner does not have any way of initiating proceedings to clear a detainer filed against him.

It is also true that in the absence of the agreement on detainers prosecuting officials must resort to special contracts between the Governors of the States involved in order to secure an out-of-State prisoner for trial prior to expiration of his sentence.

The agreement on detainers alleviates both these situations. It makes the clearing of detainers possible before the expiration of sentence at the instance of a prisoner—article III, page 3—and also at the instance of a prosecutor—article IV, page 6.

#### NEED FOR THE LEGISLATION

The Bureau of Prisons has advised that a prisoner who has a detainer lodged against him is seriously disadvantaged. He is in custody and cannot seek witnesses or preserve his defense. He must often be kept in close custody and is ineligible for desirable work assignments. Thus he may lose interest in institutional opportunities because he cannot tell when, if ever, he will be in a position to use the skills he is developing. The agreement offers a prisoner the opportunity to secure a greater degree of certainty as to his future and enables prison authorities to provide better plans for his treatment.

On the other hand, the agreement also provides a method for prosecutors to secure prisoners serving sentences in other jurisdictions for trial, before the passage of time has dulled the memory or made witnesses unavailable.

Participation by the District of Columbia is necessary in order to make the agreement applicable to the clearing of detainers against State prisoners where the detainers are based on alleged violations of multiple regulations, ordinances, or acts of Congress applicable solely within the District.

#### HOW THE AGREEMENT ON DETAINERS WORKS

Let me summarize the effect of enactment of the legislation. Federal and Dis-

trict of Columbia prison authorities would be required to inform prisoners of detainers which have been lodged against them. Prisoners could then request trial on such pending charges. Any request would be transmitted through the warden to the proper official in the other jurisdiction, who would then have 180 days in which to bring the prisoner to trial. The prosecutor could obtain temporary custody of the prisoner and take him to the place of the trial. In the case of a Federal prisoner, the prosecutor would be entitled to temporary custody or to the prisoner's presence in Federal custody, whichever arrangement was approved by the custodian. The State whose prosecutor requests trial would be responsible for costs of transporting and returning the prisoner—article V, pages 10, 11. Upon completion of the trial the prisoner would be returned to the institution in which he was imprisoned. If convicted, any sentence imposed would be served in the second jurisdiction following completion of the original sentence. If the prisoner were not brought to trial within the 180-day limit, the charges would be dismissed with prejudice. The time limit could be extended for good cause shown in open court with the prisoner or his counsel present.

When, on the other hand, the proceedings are initiated by a prosecutor the request for custody would be made to appropriate officials in the jurisdiction in which the prisoner is being held. Unless the request is disapproved by the Government within 30 days, temporary custody would be given the prosecutor for the purpose of transferring the prisoner and holding trial. In this case trial must be commenced within 120 days of the time the prisoner arrives in the jurisdiction seeking him, unless the time is extended for good cause—article IV(c), page 7.

The agreement does not apply to persons adjudged to be mentally ill—article VI(b), page 11.

#### IMPACT AND COST

The committee has been advised that approximately 15 percent of Federal prisoners, or about 3,000 persons, have detainers lodged against them and that approximately 130 inmates of District of Columbia institutions are subject to detainers. Since the Federal and District of Columbia prison population constitutes a little more than 5 percent of the national prison population, the cost of the legislation to the Federal Government would be comparatively small, inasmuch as costs are to be borne by the jurisdiction in which the charges are pending. There are approximately 110,000 prisoners in custody in the institutions of States which are at present participants in the agreement.

Mr. Speaker, I urge prompt enactment of H.R. 6951.

#### STATES PARTY TO THE AGREEMENT ON DETAINERS

California, Colorado, Connecticut, Delaware, Hawaii, Iowa, Kansas, Maryland, Massachusetts, Michigan, Minnesota, Montana,

Nebraska, New Hampshire, New Jersey, New York, North Carolina, Ohio,

Oregon, Pennsylvania, South Carolina, Utah, Vermont, Washington, Wisconsin.

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

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

(Mr. POFF (at the request of Mr. WIGGINS) was granted permission to extend his remarks at this point in the RECORD.)

Mr. POFF. Mr. Speaker, I rise in support of H.R. 6951, a bill which would make the United States and the District of Columbia parties to the Interstate Agreement on Detainers.

This agreement allows a prisoner serving a sentence in a State which is a party to the agreement to secure a trial within 180 days on a charge pending against him in another party State. A prosecutor in a party State similarly may obtain custody of an accused who is serving a sentence in another party State subject to a 30-day period in which the Governor of the sending State may order that the prisoner not be transferred and provided that the trial take place within 120 days after delivery of the accused.

To date, 25 States have become parties to this agreement. H.R. 6951 would make the District of Columbia a party "State" with respect to violations of the District's municipal regulations and ordinances and of Federal statutes limited in their application to the District. The United States would become a party to the agreement with respect to Federal criminal laws of general application.

The agreement on detainers does not affect the applicable law in any criminal case. All it does is insure that both prosecution and defendant may, if they desire, obtain their day in court on a prompt and timely basis. The advantages to both sides are considerable.

From the prosecutor's point of view, a long delay in trial pending release of a prisoner by another State might make conviction impossible. Witnesses might die or disappear or become unavailable.

To the defendant, such a delay would effectively deny him a speedy trial. The Supreme Court held in *Smith v. Hooye*, 393 U.S. 374 (1969), that the speedy trial clause of the sixth amendment requires that a State which has a charge pending against a defendant serving a sentence elsewhere make a good faith effort to bring such defendant to trial within a reasonable time.

On a more practical level, an outstanding detainer may make a defendant ineligible for probation or parole or for some of the more desirable work assignments in prison. Also, if a defendant is uncertain as to whether he will have to serve another jail term he is less likely to have the motivation to become successfully rehabilitated. This latter consideration is especially important in view of the fact that the basic purpose of the entire penal system is to prepare its inmates to reenter society as law-abiding citizens.

Mr. Speaker, in view of these considerations, I feel that the Interstate Agreement on Detainers benefits both defendant and prosecutor, as well as society generally. I urge the passage of H.R. 6951 in order that the Federal Govern-

ment and the District of Columbia may become parties to this agreement.

The SPEAKER. The question is on the motion of the gentleman from Wisconsin that the House suspend the rules and pass the bill, H.R. 6951.

The question was taken, and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### NATIONAL PARKS CENTENNIAL COMMISSION

Mr. ROGERS of Colorado. Mr. Speaker, I move to suspend the rules and pass the Joint Resolution (H.J. Res. 546) authorizing the Secretary of the Interior to provide for the commemoration of the 100th anniversary of the establishment of Yellowstone National Park, and for other purposes, as amended.

The Clerk read as follows:

H.J. RES. 546

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is directed to request the President to issue a proclamation designating the year 1972 as "National Parks Centennial Year", in recognition of the establishment on March 1, 1872, of the world's first national park, Yellowstone, which advanced a new concept of land use in setting aside an outstanding natural area in perpetuity for the benefit and enjoyment of the people.*

SEC. 2. (a) There is hereby established a National Parks Centennial Commission (hereinafter referred to as "the Commission") to be composed of the following members:

- (1) four Members of the Senate to be appointed by the President of the Senate;
- (2) four Members of the House of Representatives to be appointed by the Speaker of the House of Representatives;
- (3) the Secretary of the Interior or his representative; and
- (4) six persons to be appointed by the President from among persons not officers or employees of the Federal Government and who, in the judgment of the President, have outstanding knowledge and experience in the fields of natural and historical resource preservation and public recreation.

(b) The President shall designate one of the members appointed by him as Chairman of the Commission.

(c) The members of the Commission shall receive no compensation for their services as such, but members from the legislative branch shall be allowed necessary travel expenses as authorized by law for official travel, members of the executive branch shall be allowed necessary travel expenses in accordance with section 5702 of title 5, United States Code, and members appointed by the President shall be allowed necessary travel expenses as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 5703). Staff of the Commission shall be allowed necessary travel expenses in accordance with section 5702 of title 5, United States Code.

(d) Any vacancy in the Commission shall not effect its powers or functions, but shall be filled in the same manner as the original appointment.

SEC. 3. The functions of the Commission shall be (1) to prepare, and execute, in cooperation with Federal, State, local, non-governmental agencies and organizations, and appropriate international organizations, a suitable plan for commemoration of the one hundredth anniversary of the beginning of the worldwide national park movement by

the establishment of Yellowstone National Park in 1872; (2) to coordinate the activities of such agencies and organizations undertaken pursuant to such plan; and (3) to provide, in cooperation with such agencies and organizations, host services for a world conference on National Parks in 1972, and to assist in representing the United States in the activities of such conference.

SEC. 4. The Commission may employ such personnel as may be necessary to carry out its functions, with or without regard to the provisions of the civil service laws or the Classification Act of 1949, as amended, in its discretion.

SEC. 5. (a) The Commission is authorized to accept donations of money, property, or personal services; to cooperate with public and private associations, and educational institutions; and to request advice and assistance from appropriate Federal departments or agencies in carrying out its functions. Such Federal departments and agencies are authorized to furnish the Commission such advice and assistance with or without reimbursement. To the extent it finds necessary, the Commission may, without regard to the laws and procedures applicable to Federal departments and agencies, make contracts, procure supplies, property, and services (including printing and publishing), and may exercise the powers needed to carry out its functions efficiently and in the public interest.

(b) The Director of the National Park Service or his designee shall be the Executive Director of the Commission. Financial and administrative services (including those related to budgeting, accounting, financial reporting, personnel, and procurement) shall be provided the Commission by the Department of the Interior, for which payment shall be made in advance, or by reimbursement, from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Secretary of the Interior: *Provided*, That the regulations of the Department of the Interior for the collection of indebtedness of personnel resulting from erroneous payments (5 U.S.C. 5514) shall apply to the collection of erroneous payments made to or on behalf of a Commission employee, and regulations of said Secretary for the administrative control of funds (31 U.S.C. 665(g)) shall apply to the appropriations of the Commission.

(c) Beginning with the end of the calendar year in which the Commission is first established, the Commission shall submit annual reports of its activities and plans to the Congress. The Commission shall submit a final report of its activities, including an accounting of funds received and expended, to the Congress, not later than December 31, 1973, and shall cease to exist upon submission of said report.

(d) Upon termination of the Commission and after consultation with the Archivist of the United States and the Secretary of the Smithsonian Institution, the Secretary of the Interior may deposit all books, manuscripts, miscellaneous printed matter, memorabilia, relics, and other similar materials of the Commission relating to the National Parks Centennial in Federal, State, or local libraries or museums or make other disposition of such materials. Other property acquired by the Commission remaining upon its termination may be used by the Secretary of the Interior for purposes of the national park system or may be disposed of as excess or surplus property. The net revenues, after payment of Commission expenses, derived from Commission activities shall be deposited in the Treasury of the United States.

SEC. 6. There are authorized to be appropriated such sums, but not more than \$250,000, as may be necessary to carry out the provisions of this Act: *Provided*, That no part of such appropriations shall be available for obligation by the Commission until and unless at least \$300,000 in donations

have been actually collected by the Commission from non-Federal sources.

The SPEAKER. Is a second demanded? Mr. WIGGINS. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

(Mr. ROGERS of Colorado asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. ROGERS of Colorado. Mr. Speaker, I urge my colleague in the House of Representatives to give favorable consideration to the bill, House Joint Resolution 546, which provides for the commemoration of the 100th anniversary of the establishment of Yellowstone National Park.

This measure is an administration proposal which was referred to the House Committee on the Judiciary in the form of an Executive communication from the Secretary of the Interior. It is a proposal which had the warm endorsement of the previous administration under President Johnson, and which now enjoys the warm endorsement of the present administration.

Our Nation has now become strongly conscious of the need to conserve natural resources—the need for clean air, clean water, and for space in which to enjoy the bounties of nature. We have come to realize that unless we solve our ecological problems, not only will we be physically stifled, but even more important we shall be morally and spiritually stifled as well. At a time when it has become so important for us to dedicate ourselves to the conservation of our natural resources, it is appropriate that our Government commemorate the 100th anniversary of the beginning of our national parks movement. The bill before us today provides for such commemoration.

Under House Joint Resolution 546, the year 1972 would be designated as "National Parks Centennial Year." To plan the centennial activities, the bill establishes a 15-member special commission composed of four Members from the House of Representatives, four Members from the Senate, the Secretary of the Interior, and six nongovernmental members appointed by the President. As part of the commemoration contemplated by the proposal, a world conference on national parks will be held at Yellowstone and Grand Teton National Parks in 1972.

Under the proposal as formulated by the Department of the Interior, the funding for the commission would occur in two ways. First, the proposal contemplates the raising of \$600,000 in the form of donations from private sources. Second, the proposal would authorize \$250,000 in appropriated funds.

In approving this proposal, the Judiciary Committee has agreed on an amendment which we believe would help to assure that the Federal funds appropriated for the commission would be more than matched by the donations. Under the amendment which we have adopted, the \$250,000 of Federal funds would not be made available to the commission until the commission first collects \$300,000 from non-Federal sources. We believe that this amendment will in

no way hamper the commission's activities but will, instead, operate to assure that the present plan to raise most of the money from private sources is carried out.

Mr. Speaker, in my view the objectives of this proposal are extremely worthy. I know of no area of our Federal Government's activities which historically has exemplified the conservation of natural resources more than that of the national parks system. Since this bill will provide a vehicle for reaffirming those conservation principles, it is a measure which should have the warm endorsement of this body.

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

Mr. WIGGINS. I yield to the gentleman from Wyoming.

Mr. WOLD. Mr. Speaker, I rise in support of House Joint Resolution 546, a joint resolution which would authorize the commemoration of the 100th anniversary of the establishment of Yellowstone National Park.

Yellowstone is the world's first national park, established by the congressional act of March 1, 1872. Since the founding of Yellowstone the United States has developed a national park system which comprises 258 separate areas and which constitutes a vast repository of our natural and historical heritage.

The national park concept, first put into reality at Yellowstone, is a distinctly American contribution to world culture. Following our lead, some 80 nations have developed their own national park systems.

Therefore it seems eminently appropriate that the 100th anniversary of the founding of Yellowstone be celebrated with all due ceremony.

The Committee on the Judiciary examined the resolution very closely and on the recommendation of the Department of Interior and the National Park Service made several changes with which I am in full accord.

The joint resolution would ask the President to issue a proclamation designating 1972 as "National Parks Centennial Year." A 15-member special Commission, composed of four Members of the Senate, four Members from the House, the Secretary of the Interior, and six nongovernmental members appointed by the President would be established to coordinate and plan centennial activities.

In connection with the centennial the joint resolution gives the official sanction of the United States to the world conference on national parks which is scheduled to be held at Grand Teton and Yellowstone Parks in 1972. It is felt such a conference would provide the means for bringing together the knowledge and experience of all the nations of the world in this field.

Estimates from the Department of Interior indicate some \$850,000 will be needed for the various activities of the Commission. The joint resolution would authorize \$250,000 from congressional appropriation with the remainder coming from private and non-Federal sources. The committee amended the joint resolution so that the \$250,000 would not be made available until the

Commission first collects \$300,000 from private sources.

I concur with the committee's view that this amendment will not hamper the Commission's activities. Rather it should insure that the plan to raise most of the funds from private sources is executed.

Mr. Speaker, increasingly, we are becoming conscious that man's fulfillment requires more than just material satisfaction. He needs to be able to escape from the day-to-day pressures and crowding of the 20th century. He needs the links with his past that will allow him the opportunity for reflection so he can contemplate his future direction.

Yellowstone put into reality the concept of setting aside in perpetuity an outstanding natural area for the enjoyment of every citizen. It is the foundation-block of an entire network of similar parks throughout the world.

Yellowstone lies mainly within my district, the great State of Wyoming and I am especially proud that this noble concept was first embodied there.

Mr. Speaker, I strongly urge the enactment of this joint resolution.

Mr. WIGGINS. Mr. Speaker, I rise in support of House Joint Resolution 546.

For perhaps the first time in the history of man, there is a serious danger that the very technological accomplishments which have allowed our civilization to achieve such great heights of material progress may destroy the environment in which that civilization now flourishes. We in the United States are now coming to realize that our natural resources are not unlimited and that we must act to preserve them.

One of the greatest of all our natural resources is the sheer beauty of our land. The United States has within its borders some of the most beautiful, and most unique, scenery in the world. The redwoods in my own State of California, the Grand Canyon on the Colorado River in Arizona, and the valley of the Yellowstone in Wyoming are some examples which come to mind.

It was to preserve for posterity certain tracts of land which are of special value and beauty that the national parks system was created.

House Joint Resolution 546 would set up a commission to celebrate the centennial anniversary of the beginning of the national parks movement in 1872, when Yellowstone National Park was established. It is most appropriate in this era of concern for the preservation of the earth's natural ecology that this anniversary be celebrated.

House Joint Resolution 546 would establish a 15-member special commission to oversee a world conference of experts in this field at Yellowstone and Grand Teton National Parks in 1972.

However, the benefits of this proposed centennial will not be limited to a few persons attending a conference. I understand that the commission will develop and distribute educational materials on the parks system throughout the Nation in schools, libraries, and other appropriate places.

There is just one more point I should like to make, Mr. Speaker. This bill deals with the preservation of our natural resources, and I support it strongly. The



one committee amendment of substance, which I also support strongly, deals with the preservation of a commodity very dear to the Members of this House: the taxpayers' dollar.

The estimated cost of creating and operating the commission is \$850,000, of which not more than \$250,000 will be Federal funds. The remaining \$600,000 is to be raised from non-Federal sources. In order to insure that the bill for this \$600,000 is not ultimately laid at Uncle Sam's doorstep, committee amendment No. 4 provides that none of the \$250,000 in Federal funds shall be available to the commission until half of the \$600,000 in non-Federal moneys has been actually collected.

Mr. Speaker, I urge the adoption of House Joint Resolution 546, as amended in committee.

The SPEAKER. The question is on the motion offered by the gentleman from Colorado that the House suspend the rules and pass the joint resolution, House Joint Resolution 546, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the joint resolution, as amended, was passed.

A motion to reconsider was laid on the table.

#### INCREASING TO \$15,000 MAXIMUM COVERAGE UNDER SERVICEMEN'S GROUP LIFE INSURANCE PROGRAM

Mr. TEAGUE of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 16661) to amend title 38, United States Code, to authorize a maximum of \$15,000 coverage under servicemen's group life insurance, to enlarge the classes eligible for such insurance, to improve the administration of the programs of life insurance provided for servicemen and veterans, and for other purposes, as amended.

The Clerk read as follows:

H.R. 16661

A bill to amend title 38, United States Code, to authorize a maximum of \$15,000 coverage under Servicemen's Group Life Insurance, to enlarge the classes eligible for such insurance, to improve the administration of the programs of life insurance provided for servicemen and veterans, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 765 of title 38, United States Code, is amended to read as follows:

#### "§ 765. Definitions

"For the purpose of this subchapter—

"(1) The term 'active duty' means—

"(A) full-time duty in the Armed Forces, other than active duty for training;

"(B) full-time duty (other than for training purposes) as a commissioned officer of the Regular or Reserve Corps of the Public Health Service; and

"(C) full-time duty as a commissioned officer of the Environmental Science Services Administration.

"(2) The term 'active duty for training' means—

"(A) full-time duty in the Armed Forces performed by Reserves for training purposes;

"(B) full-time duty for training purposes performed as a commissioned officer of the Reserve Corps of the Public Health Service;

"(C) full-time duty as a member, cadet, or midshipman of the Reserve Officers Train-

ing Corps while attending field training or practice cruises; and

"(D) in the case of members of the National Guard or Air National Guard of any State, full-time duty under sections 316, 502, 503, 504, or 505 of title 32, United States Code.

"(3) The term 'inactive duty training' means—

"(A) duty (other than full-time duty) prescribed or authorized for Reserves (including commissioned officers of the Reserve Corps of the Public Health Service) which duty is scheduled in advance by competent authority to begin at a specific time and place; and

"(B) in the case of a member of the National Guard or Air National Guard of any State, such term means duty (other than full-time duty) which is scheduled in advance by competent authority to begin at a specific time and place under sections 316, 502, 503, 504, or 505 of title 32, United States Code.

"(4) The terms 'active duty for training' and 'inactive duty training' do not include duty performed as a temporary member of the Coast Guard Reserve, and the term 'inactive duty training' does not include (i) work or study performed in connection with correspondence courses, or (ii) attendance at an educational institution in an inactive status.

"(5) The term 'member' means—

"(A) a person on active duty, active duty for training, or inactive duty training in the uniformed services in a commissioned, warrant, or enlisted rank or grade; and

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

"(6) The term 'uniformed services' means the Army, Navy, Air Force, Marine Corps, Coast Guard, the commissioned corps of the Public Health Service, and the commissioned corps of the Environmental Science Services Administration.

"(7) The terms 'widow' or 'widower' means a person who is the lawful spouse of the insured member at the time of his death.

"(8) The term 'child' means a legitimate child, a legally adopted child, an illegitimate child as to the mother, or an illegitimate child as to the alleged father, only if (a) he acknowledged the child in writing signed by him; or (b) he has been judicially ordered to contribute to the child's support; or (c) he has been, before his death, judicially decreed to be the father of such child; or (d) proof of paternity is established by a certified copy of the public record of birth or church record of baptism showing that the insured was the informant and was named as father of the child; or (e) proof of paternity is established from service department or other public records, such as school or welfare agencies, which show that with his knowledge the insured was named as the father of the child.

"(9) The term 'parent' means a father of a legitimate child, mother of a legitimate child, father through adoption, mother through adoption, mother of an illegitimate child, and father of an illegitimate child but only if (a) he acknowledged paternity of the child in writing signed by him before the child's death; or (b) he has been judicially ordered to contribute to the child's support; or (c) he has been judicially decreed to be the father of such child; or (d) proof of paternity is established by a certified copy of the public record of birth or church record of baptism showing that the claimant was the informant and was named as father of the child; or (e) proof of paternity is established from service department or other public records, such as school or welfare agencies, which show that with his knowledge the claimant was named as father of the child. No person who abandoned or willfully failed to support a child during his minority, or consented to his adoption may be recognized as a parent for the purposes of this subchap-

ter. However, the immediately preceding sentence shall not be applied so as to require duplicate payments in any case in which insurance benefits have been paid prior to receipt in the administrative office established under subsection 766(b) of this title of sufficient evidence as a parent solely by reason of such sentence."

Sec. 2. Section 767 of title 38, United States Code, is amended to read as follows:

"§ 767. Persons insured; amount

"(a) Any policy of insurance purchased by the Administrator under section 766 of this title shall automatically insure any member of the uniformed service on active duty, active duty for training, or inactive duty training scheduled in advance by competent authority, against death in the amount of \$15,000 unless such member elects in writing (1) not to be insured under this subchapter, or (2) to be insured in the amount of \$10,000 or \$5,000. The insurance shall be effective the first day of active duty or active duty for training, or the beginning of a period of inactive duty training scheduled in advance by competent authority, or from the date certified by the Administrator to the Secretary concerned as the date servicemen's group life insurance under this chapter for the class or group concerned takes effect, whichever is the later date.

"(b) Any member (other than one who has elected not to be insured under this subchapter for the period or periods of duty involved)—

"(1) who, when authorized or required by competent authority, assumes an obligation to perform (for less than thirty-one days) active duty, or active duty for training, or inactive duty training scheduled in advance by competent authority; and

"(2) who is rendered uninsurable at standard premium rates according to the good health standards approved by the Administrator, or dies within ninety days thereafter, from a disability, or aggravation of a pre-existing disability, incurred by him while proceeding directly to or returning directly from such active duty, active duty for training, or inactive duty training as the case may be;

shall be deemed to have been on active duty, active duty for training, or inactive duty training, as the case may be, and to have been insured under this subchapter at the time such disability was incurred or aggravated, and if death occurs within ninety days thereafter as a result of such disability to have been insured at the time of death. In determining whether or not such individual was so authorized or required to perform such duty, and whether or not he was rendered uninsurable or died within ninety days thereafter from a disability so incurred or aggravated, there shall be taken into account the call or order to duty, the orders and authorizations of competent authority, the hour on which the member began to so proceed or to return, the hour on which he was scheduled to arrive for, or on which he ceased to perform such duty; the method of travel employed; his itinerary; the manner in which the travel was performed; and the immediate cause of disability or death. Whenever any claim is filed alleging that the claimant is entitled to benefits by reason of this subsection, the burden of proof shall be on the claimant.

"(c) If any member elects not to be insured under this subchapter or to be insured in the amount of \$10,000 or \$5,000, he may thereafter be insured under this subchapter or insured in the amount of \$15,000 or \$10,000 under this subchapter, as the case may be, under written application, proof of good health, and compliance with such other terms and conditions as may be prescribed by the Administrator."

Sec. 3. Section 768 of title 38, United States Code, is amended to read as follows:

"§ 768. Duration and termination of coverage; conversion

"(a) Each policy purchased under this subchapter shall contain a provision, in terms approved by the Administrator, to the effect that any insurance thereunder on any member of the uniformed services, unless discontinued or reduced upon the written request of the insured, shall continue in effect while the member is on active duty, active duty for training, or inactive duty training scheduled in advance by competent authority during the period thereof, and such insurance shall cease—

"(1) with respect to a member on active duty or active duty for training under a call or order to duty that does not specify a period of less than thirty-one days—

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

"(B) at the end of the thirty-first day of a continuous period of (i) absence without leave, (ii) confinement by civil authorities under a sentence adjudged by a civilian court, or (iii) confinement by military authorities under a court-martial sentence involving total forfeiture of pay and allowances. Any insurance so terminated as the result of such an absence or confinement, together with any beneficiary designation in effect for such insurance at such termination thereof, shall be automatically revived as of the date the member is restored to active duty with pay or to active duty for training with pay.

"(2) with respect to a member on active duty or active duty for training under a call or order to duty that specifies a period of less than thirty-one days insurance under this subchapter shall cease at midnight, local time, on the last day of such duty, unless on such date the insured is suffering from a disability incurred or aggravated during such period which, within ninety days after such date, (i) results in his death, or (ii) renders him uninsurable at standard premium rates according to the good health standards approved by the Administrator, in which event the insurance shall continue in force to death, or for ninety days after such date, whichever is the earlier date.

"(3) with respect to a member on inactive duty training scheduled in advance by competent authority insurance under this subchapter shall cease at the end of such scheduled training period, unless at such time the insured is suffering from a disability incurred, or aggravated during such period which, within ninety days after the date of such training, (i) results in his death, or (ii) renders him uninsurable at standard premium rates according to the good health standards approved by the Administrator in which event the insurance shall continue in force to death, or for ninety days after the date such training terminated, whichever is the earlier date.

"(b) Each policy purchased under this subchapter shall contain a provision, in terms approved by the Administrator, for the conversion of Servicemen's Group Life Insurance to an individual policy of life insurance—

"(1) with respect to a member on active duty or active duty for training under a call or order to duty that does not specify a period of less than thirty-one days, effective the one hundred and twenty-first day after separation or release from such duty, or at any time thereafter such insurance is in effect;

"(2) with respect to a member on active duty or active duty for training under a call or order to duty that specifies a period of

less than thirty-one days, and a member insured during inactive duty training scheduled in advance by competent authority there shall be no right of conversion unless the insurance is continued in force for ninety days after such duty terminates, as the result of a disability incurred or aggravated during such active duty, active duty for training, or inactive duty training, in which event the insurance may be converted effective the day after the end of such ninety-day period.

"(c) An insured eligible to convert insurance under this subchapter upon request to the Office of Servicemen's Group Life Insurance shall be furnished a list of life insurance companies participating in the program established under this subchapter. Upon written application for conversion of Servicemen's Group Life Insurance made by an eligible insured under this subchapter to the participating company he selects and payment of the required premiums the insured shall be granted life insurance on a plan then currently written by such company which does not provide for the payment of any sum less than the face value thereof or for the payment of an additional amount as premiums if the insured engages in the military service of the United States. Such converted insurance shall be issued without a medical examination if application is made within one hundred and twenty days after separation or release from active duty or active duty for training under a call or order to duty that did not specify a period of less than thirty-one days. Medical examinations and evidence of qualifying health conditions may be required in any case where the former member alleges that his insurance is continued in force beyond the normal termination date by reason of a qualifying disability incurred or aggravated during active duty, active duty for training, or inactive duty training. In addition to the life insurance companies participating in the program established under this subchapter, the list furnished to an insured under this section shall include additional life insurance companies (not so participating) which meet qualifying criteria, terms and conditions established by the Administrator and agree to sell insurance to former members in accordance with the provisions of this section."

Sec. 4. Section 769 of title 38, United States Code, is amended—

(1) by amending subsections (a) and (b) to read as follows:

"(a) (1) During any period in which a member, on active duty or active duty for training under a call or order to such duty that does not specify a period of less than thirty-one days, is insured under a policy of insurance purchased by the Administrator, under section 766 of this title, there shall be deducted each month from his basic or other pay until separation or release from such duty an amount determined by the Administrator (which shall be the same for all such members) as the share of the cost attributable to insuring such member under such policy, less any costs traceable to the extra hazard of such duty in the uniformed service.

"(2) During any fiscal year, or portion thereof, that a member is on active duty or active duty for training under a call or order to such duty that specifies a period of less than thirty-one days, or is authorized or required to perform inactive duty training scheduled in advance by competent authority, and is insured under a policy of insurance purchased by the Administrator, under section 766 of this title, the Secretary concerned shall collect from him (by deduction from pay or otherwise) an amount determined by the Administrator (which shall be the same for all such members) as the share of the cost attributable to insuring such member under such policy, less any costs traceable to the extra hazard of such duty in the uniformed service.

"(3) Any amount not deducted from the basic or other pay of a member insured under this subchapter, or collected from him by the Secretary concerned, if not otherwise paid, shall be deducted from the proceeds of any insurance thereafter payable. The initial monthly amount under subsection (1) hereof, or fiscal year amount under subsection (2) hereof, determined by the Administrator to be charged under this section for insurance under this subchapter may be continued from year to year, except that the Administrator may redetermine such monthly or fiscal year amounts from time to time in accordance with experience. No refunds will be made to any member of any amount properly deducted from his basic or other pay, or collected from him by the Secretary concerned, to cover the insurance granted under this subchapter.

"(b) For each month for which any member is so insured, there shall be contributed from the appropriation made for active duty pay of the uniform service concerned an amount determined by the Administrator and certified to the Secretary concerned to the cost of such insurance which is traceable to the extra hazard of duty in the uniformed services. Effective January 1, 1970, such cost shall be determined by the Administrator on the basis of the excess mortality incurred by members and former members of the uniformed services insured under this subchapter above what their mortality would have been under peace-time conditions as such mortality is determined by the Administrator using such methods and data as he shall determine to be reasonable and practicable. The Administrator is authorized to make such adjustments regarding contributions from pay appropriations as may be indicated from actual experience."

(2) by inserting after "pay of members" in the first sentence of subsection (d) (1) the following: ", or collected from them by the Secretary concerned."

Sec. 5. Section 770 of title 38, United States Code, is amended by adding the following new subsections thereto:

"(e) Until and unless otherwise changed, a beneficiary designation and settlement option filed by a member with his uniformed service under prior provisions of law will be effective with respect to the increased insurance authorized under this amendatory Act and the insurance shall be settled in the same proportionate amount as the portion designated for such beneficiary or beneficiaries bore to the amount of insurance heretofore in effect.

"(f) Notwithstanding the provisions of any other law, payment of matured Servicemen's Group Life Insurance benefits may be made directly to a minor widow or widower on his or her own behalf, and payment in such case shall be a complete acquittance to the insurer.

"(g) Payments of benefits due or to become due under Servicemen's Group Life Insurance made to, or on account of, a beneficiary shall be exempt from taxation, shall be exempt from the claims of creditors, and shall not be liable to attachment, levy, or seizure by or under any legal or equitable process whatever, either before or after receipt by the beneficiary. The preceding sentence shall not apply to (1) collection of amounts not deducted from the member's pay, or collected from him by the Secretary concerned under section 769(a) of this title, (2) levy under subchapter D of chapter 64 of the Internal Revenue Code of 1954 (relating to the seizure of property for collection of taxes), and (3) the taxation of any property purchased in part or wholly out of such payments."

Sec. 6. Section 774 of title 38, United States Code, is amended by inserting after "the Secretary of Health, Education, and Welfare," the following: "the Secretary of Transportation,".

Sec. 7. The analysis of subchapter III of chapter 19 of title 38, United States Code, is amended by striking therefrom:

"768. Termination of coverage; conversion." and inserting in lieu thereof the following: "768. Duration and termination of coverage; conversion".

Sec. 8. The third sentence of section 705 of title 38, United States Code, is amended by striking out "lapse occurred not earlier than two months before the expiration of the term period" and inserting in lieu thereof "insured makes application for reinstatement and renewal of his term policy within five years after the date of lapse".

Sec. 9. Section 707 of title 38, United States Code, is amended by inserting "(a)" before the word "Until" and adding a new subsection (b) as follows:

"(b) No claim by an insured for payment in cash of a special dividend declared prior to January 1, 1952, shall be processed by the Veterans' Administration unless such claim was received within six years after such dividend was declared. Whenever any claim for payment of a special dividend, the processing of which is barred by this subsection, is received in the Veterans' Administration, it shall be returned to the claimant, with a copy of this subsection, and such action shall be a complete response without further communication."

Sec. 10. Section 717 of title 38, United States Code, is amended (a) by substituting a period for the comma after the word "beneficiary" in the last sentence of subsection (c) and striking the remainder of the sentence, and (b) by adding at the end thereof the following new subsection:

"(e) Under such regulations as the Administrator may promulgate, the cash surrender value of any policy of insurance or the proceeds of an endowment contract which matures by reason of completion of the endowment period may be paid to the insured under option (2) or (4) of this section. All settlements under option (4), however, shall be calculated on the basis of The Annuity Table for 1949. If the option selected requires payment of monthly installments of less than \$10, the amount payable shall be paid in such maximum number of monthly installments as are a multiple of twelve as will provide a monthly installment of not less than \$10."

Sec. 11. Section 745 of title 38, United States Code, is amended to read as follows:

"§ 745. Renewal

"At the expiration of any term period any insurance policy issued on the five-year level premium term plan which has not been exchanged or converted to a permanent plan of insurance and which is not lapsed shall be renewed as level premium term insurance without application for a successive five-year period at the premium rate for the attained age without medical examination. However, renewal shall be effected in cases where the policy is lapsed only if the insured makes application for reinstatement and renewal of his term policy within five years after the date of lapse, and reinstatement in such cases shall be under the terms and conditions prescribed by the Administrator."

Sec. 12. Section 752 of title 38, United States Code, is amended (1) by adding "(a)" before the words "The Administrator", and (2) by adding at the end thereof the following new subsection:

"(b) Under such regulations as the Administrator may promulgate, the cash surrender value of any policy of insurance or the proceeds of an endowment contract which matures by reason of completion of the endowment period may be paid to the insured (1) in equal monthly installments of from thirty-six to two hundred and forty in number, in multiples of twelve; or (2) as a refund life income in monthly installments payable for such periods certain as may be required in order that the sum of the installments certain, including a last

installment of such reduced amount as may be necessary, shall equal the cash value of the contract, less any indebtedness, with such payments continuing throughout the lifetime of the insured. However, all settlements under option (2) above shall be calculated on the basis of The Annuity Table for 1949. If the option selected requires payment of monthly installments of less than \$10, the amount payable shall be paid in such maximum number of monthly installments as are a multiple of twelve as will provide a monthly installment of not less than \$10."

Sec. 13. (a) Sections 321, 341, and the first sentence of section 417(a) of title 38, United States Code, are amended by deleting therefrom "April 30, 1957", and inserting in lieu thereof "April 30, 1957, and before July 1, 1970".

(b) Section 417(a) of title 38, United States Code, is further amended by adding at the end thereof the following: "On and after July 1, 1970, the provisions of the first sentence of this section shall not be construed to deny the payment of dependency and indemnity compensation in any case where the amount of dependency and indemnity compensation that would be payable except for such sentence equals or exceeds the amount of death compensation payable under section 322 or 342 of this title."

(c) Section 724(a) of title 38, United States Code, is amended by adding at the end of the first sentence thereof the following: "In any case in which insurance continued in force under this section matures on or after July 1, 1970, the premiums waived on and after that date shall be placed as an indebtedness against the insurance and, unless otherwise paid, shall be deducted from the insurance in any settlement thereunder."

Sec. 14. (a) The amendments made by this Act shall take effect as of the date of enactment, except that sections 10 and 12 shall take effect as of the first day of the first calendar month which begins more than six calendar months after the date of enactment of this Act.

(b) The provisions of section 765 (7), (8), and (9) of title 38, United States Code, as added by the first section of this Act shall apply only to servicemen's group life insurance in effect on the life of an insured member who dies on and after the date of enactment of this Act.

The SPEAKER. Is a second demanded?

Mr. AYRES. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, the servicemen's group life insurance program began in September 1965 as Public Law 89-214. It was necessary because private carriers could no longer provide insurance for servicemen entering the service due to the increased hazards because of the war in Vietnam; therefore, this group program was developed which assured all servicemen after September 29, 1965, of \$10,000 of coverage automatically upon entering the Armed Forces to be paid for by a deduction of \$2 a month from their pay, with the right to convert within 120 days of discharge to a commercial policy of their choice regardless of their physical condition and at normal commercial rates. The program has worked extremely well.

This bill, aside from several liberalizing features which I will discuss later, has two main objectives. First, to raise the amount of the coverage from \$10,000 to \$15,000 and to provide, as recommended

by the General Accounting Office, that effective January 1, 1970, the Government shall pay the entire cost of the group policy which is traceable to the extra hazards of active duty.

The measure, as reported by the committee, will have a first year cost of \$24 million for raising the basic coverage from \$10,000 to \$15,000 and \$21 million for assumption by the Government of the full extra hazard cost. In addition, the liberalization with regard to death compensation for widows who are receiving such compensation today, will cost \$3,580,000.

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In regard to the servicemen's group life insurance program, the bill increases the amount of insurance under the servicemen's group life insurance—SGLI—program from the present \$10,000 to \$15,000 with the cost to servicemen increasing from \$2 to \$3 a month; As recommended by General Accounting Office, effective January 1, 1970, makes certain that the Government pays the entire cost of servicemen's group life insurance traceable to extra hazard of active duty;

Covers, for the first time: First, ROTC cadets and midshipmen attending field training or practice cruises of 31 days or more, and second, Reserves and National Guard on active duty or active duty for training for less than 31 days and certain inactive duty training and while traveling to and from such duty;

Provides a uniform definition of widow, widower, child, and parent, and authorizes direct payments to minor widows and widowers;

Extends coverage to those who within 90 days of assuming an obligation to perform certain duty for less than 31 days, die or are rendered uninsurable;

Extends postservice coverage for a totally disabled veteran for 1 year rather than 120 days;

Terminates insurance at the end of the 31st day in the case of AWOL servicemen and certain others;

Permits payment of premiums on other than a monthly basis for members on certain types of duty for less than 31 days;

Continues, until changed, the existing beneficiary designations for the entire amount with shares based on a proportionate amount;

Exempts the insurance from taxation and claims of creditors as is true with national service life insurance;

Adds the Secretary of Transportation to the advisory council of SGLI since that official now has responsibility for the Coast Guard.

For World War I and World War II veterans who have U.S. Government life or national service life, the bill—

Authorizes the reinstatement and renewal of national service life insurance and U.S. Government life term policies within 5 years from the date of lapse upon payment of premiums and showing of good health, rather than before the expiration of the term period as is now generally required;

Bars the filing of stale claims for national service life insurance dividends declared prior to January 1, 1952;

Authorizes the payment of annuities on the cash values of policies and on

policies which have matured such as 20-year endowment, 30-year endowment, endowment at age 65, and so forth. Under existing law, the Veterans' Administration would pay the cash value to the insured, or, in the case of a matured endowment policy, the face value of the policy. Under the amendment, the insured may elect, if he wishes to do so, to receive an annuity based on the annuity table for 1949;

Permits, effective July 1, 1970, a widow to receive the higher dependency and indemnity compensation rather than death compensation where the veteran had national service life insurance under an inservice waiver at the time of his death. After July 1, 1970, any serviceman who elects to continue his national service life insurance policy under an inservice waiver of premiums will, upon death, have the amount of such premiums deducted from the face value of his policy.

Mr. Speaker, the legislation which we are considering today was formulated in a series of hearings conducted before the Subcommittee on Insurance headed by the gentleman from New Jersey (Mr. HELSTOSKI). These hearings were held on September 17, 1969. To the subcommittee chairman and his colleagues, the gentleman from California (Mr. BROWN), the gentleman from Mississippi (Mr. MONTGOMERY), the gentlewoman from New York (Mrs. CHISHOLM), the gentleman from Pennsylvania (Mr. SAYLOR), the gentleman from Arkansas (Mr. HAMMERSCHMIDT), and the gentleman from Nebraska (Mr. DENNEY), a word of thanks for a job well done for devising this important measure.

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

Mr. TEAGUE of Texas. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. Does this impose any additional obligations upon the national service life insurance?

Mr. TEAGUE of Texas. I would assure the gentleman that this SGLI provision does not affect the NSLI program. The bill does liberalize some features of NSLI. There is no objection from the administration to the NSLI liberalization.

Mr. GROSS. I thank the gentleman.

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

Mr. TEAGUE of Texas. I am glad to yield to the gentleman from Missouri.

Mr. HALL. I have a question of information, also. I have read the report and the bill. I approve of it.

I wonder if, in a hypothetical case, a World War II veteran who had the insurance and had kept it in force, and in fact had converted it to 20-year payment, and kept it up to date, and was receiving regular dividends, et cetera, as so many are, would be authorized under any interpretation of this bill to increase to the \$15,000 maximum amount, and pay back or make up the difference?

Mr. TEAGUE of Texas. No, sir. This bill applies only to active duty service people.

Mr. HALL. I thank the gentleman.

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

Mr. TEAGUE of Texas. I am glad to yield to the gentleman from Mississippi.

Mr. MONTGOMERY. Mr. Speaker, I rise in support of H.R. 16661. As a cosponsor of this bill and a member of the Veterans' Affairs Committee, I have been made aware of some of the outmoded concepts of our present servicemen's group life insurance. The most important provision is raising the face amount of the policy for a serviceman from \$10,000 to \$15,000. Other necessary changes include the extension of coverage to members of the National Guard and Reserves. I am particularly interested in seeing that our guardsmen and reservists are fully covered during their time of active duty and active duty training. In the past few years, we have had to call on these men more and more in times of natural disaster and civil disorder. They deserve the same life insurance coverage afforded members of the regular Armed Forces.

Another important point of this bill is that it will make certain that the Government pays 100 percent of the serviceman's premium resulting from the extra hazards of active duty.

H.R. 16661 is a worthwhile bill and it is overdue. I urge its adoption by my colleagues.

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

Mr. TEAGUE of Texas. I am glad to yield to the gentleman from Ohio.

Mr. AYRES. Mr. Speaker, I rise in support of H.R. 16661. This bill will increase the amount of life insurance coverage available to servicemen from its present \$10,000 maximum to \$15,000. It will revise the formula for computing the extra hazard costs of this insurance borne by the United States. It will extend the insurance to certain servicemen not presently covered and will liberalize certain provisions of existing law relating to the payment of insurance and other survivor benefits.

The principal section of this bill, Mr. Speaker, would increase the maximum amount of servicemen's group life insurance that could be purchased by a serviceman from \$10,000 to \$15,000. The \$10,000 life insurance coverage has been the maximum coverage available to servicemen since World War II. Spiraling costs in the intervening years have made this insurance coverage woefully inadequate. I believe the increase to \$15,000 is long overdue.

When the legislation that created the present insurance program for servicemen was adopted, it provided that the Federal Government would assume the costs of the insurance that were attributable to the extra hazards of military service—that is, combat deaths. Thus, servicemen could purchase the insurance at a nominal premium of \$1 per month for \$5,000 coverage. The extra hazard costs were computed on the basis of the costs of military deaths in excess of the mortality rate of the entire United States male population of the same average age as the servicemen covered by the program. Unfortunately, the death rate of the male population at the average age of servicemen has increased tremendously, thus making it necessary to either in-

crease the premiums paid by servicemen or revise the formula for determining the extra hazard costs. The administrator has selected the latter alternative, since it would be unfair and inequitable to make servicemen bear the costs of an unpredicted increase in the death rate of their civilian counterpart. The bill, therefore, proposes that the Government pay the cost in excess of the death rate of members of the military under peacetime conditions.

The bill also corrects a deficiency in the insurance laws by authorizing insurance coverage for reservists and National Guardsmen during periods of inactive duty training or active duty for training. Since most of these men are subject to certain hazards of military service during their training missions, it is reasonable that coverage be extended to them.

Additionally, the bill will permit certain widows, now receiving death compensation because their husband's national service life insurance has been waived during their military service, to receive the more generous dependency and indemnity compensation payments.

These are the principal provisions of this bill, Mr. Speaker. It is a good bill and I urge that it be passed.

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

Mr. TEAGUE of Texas. I am glad to yield to the gentleman from Nebraska.

Mr. DENNEY. Mr. Speaker, as a cosponsor of H.R. 16661 I rise in support of this legislation.

Mr. Speaker, many of us have been worrying about how to provide adequate life insurance for servicemen and their families during an undeclared war.

I am proud that our concern took the form of legislative improvements with the passage of H.R. 16661.

The legislation authorizes the much-needed jump to \$15,000 in life insurance coverage for servicemen, enlarges the classes eligible for the insurance, and improves the administration of the insurance programs available to servicemen and veterans.

Under normal peacetime conditions we are not faced with any problems—the life insurance program is self-supporting. However, the Vietnam conflict cost the Government \$147 million in subsidies in 1968 and brought up the question—should the servicemen bear the costs of an unprecipitated increase in the death rate? This is not what Congress nor the country wanted.

The bill makes certain that the Government pays the entire costs of servicemen's insurance when mortality rates increase due to the hazards of active duty.

As a cosponsor of the bill, a member of the Veterans' Affairs Committee and the Representative of over 65,000 veterans of the First District, I thank each of you for the unanimous vote cast Monday.

Mr. HELSTOSKI. Mr. Speaker, I support H.R. 16661. As the sponsor of this legislation, and a member of the Veterans' Affairs Committee, and chairman of the Subcommittee on Insurance, I became aware of some of the antiquated provisions of the present servicemen's group life insurance program.

The two main objectives of this legislation are to raise the amount of coverage from \$10,000 to \$15,000 and to provide Government payment of 100 percent of the serviceman's premium on the group policy which is traceable to extra hazards of active duty.

This legislation also corrects a deficiency in the present insurance laws by authorizing insurance protection to National Guardsmen and reservists during periods of active training or active duty for training for less than 31 days. The bill also covers ROTC cadets and midshipmen attending field training or practice cruises of 31 days or more.

The bill provides a uniform definition of a widow, widower, child, and parent, and authorizes direct payments to minor widows and widowers. Another provision for the bill extends post-service coverage for a totally disabled veteran for 1 year rather than 120 days.

Mr. Speaker, I wish to make one fact clear. This legislation will not in any way affect the insurance of our veterans who have coverage under other forms of insurance. This legislation is applicable only to active duty service people.

I urge the adoption of H.R. 16661 for it is a worthwhile bill and is long overdue. Through the passage of this bill we will be fair and equitable to our servicemen.

Mr. ZWACH. Mr. Speaker, today, May 4, the House concurred with the Senate in passage of legislation H.R. 16661 to increase the maximum coverage of insurance for servicemen. The maximum coverage was increased from \$10,000 to \$15,000 with the option to have less coverage if desired.

Until 1965, persons in active military service were not insured under Federal legislation unless they still retained Government life insurance obtained prior to April 25, 1951. In 1965, life insurance was made available to servicemen with maximum coverage of \$10,000.

In the bill that we are considering, we have raised this insurance to a more realistic figure, and have also extended this coverage to reservists on active duty.

I am glad to join my colleagues on the Veterans' Affairs Committee in recommending this legislation.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the motion of the gentleman from Texas that the House suspend the rules and pass the bill H.R. 16661, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of the bill (S. 1479) to amend chapter 19 of title 38, United States Code, in order to increase from \$10,000 to \$15,000 the amount of servicemen's group life insurance for members of the uniformed services, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1479

An Act to amend chapter 19 of title 38, United States Code, in order to increase from \$10,000 to \$15,000 the amount of Servicemen's Group Life Insurance for members of the uniformed services

*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 "Servicemen's Group Life Insurance Amendments Act of 1969".

SEC. 2. Section 767 of title 38, United States Code, is amended to read as follows: "§ 767. Persons insured; amount

"(a) Any policy of insurance purchased by the Administrator under section 766 of this title shall automatically insure any member of the uniformed service on active duty against death in the amount of \$15,000 from the first day of such duty, or from the date of enactment of the Servicemen's Group Life Insurance Amendments Act of 1969, whichever is the later date, unless such member elects in writing (1) not to be insured under this subchapter, or (2) to be insured in the amount of \$10,000, or \$5,000.

"(b) If any member elects not to be insured under this subchapter or to be insured in the amount of \$10,000 or \$5,000, he may thereafter be insured under this subchapter or insured in the amount of \$15,000 or \$10,000, under this subchapter, respectively, upon written application, proof of good health, and compliance with such other terms and conditions as may be prescribed by the Administrator."

SEC. 3. Until and unless otherwise changed on or after the date of enactment of this Act, a beneficiary designation and settlement option filed by a member with his uniformed service under subchapter III of chapter 19 of title 38, United States Code, prior to such date shall be effective with respect to the increased servicemen's group life insurance coverage provided pursuant to the amendment made by section 2 of this Act, and such increased amount of insurance shall be settled in the same proportion as the portion designated for such beneficiary or beneficiaries bore to the amount of insurance heretofore in effect under subchapter III of chapter 19 of title 38, United States Code.

AMENDMENT OFFERED BY MR. TEAGUE OF TEXAS

Mr. TEAGUE of Texas. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TEAGUE of Texas: Strike out all after the enacting clause of S. 1479 and insert in lieu thereof the provisions of H.R. 16661 as passed by the House.

The amendment was agreed to.

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

The title was amended so as to read: "To amend title 38, United States Code, to authorize a maximum of \$15,000 coverage under Servicemen's Group Life Insurance, to enlarge the classes eligible for such insurance, to improve the administration of the programs of life insurance provided for servicemen and veterans, and for other purposes."

A motion to reconsider was laid on the table.

A similar House bill (H.R. 16661) was laid on the table.

#### REGIONAL OFFICE IN THE PHILIPPINES

Mr. TEAGUE of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 16739) to extend for a period of 10 years the existing authority of the Administrator of Veterans' Affairs to maintain offices in the Republic of the Philippines.

The Clerk read as follows:

H.R. 16739

A bill to extend for a period of ten years the existing authority of the Administrator of Veterans' Affairs to maintain offices in the Republic of the Philippines.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That subsection 230(b) of title 38, United States Code, is amended by striking out "1970" and inserting in lieu thereof "1980".

The SPEAKER pro tempore. Is a second demanded?

Mr. AYRES. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, this bill extends for 10 years, until June 30, 1980, the authority of the Veterans' Administration to operate and maintain a regional office in the Republic of the Philippines.

At the present time, there are 22 American citizens serving in this office and 278 Filipinos. The administrative cost of operating this regional office is approximately \$2 million a year.

The extension for 10 years was formally requested by the Administrator of Veterans' Affairs and concurred in by the Department of State. The Veterans' Administration states:

It is believed that its enactment will involve no additional expense to the Government.

The magnitude of the operation of the Veterans' Administration in the Philippines is indicated by the statistics which I include as a part of my remarks in regard to this legislation:

#### Estimated veteran population in the Philippines

Total veteran potential.....	314,000
U.S. veterans including "Old" Scouts.....	6,000
Commonwealth Army Veterans (USAFFE and recognized guerrillas).....	278,000
"New" Scouts.....	30,000
<i>Regional office activity, Manila, Philippines—</i>	
<i>Reported number of payees as of June 30, 1969, in the "Compensation and pensions" appropriation</i>	
Disability compensation.....	13,379
Death compensation; dependency and indemnity compensation.....	35,506
Pensions:	
Living (old law).....	24
Living (Public Law 86-211).....	3,369
Deceased (old law).....	12
Deceased (Public Law 86-211).....	3,498
Other payees.....	0
Total.....	6,903

NOTE.—Data hereon are payees and not cases.

REPUBLIC OF THE PHILIPPINES CASELOAD FISCAL YEAR 1970 (AS OF MAR. 31, 1970)

Period of service	Disability		Death		Total		Grand total
	Compensation	Pension	Compensation	Pension	Compensation	Pension	
Korean conflict.....	138	8	24	160	162	18	330
World War II.....	11,441	1,016	28,924	3,978	40,365	4,994	45,359
World War I.....	53	2,344	16	2,629	69	4,973	5,042
Regular Establishment.....	913	534	39	835	952	1,369	2,321
Vietnam.....	84	1	2	144	16	145	231
<b>Total.....</b>	<b>12,629</b>	<b>3,903</b>	<b>29,005</b>	<b>7,746</b>	<b>41,634</b>	<b>11,649</b>	<b>53,283</b>

A BREAKDOWN OF COMPENSATION AND PENSION PAYMENTS TO BENEFICIARIES BY PERIOD OF SERVICE, REPUBLIC OF THE PHILIPPINES, FISCAL YEAR 1970 (ESTIMATE)

Vietnam.....	372,600	3,304	221,863	3,607	594,463	6,911	601,374
Korean conflict.....	428,260	20,093	298,244	24,943	727,504	45,036	772,540
World War II.....	11,151,088	1,604,711	22,093,484	1,215,732	33,244,572	2,820,443	36,065,015
World War I.....	197,920	3,862,968	358,424	2,428,580	556,344	6,291,548	6,847,892
Regular Establishment.....	152,924		1,632,284		3,154,208		3,154,308
Spanish-American War.....							
<b>Total.....</b>	<b>13,672,792</b>	<b>5,491,076</b>	<b>24,604,299</b>	<b>3,672,862</b>	<b>38,277,091</b>	<b>9,163,938</b>	<b>47,441,029</b>

COMPENSATION AND PENSIONS APPROPRIATION—TOTAL EXPENDITURES TO THE PHILIPPINES, FISCAL YEAR 1969

	Total payments in Philippines (from Manila, Hines, and VBO), fiscal year 1969			Total payments in Philippines (from Manila, Hines, and VBO), fiscal year 1969		
	June 20 cases	June 30 payees	Dollars	June 20 cases	June 30 payees	Dollars
Disability compensation.....	12,792	13,379	12,908	6,387	7,116	10,540
Dollars.....	1,712	1,832	4,129			
Dollars paid in pesos.....	11,080	11,542	8,779	Total compensation and pensions.....		
Disability pensions.....	3,401	3,520	5,715	49,373	55,996	46,918
Death compensation.....	30,194	35,506	23,470	Burial:		
Dollars.....	4,507	5,286	9,063	Dollars.....	128	128
Pesos.....	25,687	30,220	16,407	Pesos.....	728	728
Total.....	2,986	3,596	4,825	Total.....	856	856
Death pensions.....	2,986	3,596	4,825	Other.....	120	120
Total compensation.....	42,986	48,880	36,378	Total, burial and other.....	976	976
				Compensation and pensions appropriation.....	50,349	56,972
						47,156

TOTAL FOREIGN PAYMENTS AND PAYMENTS TO PHILIPPINES ONLY

TOTAL FOREIGN PAYMENTS

Fiscal year	Grand total	Compensation and pension					
		Total		Living veterans		Deceased veterans	
		Cases	Cost	Cases	Cost	Cases	Cost
1958.....	\$86,960,203	77,337	\$69,249,769	28,417	\$26,502,784	48,920	\$42,746,985
1959.....	86,762,088	77,686	67,952,569	29,127	26,672,204	48,559	41,280,365
1960.....	89,912,154	78,855	67,595,611	30,551	27,373,335	48,304	40,222,276
1961.....	85,725,143	79,430	62,884,659	31,425	26,824,088	48,005	36,060,571
1962.....	73,876,290	79,430	57,824,375	31,712	26,465,783	47,718	31,358,393
1963.....	69,302,443	79,867	55,744,531	32,064	27,408,755	47,803	28,355,776
1964.....	70,486,327	80,331	57,177,119	31,994	27,854,918	48,337	29,232,201
1965.....	70,909,201	78,387	59,156,482	31,597	29,172,393	46,790	29,988,089
1966.....	70,471,577	78,095	60,917,110	31,905	30,951,473	46,190	29,965,637
1967.....	82,315,432	77,105	69,948,160	31,633	34,279,065	45,472	35,668,085
1968.....	92,796,975	76,522	76,429,479	31,129	36,115,225	45,393	40,314,254
1969.....	97,840,507	76,976	79,478,617	30,854	37,868,892	45,122	41,609,725
1970 (estimate).....	102,529,000						

PAYMENTS TO PHILIPPINES

1958.....	\$62,929,557	57,940	\$49,418,381	15,726	\$12,850,332	42,214	\$36,568,049
1959.....	63,601,735	57,658	48,383,558	16,012	14,039,186	41,646	34,344,372
1960.....	65,609,980	57,280	46,996,471	16,308	13,878,183	40,972	33,118,288
1961.....	60,055,607	56,730	40,742,698	16,486	13,945,181	40,244	26,797,517
1962.....	49,607,804	56,233	35,676,842	16,688	11,986,573	39,545	23,690,269
1963.....	42,948,704	55,407	31,769,545	16,607	11,691,607	38,800	20,077,938
1964.....	43,087,724	55,499	31,925,212	16,792	11,825,500	38,707	20,095,712
1965.....	41,807,257	52,850	32,266,796	16,654	12,107,177	36,196	20,119,619
1966.....	40,772,396	52,213	32,810,874	16,590	12,976,143	35,623	19,834,730
1967.....	49,171,178	50,973	40,344,845	16,550	15,976,559	34,423	24,368,286
1968.....	57,817,853	50,319	45,779,236	16,503	18,214,417	33,816	27,564,819
1969.....	59,631,743	49,373	46,917,773	16,193	18,848,396	33,180	28,269,377
1970 (estimate).....	63,436,000	48,800	48,500,000	16,120	19,276,810	32,680	29,223,190

TOTAL DISABILITY AND DEATH COMPENSATION CASES PAID IN PESOS

June 30—	Cases	U.S. dollars	Pesos	June 30—			
				Cases	U.S. dollars	Pesos	
1958.....	42,232	30,837,165	61,674,330	1965.....	138,400	12,943,044	50,477,872
1959.....	42,130	30,150,208	60,300,416	1966.....	138,350	12,802,517	49,805,632
1960.....	41,993	28,412,060	58,712,310	1967.....	137,600	20,037,128	77,950,439
1961.....	(1)	22,889,348	59,594,300	1968.....	136,900	24,933,000	96,996,850
1962.....	40,696	17,508,595	53,638,216	1969.....	136,767	25,185,953	97,980,913
1963.....	39,850	13,500,360	52,516,400	1970.....	133,900	25,440,000	98,969,232
1964.....	39,000	13,255,684	51,683,914				

<sup>1</sup> Not available.

<sup>2</sup> Estimated.

CONVERSION RATE OF PESO TO DOLLARS

	Amount		Amount
Fiscal year 1958.....	2.00	November 1961.....	2.75
Fiscal year 1959.....	2.00	January 1962.....	2.83
July 1960.....	2.30	November 1963.....	3.90
September 1960.....	2.50	January 1964.....	3.87
December 1960.....	2.75	January 1965.....	3.90
September 1961.....	2.70	June 1965.....	3.90
October 1961.....	2.73	June 1966-January 1970.....	3.8903

VETERANS' ADMINISTRATION EXPENDITURES TO FOREIGN COUNTRIES, FISCAL YEARS 1965-70

Total expenditures	Actual					Estimated 1970
	1965	1966	1967	1968	1969	
Philippines.....	\$41,807,257	\$40,772,396	\$49,171,173	\$57,817,853	\$59,631,743	\$63,436,000
All other.....	29,101,944	29,699,181	33,144,254	34,979,122	38,208,765	39,093,000
<b>Total foreign.....</b>	<b>70,909,201</b>	<b>70,471,577</b>	<b>82,315,432</b>	<b>92,796,975</b>	<b>97,840,507</b>	<b>102,529,000</b>
<b>All other by country:</b>						
France.....	856,033	780,077	966,454	1,020,219	1,117,255	1,142,000
Germany.....	1,025,721	1,075,288	1,477,996	1,790,580	2,079,632	2,127,000
Greece.....	2,451,221	2,510,963	2,596,181	2,705,727	2,869,390	2,936,000
Ireland.....	1,389,622	1,428,774	1,495,923	1,572,710	1,666,285	1,704,000
Italy.....	8,845,485	9,186,985	9,445,068	9,616,701	10,284,434	10,524,000
Norway.....	647,310	661,762	687,123	717,057	703,749	719,000
Sweden.....	617,017	616,666	688,180	660,367	671,956	688,000
United Kingdom.....	1,603,637	1,410,122	1,956,080	2,056,006	1,920,296	1,966,000
Canada.....	3,542,083	3,501,960	3,917,915	3,989,102	4,212,902	4,312,000
Mexico.....	1,507,154	1,507,510	1,840,289	2,051,705	2,154,688	2,205,000
Australia.....	418,512	427,850	535,544	591,460	659,027	672,000
Japan.....	517,574	512,263	709,226	845,991	873,503	895,000
Other.....	5,680,605	6,078,961	6,828,275	7,351,497	9,995,647	9,203,000

U.S. VETERANS' ADMINISTRATION—DISBURSEMENTS BY FISCAL YEAR IN THE PHILIPPINES<sup>1</sup>

Year	Total	Year	Total
1946.....	\$1,299,513.90	1959.....	63,601,735.00
1947.....	14,912,883.41	1960.....	65,609,980.00
1948.....	37,856,760.23	1961.....	60,055,607.00
1949.....	58,641,896.14	1962.....	49,854,871.00
1950.....	57,942,940.46	1963.....	42,948,704.00
1951.....	65,644,384.74	1964.....	43,087,724.00
1952.....	86,082,904.48	1965.....	41,807,257.00
1953.....	88,132,546.78	1966.....	40,772,396.00
1954.....	73,059,469.34	1967.....	49,171,178.00
1955.....	69,104,082.55	1968.....	57,817,853.00
1956.....	65,499,164.26	1969.....	59,631,743.00
1957.....	62,076,953.09	1970 (estimate).....	63,436,000.00
1958.....	62,929,557.00		

<sup>1</sup> Includes benefit payments, salaries and other administrative expenses, and grants in aid disbursements.

VETERANS' ADMINISTRATION TOTAL EXPENDITURES, REPUBLIC OF THE PHILIPPINES, FISCAL YEARS 1961-70

Fiscal year	Total	Compensation and pensions	Readjustment benefits, including subsistence allowances	Grants to the Republic of Philippines	General operating expenditures	Insurance	D.M. & S. expenditures	Other
1961.....	\$60,055,607	\$40,742,698	\$3,381,071	\$498,890	\$1,118,943	\$12,831,143	\$1,264,412	\$218,450
1962.....	49,854,871	35,676,842	3,332,146	359,307	1,102,194	8,145,056	1,025,610	213,716
1963.....	42,948,704	31,769,545	2,777,072	307,354	899,653	6,134,914	871,795	188,371
1964.....	43,087,724	31,925,212	1,173,090	274,210	857,149	7,455,275	985,733	417,055
1965.....	41,807,257	32,226,796	775,031	296,301	902,688	6,065,663	1,093,162	447,616
1966.....	40,772,396	32,810,873	574,292	296,914	915,072	4,677,314	1,115,345	382,586
1967.....	49,171,178	40,344,845	1,220,298	454,000	836,000	4,794,284	1,172,751	349,000
1968.....	57,817,853	45,779,236	3,294,647	1,432,071	1,006,949	4,556,816	1,080,129	388,529
1969.....	59,631,743	46,917,773	4,809,634	1,365,670	955,855	4,200,764	1,144,327	237,720
1970 <sup>1</sup> .....	63,436,000	48,500,000	7,200,000	1,511,000	1,018,000	4,000,000	1,217,000	340,000

<sup>1</sup> Estimate

Note.—The Veterans Memorial Hospital was constructed (1953-55) for the Republic of the Philippines at a cost of \$9,399,961 and was opened in November 1955.

**Veterans Memorial Hospital, Manila, Philippines**

Construction completion date..... 1955

Construction and equipment cost \$9,400,000

Constructed bed capacity..... 750

Operation beds—1970 (Additional 150 beds not funded by United States)..... 900

Bed occupants consist of:

1. U.S. veterans and "Old" Philippine Scouts for service-connected and non-service-connected disabilities. Costs paid from D.M. & S. appropriations.

2. Commonwealth Army Veterans for service-connected disabilities only. Costs are paid from grants-in-aid appropriations.

3. Philippine Government beneficiaries—veteran and nonveteran. Costs are paid by Philippine Government.

Average daily patient load—1970:

U.S. veterans and Old Scouts (paid from D.M. & S. funds)..... 161

Commonwealth Army Veterans (paid from grants funds)..... 438

Estimated Philippine Government beneficiaries (paid by Philippine Government)..... NA

NEGOTIATED CONTRACT PER DIEM RATE

	Pesos	Dollars
1963.....	19.22	4.93
1964.....	20.95	5.33
1965.....	26.01	6.67
1966.....	27.39	7.07
1967.....	28.92	7.22
1968.....	29.00	7.37
1969.....	30.11	7.47
1970.....	32.99	8.46

U.S. VETERANS' ADMINISTRATION BENEFITS IN THE PHILIPPINES (FOR WARTIME SERVICE ONLY)

[Revised April 1970]

	U.S. veterans residing in United States	U.S. Army, Navy Air Force, Marines, Coast Guard, WACS, WAVES, SPARS, WMC residing in Philippines USV	Philippine Scouts (enlisted prior to Oct. 6, 1945) USV	Philippine Army (service July 26, 1941, to June 30, 1946) CAV	Recognized guerillas (service Apr. 20, 1942, to June 30, 1946) CAV	Spanish-American War veterans (service, Apr. 21, 1898, to July 15, 1903) residing in Philippines USV	Philippine Scouts (enlisted after Oct. 6, 1945, Public Law 190, 79th Cong.)
Disability compensation	Yes; \$	Yes; \$	Yes; \$	Yes; P	Yes; P	Yes; \$	Yes; P
Disability pension	Yes; \$	Yes; \$	Yes; \$	No	No	Yes; \$	No
Death compensation	Yes; \$	Yes; \$	Yes; \$	Yes; P	Yes; P	Yes; \$	Yes; P
Dependency and indemnity compensation	Yes; \$	Yes; \$	Yes; \$	Yes; P	Yes; P	Yes; \$	Yes; P
Death pension	Yes; \$	Yes; \$	Yes; \$	No	No	Yes; \$	No
Contract insurance	Yes	Yes	Yes	( <sup>1</sup> )	No	No	( <sup>2</sup> )
Gratuitous insurance	Yes; \$	Yes; \$	Yes; \$	( <sup>3</sup> )	No	No	( <sup>3</sup> )
War Orphans Educational Act	Yes; \$	Yes; \$	Yes; \$	No	No	Yes; \$	No
Hospital care for non-service-connected disability	Yes	( <sup>4</sup> )	( <sup>4</sup> )	No	No	( <sup>4</sup> )	No
Hospital care or outpatient treatment for service-connected disability	Yes	Yes	Yes	Yes	Yes	Yes	No
Veterans rehabilitation and education:							
Public Law 16, 78th Cong.	Yes; \$	Yes; \$	Yes; \$	No	No	No	No
Public Law 346, 78th Cong.							
Public Law 894, 81st Cong.							
Public Law 550, 82d Cong.							
Public Law 89-138							
Burial allowance	Yes; \$	Yes; \$	Yes; \$	Yes; P	Yes; P	Yes; \$	No
Burial flag	Yes	Yes	Yes	Yes	Yes	Yes	No
Automobile for amputees	Yes; \$	Yes; \$	Yes; \$	No	No	No	No
Domiciliary care	Yes	No	No	No	No	No	No
Loans:							
Business	Yes	No	No	No	No	No	No
Housing							
Specially adapted housing	Yes	( <sup>5</sup> )	( <sup>5</sup> )	No	No	( <sup>5</sup> )	No

<sup>1</sup> Contracts entered prior to Feb. 18, 1946.

<sup>2</sup> Contracts entered (1) prior to May 27, 1946; (2) under secs. 620 or 621 of the National Service Life Insurance Act of 1940; or (3) under 38 U.S.C. 722.

<sup>3</sup> Captured, besieged, or otherwise isolated prior to Apr. 20, 1942.

<sup>4</sup> Only hospitalized at Veteran Memorial Hospital and unable to defray cost of hospitalization, such determination to be made by MRO.

<sup>5</sup> Not prohibited by statute, but not feasible to administer outside United States.

Mr. AYRES. Mr. Speaker, I rise in support of H.R. 16739. This bill will extend the authority of the Veterans' Administration to maintain an office in the Republic of the Philippines for an additional 10 years, or until June 30, 1980. The present authority to maintain this office expires June 30 of this year.

The administration has requested this legislation and both the Veterans' Administration and the Department of State have expressed the view that the Manila Regional Office should be continued. I have visited this office, Mr. Speaker, and as the result of personal observation and many years of study, I heartily concur in the administration's request, believing that the continued operation of a Veterans' Administration regional office in Manila is essential to the best interests of the United States.

Actually, Mr. Speaker, a Veterans' Administration office has been in operation in the Philippines continuously since 1922, except of course during the Japanese occupation. Prior to World War II, the staff consisted of 13 employees administering a program for approximately 7,500 veterans scattered throughout the Philippines. Today, this office, under the capable leadership and direction of Mr. Thomas Howard Price, Jr., has a staff of 24 Americans and more than 300 local employees and a veteran population of 472,000, who, with their dependents are potentially eligible for Veterans' Administration benefits.

Incidentally, Mr. Speaker, the interests of the Veterans' Administration and the United States are well served under the guidance of Howard Price. Mr. Price is an extremely dedicated and efficient career public servant with an intimate knowledge of the Republic of the Philippines and its citizens. More than 20 years of experience as an employee of the Vet-

erans' Administration have qualified him to soundly administer the U.S. program for veterans in the Philippines.

This office, Mr. Speaker, was responsible for the disbursement of more than \$58 million in veterans' benefits during fiscal year 1969. Additionally, the Veterans' Administration, through an inter-agency agreement with the Social Security Administration, handles that agency's benefit program in the Philippines. The Manila VA office assists in filing applications, in securing and validating supporting claims evidence and in supervising fiduciary accounts. This activity disburses approximately \$12.5 million per year to 20,000 social security beneficiaries.

The State Department, Mr. Speaker, through its Foreign Service, ordinarily administers the veterans' benefit program in foreign nations. There is a valid reason, however, for the establishment and continuing operation of a Veterans' Administration office in Manila. More than 60 percent of the direct Veterans' Administration benefit payments to eligible veterans residing in foreign countries are made to veterans in the Republic of the Philippines. The Department of State has indicated that it would be undesirable and infeasible for that agency to assume this burden.

The continuing operation of the Veterans' Administration regional office in Manila is both desirable and necessary. I urge the passage of this bill.

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

Mr. TEAGUE of Texas. I am glad to yield to the gentleman.

Mr. GROSS. Has the gentleman heard of any attacks on the Veterans' Administration office in the Philippines thus far?

Mr. TEAGUE of Texas. Well, considering the fact that the VA office is tied

in with the Embassy, I suppose there have been attacks on it.

Mr. GROSS. Are they located in the same compound?

Mr. TEAGUE of Texas. They are together.

Mr. GROSS. They are together?

Mr. TEAGUE of Texas. Yes. The VA office is an extension of the Embassy, to my best knowledge, as I remember it.

Mr. GROSS. In that case, it comes under the general heading of biting the hand that feeds some of the people in the Philippines; does it not?

Mr. TEAGUE of Texas. I certainly agree with the gentleman.

Mr. GROSS. I regret to hear that. The gentleman from Texas thinks it is necessary to extend this office for 10 years?

Mr. TEAGUE of Texas. This was requested by the administration. We do have a very extensive VA operation there because of the Philippines formerly being a part of our country. I think it is necessary.

The papers did not mention the VA regional office as being bothered in any way, but it is tied in with the Embassy Building.

Mr. GROSS. I thank the gentleman.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Texas that the House suspend the rules and pass the bill H.R. 16739.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which



to revise and extend their remarks on the two bills just passed.

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

There was no objection.

#### CALL OF THE HOUSE

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

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. BENNETT. 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. 99]

Adair	Farbstein	Moorhead
Anderson, Ill.	Fascell	Ottinger
Andrews, Ala.	Feighan	Passman
Baring	Findley	Philbin
Bell, Calif.	Foley	Poage
Berry	Foreman	Podell
Bevill	Gettys	Pollock
Blanton	Gialmo	Powell
Boggs	Goldwater	Pucinski
Brademas	Gray	Rallsback
Brock	Halpern	Rees
Brown, Calif.	Hanna	Reuss
Cabell	Hansen, Idaho	Rivers
Caffery	Harsha	Rosenthal
Casey	Hastings	Roudebush
Cederberg	Hawkins	Ryan
Celler	Hays	St Germain
Chappell	Jacobs	Saylor
Chisholm	Johnson, Calif.	Scheuer
Clancy	Jones, Ala.	Schneebeli
Clark	Jones, N.C.	Sisk
Clay	Kee	Smith, Iowa
Conyers	Kirwan	Stafford
Corbett	Koch	Stevens
Coughlin	Kuykendall	Stratton
Culver	Langen	Stuckey
Daddario	Lennon	Symington
Dawson	Lloyd	Taft
Dennis	Lowenstein	Teague, Calif.
Dent	Lukens	Tunney
Dickinson	McCarthy	Ullman
Diggs	McCloskey	Van Deerlin
Dingell	Macdonald,	Waldie
Donohue	Mass.	Watkins
Dowdy	Madden	Wilson, Bob
Dulski	Maillard	Wilson,
Dwyer	Mann	Charles H.
Eckhardt	Mathias	Wydlar
Edwards, Ala.	Mikva	Yates
Erlenborn	Mollohan	Young

The SPEAKER pro tempore. On this rollcall 311 Members have answered to their names, a quorum.

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

#### VACATING SPECIAL ORDER

Mr. GUDE. Mr. Speaker, out of respect for our late beloved colleague from Connecticut, I ask unanimous consent that my special order for today be vacated.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection?

#### U.S. PARTICIPATION IN INTERNATIONAL EXPOSITIONS HELD IN THE UNITED STATES

Mr. GALLAGHER. Mr. Speaker, I move to suspend the rules and pass the bill (S. 856) to provide for Federal Government recognition of and participation in international exhibitions proposed

to be held in the United States, and for other purposes, as amended.

The Clerk read as follows:

S. 856

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress finds that—*

(a) international exhibitions, when properly organized, financed, and executed, have a significant impact on the economic growth of the region surrounding the exposition, and, under appropriate international sanction, are important instruments of national policy, particularly in the exchange of ideas and the demonstration of cultural achievements between peoples;

(b) in view of the widely varying circumstances under which international exhibitions have developed in the United States, the different degrees to which the Federal Government has assisted and participated in such exhibitions, and the increasing number of proposals for future exhibitions, the national interest requires that Federal action concerning such exhibitions be given orderly consideration; and

(c) such orderly consideration is best achieved by the development of uniform standards, criteria, and procedures to establish the conditions under which the Government hereafter will (A) recognize international exhibitions proposed to be held in the United States, and (B) take part in such exhibitions.

#### FEDERAL RECOGNITION

SEC. 2. (a) Any international exposition proposed to be held in the United States shall be eligible on application from its sponsors to receive the recognition of the Federal Government upon a finding of the President that recognition will be in the national interest. In making such a finding the President shall consider—

(1) a report by the Secretary of Commerce which shall include (A) an evaluation of purposes and reasons for the exposition, and (B) a determination that guaranteed financial and other support has been secured by the exposition from affected State and local governments and from business and civic leadership of the region and others, in amounts sufficient in his judgment to assure the successful development and progress of the exposition;

(2) a report by the Secretary of State that the proposed exposition qualifies for consideration of registration by the Bureau of International Exhibitions (hereafter referred to as BIE); and

(3) such other evidence as the President may consider to be appropriate.

(b) Upon a finding by the President that an international exposition is eligible for Federal recognition, the President may take such measures recognizing the exposition as he deems proper, including, but not limited to—

(1) presenting an official request by the United States for registration of the exposition by the BIE;

(2) providing for fulfillment of the requirements of the Convention of November 22, 1928, as amended, relating to international exhibitions; and

(3) extending invitations, by proclamation or by such other manner he deems proper, to the several States of the Union and to foreign governments to take part in the exposition, provided that he shall not extend such an invitation until he has been notified officially of BIE registration for the exposition.

(c) The President shall report his actions under this section promptly to the Congress.

#### FEDERAL PARTICIPATION

SEC. 3. The Federal Government may participate in an international exposition proposed to be held in the United States only

upon the authorization of the Congress. If the President finds that Federal participation is in the national interest, he shall transmit to the Congress his proposal for such participation, which proposal shall include—

(a) evidence that the international exposition has met the criteria for Federal recognition and, pursuant to section 2 of this Act, it has been so recognized;

(b) a statement that the international exposition has been registered by the BIE; and

(c) a plan prepared by the Secretary of Commerce in cooperation with other interested departments and agencies of the Federal Government for Federal participation in the exposition. In developing such a plan the Secretary shall give due consideration to whether or not the plan should include the construction of a Federal pavilion and, if so, whether or not the Government would have need for a permanent structure in the area of the exposition. In the event such need is established, the Secretary may include in his plan a recommendation that as a condition of participation, the Government should be deemed a satisfactory site for the Federal pavilion, in fee simple and free of liens or other encumbrances. The Secretary shall seek the advice of the Administrator of the General Services Administration to the extent necessary in carrying out the provisions of this subsection.

#### ESTABLISHMENT AND PUBLICATION OF STANDARDS AND CRITERIA

SEC. 4. (a) The Secretary of Commerce is hereby authorized and directed to establish and maintain standards, definitions, and criteria which are adequate to carry out the purposes of section 2(a) (1) and section 3(a) of this Act; and

(b) Standards, definitions, and criteria established by the Secretary and such revisions in them as he may make from time to time shall be published in the Federal Register.

SEC. 5. The President may withdraw Federal recognition or participation whenever he finds that continuing recognition or participation would be inconsistent with the national interest and with the purposes of this Act.

SEC. 6. Nothing in this Act shall affect or limit the authority of Federal departments and agencies to participate in international exhibitions or events otherwise authorized by law.

SEC. 7. Section 8 of Public Law 89-685 is hereby repealed.

SEC. 8. There are authorized to be appropriated such sums, not to exceed \$200,000 in any fiscal year, as may be necessary to carry out the purposes of this Act.

The SPEAKER pro tempore. Is a second demanded?

Mr. GROSS. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. GALLAGHER. Mr. Speaker, the Committee on Foreign Affairs considered two identical bills providing for U.S. Government participation in international exhibitions held in the United States. They were, respectively, S. 856, a bill approved by the other body, and H.R. 13171, which I introduced. After full deliberation, the committee unanimously adopted an amendment which removed an open ended authorization included in Section 8 of the bill and substituted therefor language which limits the amount of money that can be appropriated to the Department of

Commerce to carry out its responsibility under this legislation to not exceed \$200,000 a year.

Mr. Speaker, the bill before the House is designed to provide an orderly framework for Federal recognition of and participation in international expositions held in the United States.

The bill would supplement actions taken by the U.S. Government in 1968 in adhering to the Paris Convention and becoming a member of the Bureau of International Expositions.

This legislation would do away with the old and very inefficient system under which different groups and localities arranging international exhibitions in the United States would come to the Congress to seek Federal recognition—and the Congress would have to pass on their requests without adequate information. In essence, this legislation proposes a 3-step sequence as follows:

First. Regarding application, the Secretary of Commerce, or his designee, would prepare and publish a set of standards for exhibitions held in the United States whose sponsors desire BIE approval and recognition by the Federal Government. He would receive applications from the prospective sponsors of such expositions and determine, first, a given exposition's purpose and, second, the level of support, financial and other, which the project will receive from the private sector and from local and State governments. His findings would then be submitted to the President of the United States.

Second. Regarding Federal recognition, the President would review the findings and, after consulting with the Secretary of State, determine whether it would be in the national interest of the United States for the Federal Government to recognize such an exposition. If his decision should be in the affirmative, the President could then recognize the exposition, request that it be recommended to the BIE for approval, and invite the several States and foreign governments to participate in it.

Third. Regarding Federal participation, if the President should decide to go a step further and propose that the Federal Government participate in a given exposition, he would submit a recommendation to that effect, together with his plan for U.S. participation, to the Congress. Under this bill, the Congress would retain the authority to make the final decision, on a case-by-case basis, regarding whether, and how the U.S. Government would participate in a given exposition.

I again want to stress that by enacting this legislation, the Congress does not abdicate any of its powers or responsibilities with respect to Federal participation in international expositions held in our country.

The Congress would retain the same powers that it has now to make the final decision on such participation but it would be able to do so on the basis of detailed information and plans prepared in advance and reviewed in the executive branch.

In the respect, the procedure proposed in this bill would benefit all parties con-

cerned with international expositions in the United States: the sponsors of the exposition, the executive branch, and the legislative branch.

The prospective sponsors would be provided with specific guidelines regarding the terms and conditions under which the Federal Government would recognize a given exposition and be an official participant in it.

The executive branch would have adequate criteria to determine whether or not recognition of a proposed exposition would be in the national interest. The bill would also help to insure that the United States, as a member of the BIE, would present for the Bureau's sanction only those projects which are reasonably likely to succeed.

Mr. GROSS. Mr. Speaker, I yield back the remainder of my time.

The SPEAKER pro tempore (Mr. ASPINALL). The question is on the motion of the gentleman from New Jersey that the House suspend the rules and pass the bill S. 856, as amended.

#### PARLIAMENTARY INQUIRY

Mr. HALL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HALL. Is there not a committee amendment?

Mr. GALLAGHER. There is a committee amendment.

The SPEAKER pro tempore. The Chair will say to the gentleman from Missouri that there is a committee amendment to the Senate bill which is at the desk. The bill is being considered under a suspension-of-the-rules procedure.

The question is on the motion of the gentleman from New Jersey that the House suspend the rules and pass the bill, S. 856, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

A similar House bill (H.R. 13171) was laid on the table.

#### TRANSFERRING FROM ARCHITECT OF THE CAPITOL TO LIBRARIAN OF CONGRESS AUTHORITY TO PURCHASE OFFICE EQUIPMENT AND FURNITURE FOR LIBRARY OF CONGRESS

Mr. THOMPSON of New Jersey. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 11628) to transfer from the Architect of the Capitol to the Librarian of Congress the authority to purchase office equipment and furniture for the Library of Congress, as amended.

The Clerk read as follows:

H.R. 11628

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act entitled "An Act to abolish the office of Superintendent of the Library Building and Grounds and to transfer the duties thereof to the Architect of the Capitol and the Librarian of Congress," approved June 29, 1922 (42 Stat. 715; 2 U.S.C. 141), is amended—*

(1) by striking out, in the second sentence thereof, "and the purchasing and supplying of all furniture and equipment for the building" and inserting in lieu thereof the following: "and the purchasing of all equipment other than office equipment"; and

(2) by inserting after the fourth sentence thereof a new sentence as follows: "The Librarian of Congress shall provide for the purchase and supply of office equipment and furniture for library purposes."

The SPEAKER pro tempore (Mr. ASPINALL). Is a second demanded?

Mr. SCHWENGEL. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Speaker, H.R. 11628 would transfer from the Architect of the Capitol to the Librarian of Congress the authority to purchase office equipment and furniture for the Library of Congress.

The statute under which the furniture and equipment of the Library of Congress was made part of the responsibilities of the Architect of the Capitol was passed in 1922. There were several apparent reasons for the adoption of such a statute and the placement of the responsibility in the Office of the Architect of the Capitol. Mainly, it was because an independent position of Superintendent of Buildings and Grounds of the Library was abolished. As a result there were no staff members within the Library who had any particular training or experience in furniture or equipment at that time and it was probably logical therefore to make this a responsibility of the Architect of the Capitol's office.

In reviewing the legislative history with respect to the authority in the Architect of the Capitol for the purchase of furniture and equipment for the Library of Congress, no concrete reasons appears therein that require this authority to remain as such. Nor does there appear to be anything in the journals of the Congress which would preclude this authority from being transferred to the Librarian. To effect the transfer, however, amending legislation is first necessary.

Unlike annual structural and mechanical care programs, furniture and furnishings are part of the day-to-day operational planning of the Library. Items must be coordinated with personnel transfers, new positions, and so forth, and programing, planning, and timing become day-to-day and week-to-week procedures.

For practical purposes, furniture and equipment are now budgeted directly by the Librarian. All annual budget estimates and justifications are prepared by the Librarian staff. Testimony at the hearings regarding Library furniture and furnishings, although now part of the Architect's budget, is referred by the Architect's staff to the Librarian for reply and elaboration.

The staff of the Library now includes persons whose primary responsibilities are the procurement of equipment and supplies for the Library, and who assist the staff of the Architect of the Capitol in

procuring this equipment and furniture for the Library. The Library staff now has the training and experience in the procurement of furniture and equipment suitable to the Library and that responsibility need no longer be one of the responsibilities of the Architect of the Capitol. The transfer of this authority to the Librarian of Congress has been discussed with the Architect of the Capitol and has his support and endorsement. All requisitions, specifications for purchases, and purchase estimates are now prepared within the Library—not by the staff of the Architect of the Capitol which simply places the order or duplicates the paperwork if required for certain purchases.

Placing direct responsibility for furniture and furnishings with the Library is not without precedent on Capitol Hill. In fact, the current situation is the exception since the furniture and fixtures for the Supreme Court are handled by the Marshall of the Court, for the House by the Clerk of the House, and for the Senate by the Sergeant at Arms.

Special project and executive agency transfer funds are now used for direct Library purchase for those operations of the Library financed by transferred funds and thus the Library is now making furniture purchase through two separate channels.

Mr. SCHWENGEL. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, authority to purchase office equipment and furniture for the Library of Congress now resides in the Architect of the Capitol. The bill before the House, H.R. 11628, would transfer this responsibility to the Library itself.

This authority was first placed in the hands of the Architect of the Capitol in 1922 when the position of Superintendent of Buildings and Grounds of the Library was abolished and the Library did not have personnel with the training and experience necessary for this work.

There is no need to continue having the authority and responsibility for this work under the Architect of the Capitol. As a practical matter, the Library now performs most of the essential work required in this connection. It does the planning for furniture and equipment for the Library, prepares the budget estimates and justifications, prepares the budget testimony and handles inquiries about the matter.

The Architect of the Capitol concurs in this proposal to place this responsibility directly in the hands of the Librarian.

I would urge that the House give its approval to H.R. 11628.

The SPEAKER pro tempore. The question is on the motion of the gentleman from New Jersey that the House suspend the rules and pass the bill H.R. 11628, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE TO EXTEND

Mr. THOMPSON of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 3 legislative days in which to revise and extend their remarks on the bill just passed.

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

There was no objection.

#### RELATING TO POLICING OF BUILDINGS AND GROUNDS OF LIBRARY OF CONGRESS

Mr. THOMPSON of New Jersey. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 12619) to amend section 11 of an act approved August 4, 1950, entitled "An Act relating to the policing of the buildings and grounds of the Library of Congress".

The Clerk read as follows:

H.R. 12619

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 11 of the Act of August 4, 1950 (64 Stat. 412; 2 U.S.C. 167j) is amended by—*

(1) inserting therein, immediately after "Sec. 11.", the subsection designation "(a)"; and

(2) inserting at the end thereof the following new subsection:

"(b) For the purposes of this Act, the term 'Library of Congress buildings and grounds' shall include (1) the whole or any part of any building or structure which is occupied under lease or otherwise by the Library of Congress and is subject to supervision and control by the Librarian of Congress, (2) the land upon which there is situated any building or structure which is occupied wholly by the Library of Congress, and (3) any subway or enclosed passageway connecting two or more buildings or structures occupied in whole or in part by the Library of Congress."

The SPEAKER pro tempore. Is a second demanded?

Mr. SCHWENGEL. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Speaker, the genesis of this bill is that the Library of Congress, having expanded into other locations in the District over a period of time, finds their right to police and to protect those buildings inhibited by existing law.

This legislation would simply allow the Library to disperse its police protective force to those other locations. It is very badly needed and is considered by the committee to be meritorious.

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

Mr. THOMPSON of New Jersey. I shall be happy to yield to my distinguished friend from Iowa.

Mr. GROSS. Where does the Library recruit and how does it recruit and train, or does it recruit and train its police force?

Mr. THOMPSON of New Jersey. The Library I might say to the gentleman from Iowa has its own personnel section—in other words, its own protective

or police force and trains them. They are not a part of the—

Mr. GROSS. Capitol Police?

Mr. THOMPSON of New Jersey. Capitol Police or on patronage or such as that.

Mr. GROSS. It is not proposed to create still another police training school somewhere in this area, is it?

Mr. THOMPSON of New Jersey. No, it is not. It does not ask for an enlargement of the present force.

I might say to my friend from Iowa, it simply gives them the authority to move their existing police officers from the immediate area of the Library to the other locations where they have library facilities. The General Services Administration has overall purview of this. There is no new personnel involved.

Mr. GROSS. I thank the gentleman.

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

Mr. THOMPSON of New Jersey. I shall be glad to yield to my distinguished friend from Missouri.

Mr. HALL. I appreciate the gentleman yielding.

Is it presumptive, based upon the committee report, that inasmuch as this is the second time we have heard of the fragmentation and dispersal of the Library of Congress activities in the past month or so, that once we complete the Madison Building addition over in "McCormack Park," all of this will be retrieved and this authority will then be negated and all the rental space will be allowed to lapse and the acquisitions brought back into the Library of Congress itself, and there will be no further need for this type of legislation.

Mr. THOMPSON of New Jersey. That is indeed my understanding. When the new facility is completed, the rental spaces will be phased out. The need to protect them at their existing location will no longer exist. But, even, I might say to the gentleman, upon the completion of the new building this would be necessary in order to let them go over and police the new building which is to be just across the street from the existing one. It involves no additional Federal expenditure. It is simply a question of the deployment of the protective force.

Mr. HALL. I appreciate the gentleman's statement. As I understand this it means no additional personnel either. I hope we can make the legislative record to the effect that we can recoup all these groups and all of these farmed out into rented spaces memorabilia of the Library of Congress on Capitol Hill where it belongs; since as by definition this is the Library of Congress and, of course, historically they have always maintained fee-simple title to that which we own ourselves.

Mr. THOMPSON of New Jersey. I agree thoroughly with the gentleman. I share his hope that this will be done and I share his expectation that this will be done.

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

Mr. Speaker, I want to express the minority position on this legislation. We had testimony on the question which has just been raised by the gentleman from Missouri (Mr. HALL) in the committee. We had ample assurance that there would not be any additional employment.

Mr. Speaker, this is sound legislation and I urge the House to approve it.

Mr. Speaker, this legislation is required by the Library of Congress to allow it to provide adequate guard service for the protection of staff personnel and Library possessions and property in buildings located away from the main Library building.

The Library of Congress at present has authority for policing the Library buildings but this authority does not extend beyond the street surrounding the permanent buildings. The Library has rental space at several locations throughout the city and it is necessary to have guards at these locations. The GSA was requested to supply such guards but is unable to do so and the Library has, therefore, had to recruit its own special policemen for the protection of the staff and contents of such areas.

This legislation is needed and it is meritorious. I would recommend its approval by the House.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the motion of the gentleman from New Jersey that the House suspend the rules and pass the bill H.R. 12619.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### APPOINTMENT OF JAMES EDWIN WEBB AS CITIZEN REGENT, BOARD OF REGENTS, THE SMITHSONIAN INSTITUTION

Mr. THOMPSON of New Jersey. Mr. Speaker, I move to suspend the rules and pass the Senate Joint Resolution (S.J. Res. 193) to provide for the appointment of James Edwin Webb as citizen regent of the Board of Regents of the Smithsonian Institution.

The Clerk read as follows:

S.J. Res. 193

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, which occurred by the death of Robert Vedder Fleming, of Washington, District of Columbia, be filled by the appointment of James Edwin Webb for the statutory term of six years.*

The SPEAKER pro tempore. Is a second demanded?

Mr. SCHWENGEL. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

#### PARLIAMENTARY INQUIRY

Mr. HALL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. HALL. Mr. Speaker, is the Senate joint resolution under consideration under suspension of the rules the same as and identically the same as House Joint Resolution 1098?

Mr. THOMPSON of New Jersey. Mr. Speaker, if the gentleman will yield, the answer is "Yes."

Mr. HALL. Mr. Speaker, I thank the gentleman.

Mr. THOMPSON of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

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

Mr. THOMPSON of New Jersey. I will be delighted to yield to the gentleman from Iowa.

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

Is this by any chance the same James E. Webb who was the Director or Administrator of the National Aeronautics and Space Administration, and who when he was Director or Administrator, lost three astronauts in a fire aboard a space vehicle, apparently the result of carelessness or negligence?

Mr. THOMPSON of New Jersey. The gentleman from New Jersey will respond by saying that this is indeed the same person who was head of NASA at the time of that tragedy, but I would not attribute, of course, any part of that on any action of his, or any lack of his action, but it was during his incumbency that the tragedy occurred, and resulted in the loss of three astronauts in the vehicle wherein the fire did take place.

Mr. GROSS. If the gentleman will yield further, I would like to ask the gentleman to explain how these regents are selected? I have always been curious about that.

Mr. THOMPSON of New Jersey. The regents are nominated in effect by the existing regents, three of whom are colleagues of the House of Representatives, Chairman MAHON of Texas, the gentleman from Ohio (Mr. BOW), and the gentleman from Ohio (Mr. KIRWAN). In effect today we are exercising our advice and consent responsibility with respect to the nomination of the regent.

Mr. GROSS. How many in total are there of these regents? Does the gentleman recall?

Mr. THOMPSON of New Jersey. There are at the moment 14 regents. Earlier in this session on suspension a bill was passed and sent to the other body enlarging the number on the Board of Regents by two. The other body has yet to act on that bill.

Mr. GROSS. I thank the gentleman.

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

Mr. Speaker, the gentleman from New Jersey (Mr. THOMPSON) has adequately explained the bill.

Mr. Speaker, the purpose of this legislation is to provide for the appointment of James Edwin Webb as citizen regent

of the Board of Regents of the Smithsonian Institution.

Senate Joint Resolution 193 is identical with House Joint Resolution 1098, a resolution which was reported favorably by the Committee on House Administration April 13, 1970. The House measure was introduced by the distinguished chairman of the House Appropriations Committee, Mr. MAHON, and cosponsored by the distinguished ranking minority member of the Appropriations Committee, Mr. BOW, both of whom are members of the Board of Regents of the Smithsonian Institution.

The Board of Regents is the body that conducts the business of the Smithsonian. It is composed of the Vice President, the Chief Justice of the United States, three Members of the Senate, and three Members of the House of Representatives, and six additional persons, two of whom must be from the District of Columbia and four from the States. The Congress, by joint resolution, such as the one that is before the House today, appoints the six citizen regents, who serve for a 6-year term.

Mr. Webb would fill the vacancy caused by the death of Robert Vedder Fleming, who was one of the two citizen regents from the District of Columbia. Mr. Webb was Administrator of National Aeronautics and Space Administration from 1961 to 1969. He has a very distinguished background and I am sure would be a credit to the Smithsonian Institution. I urge the House to approve Senate Joint Resolution 193.

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to support Senate Journal Resolution 193 for Congress to authorize James E. Webb as Citizen Regent of the Smithsonian Institution. Jim Webb has devoted almost all of his life, in government and private industry, to the welfare and strength of our country and to the advancement and progress of science, research, and development.

As a member of the House Science and Astronautics Committee, I have personal knowledge and have worked with Jim Webb as the Administrator of the National Aeronautics and Space Administration from 1961 to 1969. NASA, through his leadership, has become vital to the scientific and technical progress of the United States.

When Jim Webb became the Administrator of NASA he brought with him a background of outstanding success and achievement. He is a former Director of the U.S. Bureau of the Budget. He has served as Under Secretary of the U.S. Department of State. Most people do not realize that Jim Webb is a 30-year veteran of U.S. Marine Corps aviation, attaining the rank of lieutenant colonel. He has worked hard to develop the NASA team which is responsible for the wide acceptance throughout America of the vital need for a national space program in the development of growth and strength of the Nation. As NASA Administrator, Jim Webb made possible the creation and

assembly of great national resources of human talent and advanced technology that have produced the stunning success of Project Apollo, the unmanned exploration of deep space and the wide variety of weather and communications satellites orbiting the earth.

I congratulate the Regents of the Smithsonian Institution in recognizing Jim Webb, not only as an eminent public servant, but also in recognizing that he has many more contributions to make to the people of the United States through the Smithsonian Institution.

The SPEAKER pro tempore. The question is on the motion of the gentleman from New Jersey that the House suspend the rules and pass the Senate Joint Resolution 193.

The question was taken.

Mr. HALL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 309, nays 16, not voting 104, as follows:

[Roll No. 100]  
YEAS—309

Abbitt	Collins	Griffin
Abernethy	Colmer	Griffiths
Adams	Conable	Grover
Addabbo	Conte	Gubser
Albert	Corbett	Gude
Alexander	Corman	Hagan
Anderson, Calif.	Cowger	Hamilton
Anderson, Tenn.	Cramer	Hammer-
Andrews, N. Dak.	Crane	schmidt
Annunzio	Culver	Hanley
Arends	Cunningham	Hansen, Wash.
Ashley	Daniel, Va.	Harrington
Aspinall	Daniels, N.J.	Harscha
Ayres	Davis, Ga.	Harvey
Beall, Md.	Davis, Wis.	Hathaway
Belcher	de la Garza	Hawkins
Bennett	Delaney	Hechler, W. Va.
Betts	Dellenback	Heckler, Mass.
Blaggi	Denney	Helstoski
Blester	Derwinski	Henderson
Bingham	Dingell	Hicks
Blackburn	Dorn	Hogan
Blatnik	Downing	Hollifield
Boland	Duncan	Horton
Bolling	Edmondson	Hosmer
Bow	Edwards, Calif.	Howard
Brasco	Edwards, La.	Hungate
Bray	Ellberg	Hunt
Brinkley	Erlenborn	Hutchinson
Brooks	Esch	Ichord
Brotzman	Eshleman	Jarman
Brown, Mich.	Evans, Colo.	Johnson, Pa.
Brown, Ohio	Fallon	Jonas
Broyhill, N.C.	Fish	Jones, N.C.
Broyhill, Va.	Fisher	Jones, Tenn.
Buchanan	Flood	Karth
Burke, Fla.	Flowers	Kastenmeier
Burke, Mass.	Flynt	Kazen
Burleson, Tex.	Ford,	Keith
Burison, Mo.	William D.	King
Burton, Calif.	Foreman	Kluczynski
Burton, Utah	Fountain	Kuykendall
Bush	Fraser	Kyl
Button	Frelinghuysen	Kyros
Byrne, Pa.	Friedel	Landrum
Byrnes, Wis.	Fulton, Pa.	Latta
Camp	Fulton, Tenn.	Leggett
Carey	Fuqua	Long, La.
Casey	Gallfianakis	Long, Md.
Cederberg	Gallagher	Lujan
Chamberlain	Garmatz	McClory
Clark	Gaydos	McClure
Clausen, Don H.	Gibbons	McCulloch
Clawson, Del	Gilbert	McDade
Cleveland	Gonzalez	McDonald,
Cohelan	Goodling	Mich.
Collier	Gray	McEwen
	Green, Oreg.	McFall
	Green, Pa.	McKneally
		McMillan

Macdonald, Mass.	Pike	Springer
Mahon	Pirnie	Stafford
Marsh	Poff	Stagers
Martin	Pollock	Stanton
Matsunaga	Preyer, N.C.	Steed
May	Price, Ill.	Steiger, Wis.
Mayne	Price, Tex.	Stokes
Meeds	Pryor, Ark.	Stubblefield
Melcher	Pucinski	Stuckey
Meskill	Purcell	Sullivan
Michel	Quie	Talcott
Miller, Calif.	Randall	Taylor
Miller, Ohio	Rarick	Teague, Tex.
Mills	Reid, Ill.	Thompson, Ga.
Minish	Reid, N.Y.	Thompson, N.J.
Mink	Reifel	Thomson, Wis.
Minshall	Reuss	Tiernan
Mize	Rhodes	Udall
Mizell	Riegle	Ullman
Monagan	Roberts	Vander Jagt
Montgomery	Robison	Vanik
Morgan	Rodino	Vigorito
Morton	Roe	Waggonner
Mosher	Rogers, Colo.	Wampler
Moss	Rogers, Fla.	Watson
Murphy, Ill.	Rooney, N.Y.	Watts
Murphy, N.Y.	Rooney, Pa.	Whalen
Myers	Rostenkowski	Whalley
Natcher	Roth	White
Nedzi	Roybal	Whitehurst
Nichols	Ruth	Whitten
Obey	Sandman	Widnall
O'Hara	Satterfield	Wiggins
O'Konski	Schadeberg	Wilson,
Olsen	Scherle	Charles H.
O'Neal, Ga.	Schwengel	Winn
O'Neill, Mass.	Scott	Wolf
Patman	Shipley	Wolff
Patten	Shriver	Wright
Pelly	Sikes	Wyatt
Pepper	Skubitz	Wylie
Perkins	Slack	Wyman
Pettis	Smith, Calif.	Yatron
Pickie	Smith, N.Y.	Zablocki
	Snyder	Zwach

NAYS—16

Ashbrook	Kleppe	Sebelius
Broomfield	Landgrebe	Steiger, Ariz.
Carter	MacGregor	Williams
Gross	Nelsen	Zion
Haley	Quillen	
Hall	Ruppe	

NOT VOTING—104

Adair	Farbstein	Morse
Anderson, Ill.	Fascell	Nix
Andrews, Ala.	Feighan	Ottinger
Baring	Findley	Passman
Barrett	Foley	Philbin
Bell, Calif.	Ford, Gerald R.	Poage
Berry	Gettys	Podell
Bevill	Gialmo	Powell
Blanton	Goldwater	Rallsback
Boggs	Halpern	Rees
Brademas	Hanna	Rivers
Brock	Hansen, Idaho	Rosenthal
Brown, Calif.	Hastings	Roudebush
Cabell	Hays	Ryan
Caffery	Hébert	St Germain
Celler	Jacobs	Saylor
Chappell	Johnson, Calif.	Scheuer
Chisholm	Jones, Ala.	Schneebeil
Clancy	Kee	Sisk
Clay	Kirwan	Smith, Iowa
Conyers	Koch	Stephens
Coughlin	Langen	Stratton
Daddario	Lennon	Symington
Dawson	Lloyd	Taft
Dennis	Lowenstein	Teague, Calif.
Dent	Lukens	Tunney
Dickinson	McCarthy	Van Deerin
Diggs	McCloskey	Waldie
Donohue	Madden	Watkins
Dowdy	Mailliard	Weicker
Dulski	Mann	Wilson, Bob
Dwyer	Mathias	Wydler
Eckhardt	Mikva	Yates
Edwards, Ala.	Mollohan	Young
Evins, Tenn.	Moorhead	

So (two-thirds having voted in favor thereof) the rules were suspended and the Senate joint resolution was passed.

The Clerk announced the following pairs:

Mr. Madden with Mr. Adair.  
Mr. Hébert with Mrs. Dwyer.  
Mr. Gialmo with Mr. Anderson of Illinois.  
Mr. Johnson of California with Mr. Bell of California.  
Mr. Feighan with Mr. Clancy.  
Mr. Boggs with Mr. Gerald R. Ford.  
Mr. Andrews of Alabama with Mr. Berry.

Mr. Donohue with Mr. Mailliard.  
Mr. Dent with Mr. Coughlin.  
Mr. Lennon with Mr. Brock.  
Mr. Hays with Mr. Findley.  
Mr. Rivers with Mr. Goldwater.  
Mr. Cabell with Mr. Dennis.  
Mr. Ottinger with Mr. Halpern.  
Mr. Evins of Tennessee with Mr. Langen.  
Mr. Caffery with Mr. Hastings.  
Mr. Passman with Mr. Dickinson.  
Mr. Rosenthal with Mr. Lloyd.  
Mr. Daddario with Mr. McCloskey.  
Mr. Gettys with Mr. Edwards of Alabama.  
Mr. Young with Mr. Hansen of Idaho.  
Mr. Dulski with Mr. Mathias.  
Mr. Philbin with Mr. Morse.  
Mr. Dowdy with Mr. Lukens.  
Mr. Fascell with Mr. Rallsback.  
Mr. St Germain with Mr. Roudebush.  
Mr. Moorhead with Mr. Saylor.  
Mr. Podell with Mr. Taft.  
Mr. Sisk with Mr. Schneebeil.  
Mr. Jones of Alabama with Mr. Teague of California.  
Mr. Barrett with Mr. Watkins.  
Mr. Smith of Iowa with Mr. Weicker.  
Mr. Celler with Mr. Bob Wilson.  
Mr. Farbstein with Mr. Wydler.  
Mr. Foley with Mr. Nix.  
Mr. Mikva with Mrs. Chisholm.  
Mr. Brademas with Mr. Kirwan.  
Mr. Waldie with Mr. Kee.  
Mr. Brown of California with Mr. Clay.  
Mr. Lowenstein with Mr. Conyers.  
Mr. Van Deerin with Mr. Mann.  
Mr. Bevill with Mr. McCarthy.  
Mr. Rees with Mr. Diggs.  
Mr. Hanna with Mr. Stratton.  
Mr. Stephens with Mr. Yates.  
Mr. Koch with Mr. Mollohan.  
Mr. Jacobs with Mr. Powell.  
Mr. Chappell with Mr. Baring.  
Mr. Blanton with Mr. Tunney.  
Mr. Eckhardt with Mr. Symington.  
Mr. Scheuer with Mr. Ryan.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

A similar House joint resolution (H.J. Res. 1098) was laid on the table.

GENERAL LEAVE

Mr. THOMPSON of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 3 legislative days in which to revise and extend their remarks on Senate Joint Resolution 193 just passed by the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

DEFERRAL OF ROLL CALLS FROM TUESDAY, MAY 5, TO WEDNESDAY, MAY 6

Mr. ALBERT. Mr. Speaker, without making it a precedent, and only because of the funeral of our late colleague tomorrow, the Honorable WILLIAM L. ST. ONGE, I ask unanimous consent that any rollcalls on final passage of bills or the adoption of conference reports may be put over until Wednesday next, May 6.

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

Mr. HALL. Mr. Speaker, reserving the right to object—and I shall not object—does the distinguished majority leader not feel that in the programming of to-

day's work it would have been better had we followed the honorable, ancient tradition, and custom of the House, and adjourned out of respect for our sitting colleague, the late Honorable WILLIAM L. ST. ONGE, who was called to his heavenly reward, rather than violate clause 4 of rule XIII and call up conference reports before the mandatory call of the Consent Calendar, and before all else that we have done here today, before completing the resolution to adjourn out of respect for our departed colleague?

Mr. ALBERT. Mr. Speaker, if the gentleman will yield, we have followed this procedure rather consistently over the last few years.

Mr. HALL. If there is anything we have lacked, it has been consistency, I will say to the distinguished majority leader, in the way we have handled things. Some of us came here today expecting that we would follow the traditions and customs of the House, and adjourn out of respect to a deceased sitting member, and we have not.

Mr. ALBERT. We are going to adjourn out of respect.

Mr. HALL. Mr. Speaker, in that I will join wholeheartedly and withdraw my reservation of objection.

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

There was no objection.

#### MERCURY CONTAMINATION OF FISH AND LIVESTOCK

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

Mr. OBEY. Mr. Speaker, just about 3 weeks ago I addressed letters—which appear in the CONGRESSIONAL RECORD of April 14, 1970—to the Secretary of Agriculture, Clifford Hardin, and the Commissioner of the Food and Drug Administration, Dr. Charles Edwards, asking a number of questions in an attempt to find out what is being done by Government agencies to protect the public from mercury poisoning.

Unfortunately, while neither gentleman has yet answered any of those questions, it is becoming increasingly clear that there has been an unbelievable casualness in agency attitudes concerning mercury contamination.

We know that mercury enters our waterways when industrial plants dump huge amounts of mercury laden wastes into our rivers and lakes. We know too, that it can poison fish and eventually find its way to our dinner tables.

As recent articles have pointed out, the Dow Chemical Co. has acknowledged that one of its plants located in Ontario, Canada, was pouring up to 200 pounds of mercury a day into the St. Clair River. Fishing in this river, as well as Lake St. Clair and the Detroit River has now been banned by the Canadian Government because the fish caught there contained excessively high amounts of mercury.

Mercury is also used extensively as a seed dressing on grains, and residues of mercury have been found on harvested crops, including apples, tomatoes, and

wheat. It has been found in the meat of animals which were fed mercury-treated seed. It was that kind of meat which caused the tragic poisoning of three New Mexico children several months ago.

Mercury in humans affects the liver, the kidneys, and the brain. When we are dealing with mercury poisoning, we are obviously dealing with a serious matter.

As Dr. Alan R. Hinman, an expert on diseases of the brain and the nervous system at the National Communicable Disease Center recently said in a Wall Street Journal article on mercury poisoning:

Mercury in virtually any quantity will cause some damage to people, but the effects of small amounts won't show up until you get older.

I am particularly disturbed, Mr. Speaker, over the haphazard way in which our Federal agencies seem to be dealing with this matter. Although I understand that the USDA monitors wheat for mercury residues, it appears there is no monitoring of mercury residues in other foods, nor any monitoring of mercury spillage by industrial firms. Nor has any limit or tolerance level been established by the FDA for safe levels of mercury on food.

With injuries and congenital birth defects from mercury poisoning reported in the hundreds, it is hard to believe that no one in our well-populated bureaucracy has decided what their functions are supposed to be with regard to this problem. Yet, this seems to be exactly what the situation is. In one recent newspaper report, in fact, a Government official was quoted as saying that discussions about this matter were going on between the Interior Department and the Department of Health, Education, and Welfare, but that it had not yet been "decided who is in charge."

I anxiously await an answer to some of the questions which I have posed to both the USDA and the FDA. Perhaps my inquiries will cause them to more quickly respond to this problem. At a time when we have choices to make about priorities and putting first things first, I would certainly hope that the protection of the public health and welfare would appear high on the list. We had all better hope that officials at the Departments of Agriculture, Interior, and Health, Education, and Welfare think so too. In any event, it is necessary that these agencies decide what actions will be taken by whom, and it is necessary that they take action now.

Mr. Speaker, the Wall Street Journal article and several other recent articles on this matter appear below:

[From the Wall Street Journal, Apr. 28, 1970]

#### MERCURY CONTAMINATION OF FISH AND LIVESTOCK ALARMS HEALTH EXPERTS

(By Richard R. Leger)

Headache, fatigue and irritability. Those are the initial symptoms of mercury poisoning, though the cause isn't likely to be known when they appear. Trembling hands, slurred speech, numbness of the limbs, kidney damage and even death may follow in severe cases.

Therein lies a potentially explosive public health problem. Alarmed health officials are

increasingly finding mercury in the nation's food supply. Within the past few months dangerous quantities of the chemical have been detected in hogs in New Mexico, cattle in Oregon, pheasants in Montana and California and fish in the Great Lakes.

Experts in the field assert that mercury isn't just another pollution problem. Whereas the specific effects of auto pollutants, insecticides and pesticides on the human system aren't certain, for instance, mercury in sufficient quantity is a lethal poison for which there is no known antidote or cure. Even mercury vapor is harmful.

Moreover, human beings and animals tend to retain mercury in their systems. Minute amounts may accumulate, becoming apparent only when irreversible damage has been done. "Mercury in virtually any quantity will cause some damage to people, but the effects of small amounts won't show up until you get older," says Dr. Alan R. Hinman, an expert on diseases of the brain and the nervous system at the National Communicable Disease Center (NCDC) in Atlanta.

#### EFFECT ON THE BRAIN

It's known that about 10% of any mercury ingested goes to the brain. "We have lots of brain cells," says Dr. Hinman. "We may lose only a few with each tiny amount of mercury, and the impact might not be noticeable until we're older. Possibly some persons considered senile are suffering from long-term mercury poisoning."

There are two sources of mercury contamination. One is agricultural. Fungicides containing mercury are applied to the seeds for most grain crops, such as wheat, barley, oats and rice, and also to seeds for tomatoes and cotton, before the seeds are planted.

The purpose is to prevent diseases that could afflict these crops at early stages. The treated seed is dyed red as a warning. But say officials, many farmers ignore the warning and feed leftover or waste seed grain to their animals. The animals pass the mercury to human beings who eat the animal meat. Game birds such as pheasants accumulate the poison by eating seed grain before the seeds sprout.

The second source of pollution is industrial. Waste containing mercury results from processes for making plastics, chlorine and sodium. This waste, discharged into lakes or rivers, accumulates in fish later taken for food.

#### TROUBLE ABROAD

Alarming information on mercury poisoning has reached U.S. investigators from abroad. Between 1953 and 1960, more than 60 persons were poisoned fatally by mercury wastes discharged into a river in Minamata, Japan, by a plastics manufacturer. Poisoning came from fish and shellfish caught in the river and bay and eaten.

Dr. William H. Likosky, a physician at the Atlanta NCDC, says, "We have received reports that people in Guatemala, Pakistan and Iraq have developed illnesses through misuse of seed grain as food. They apparently have ground the grain into flour and made bread. There are hundreds of cases we know about, and there probably are many more that go unrecognized."

Federal officials don't know how widespread mercury poisoning is in the U.S. "These abuses have been around for years," says Dr. Likosky, "but no one added them together into a big picture. If someone had a mild case of mercury poisoning, it probably would have been diagnosed as encephalitis (a brain infection) of unknown etiology (cause). We have no idea whatsoever how many cases of mild mercury poisoning are occurring."

Concern mounted in the U.S. last December, however, after three children in the family of Ernest Huckleby, a school janitor in Alamogordo, N.M., became ill. U.S. Public Health officials learned that the family had

fed their hogs waste seed grain that had been treated with mercury compounds. Then the family slaughtered and ate one of the hogs.

#### CONTAMINATED HOGS

The three children remain seriously ill. Investigators learned that the Alamogordo problem didn't end with the Huckleby family. Four other farm families in the region had obtained contaminated waste seed grain and possibly fed it to their animals. The U.S. Department of Agriculture clamped an embargo on hog shipments from the region last January—but not before 108 possibly poisoned hogs had been slaughtered and shipped out. Federal officials say they think most of the pork went to New Mexico and Texas.

A serious problem is detecting contaminated meat. Farm animals fed mercury-treated seed aren't likely to be intercepted by inspectors from the USDA, concedes Dr. John Spaulding, head of the toxicology group in the USDA consumer protection program. Federal inspectors check animals before they are slaughtered, and "only go on how the animals look," he says. Seven contaminated cattle that had been passed by a Federal inspector in Oregon were intercepted earlier this year only because a tipster angry at the rancher notified the USDA.

Another problem is how to prevent farmers from using the contaminated grain. Many seed grain companies take their waste mercury-treated grain and leave it at dumps. But officials report at least one recent case of such grain being picked up and resold as feed grain. Other seed companies burn their grain. But this spreads dangerous mercury vapor about the countryside.

Earlier this year the USDA took a strong but little-noticed move by suspending Federal registration for an estimated 60% of the mercury compounds used to treat seed grain. "Directions for proper use and caution statements on labels of the product have failed to prevent its misuse as a livestock feed," says a spokesman from the USDA's agricultural research service.

In order not to hamper this spring's planting, the department is allowing seed processors to sell seed already treated with mercury. However, the USDA indicates that it may eventually extend the partial ban and withdraw registrations for all mercury seed dressings.

The agricultural industry, however, complains that the Government is moving too swiftly and forcefully against mercury fungicides. Denis Hayley, secretary-treasurer of the National Agricultural Chemicals Association (NACA), a Washington trade group, estimates that about 80% of all commercial seed, including cotton, is treated with mercury compounds.

"There's nothing I know of with the broad spectrum of use against disease that could replace mercurial compounds," Mr. Hayley says. "The other available treatments are generally specific for a certain type of disease of a seed or for a certain crop."

Cutting off the mercury compounds, Mr. Hayley says, "will raise the cost of agricultural production substantially." Parke Brinkley, president of the NACA, asserts that "some 20% of the grain crop or yield would be lost without seed treatment, and that would be disastrous in this country." At least one fungicide maker already has challenged the partial Government ban in court.

The contamination of fish and other marine sources of food is an equally critical problem. "We are finding fish from the Great Lakes with mercury residues," says R. E. Duggan, a deputy associate commissioner of the Food and Drug Administration. "Just how widespread this is we don't know."

The FDA now has dozens of investigators checking fish in the Great Lakes and in several major rivers, including the Mississippi

and the Niagra. Shrimp and oysters harvested from the Gulf of Mexico also are being checked. The FDA has set a figure of 0.5 parts per million as indicating contamination, and Mr. Duggan says "a substantial number" of contaminated fish have been found. But the average contamination among fish in lots checked has been below that level.

The Government doesn't have the power to halt fishing. But it could ban interstate shipments of contaminated fish or shellfish, and Mr. Duggan says, "We will take legal action against any fish shipped in interstate commerce above that level (0.5 parts per million)."

Canada and the states of Ohio and Michigan, armed with more direct powers, already have begun to use them. Paul W. Brown, attorney general of Ohio, announced earlier this month that he was preparing legal action against Dow Chemical Co. and Wyandotte Chemical Co. to recover damages for alleged pollution by the companies' chloro-caustic plants.

Dow acknowledges that its plant, located in Sarnia, Ontario, was pouring up to 200 pounds of mercury a day into the St. Clair River, which runs into Lake St. Clair, the Detroit River and Lake Erie. But it says pollution from the plant has been reduced to "essentially zero." Canada, however, has banned all fishing from its side of the St. Clair River and the Detroit River and in Lake St. Clair. Ohio has banned commercial fishing for some kinds of fish in its portion of Lake Erie.

Wyandotte is a subsidiary of Badische Anilin & Soda-Fabrik AG, a German company. Its plant, located on the Detroit River south of Detroit and two miles north of Lake Erie, had been emitting 10 to 20 pounds of mercury waste a day into the river. Michigan Attorney General Frank J. Kelley recently got an injunction that closed the plant for a few days until the company eliminated the pollution.

Another area of concern is catfish growth commercially on Southern rice farms, a growing industry. "They've been using mercury fungicides in the rice belt for 20 to 30 years," says William Barthel, chief of the FDA's toxicology laboratory in Atlanta. "I'm not concerned so much about the rice. The question is, has it (the mercury) built up to dangerous levels in the water?"

The FDA is buying a new tool to help in the Government's mercury-hunting effort—an atomic absorption spectrophotometer that will enable scientists to detect mercury in amounts as minute as 1-100th part per million in blood or urine specimens.

There is other work on the research front. Some Swedish studies have suggested the existence of a process called translocation, in which mercury in seed dressings apparently passes from the seed to the resulting plant. U.S. experts are checking the Swedish conclusion. Sweden has banned the use of most mercury fungicides.

An unusual program is planned by the National Communicable Disease Center in Atlanta. Mercury poisoning falls outside its usual purview, but it plans to use its resources to check human beings and livestock around the country to determine how widespread mercury poisoning is.

#### [From the Washington Star, Apr. 24, 1970] ONE HUNDRED SEVENTY-FIVE MILLION DEMANDED FROM DOW TO CLEAN LAKE

DETROIT.—A new conservation group, angered over mercury dumped by Dow Chemical Co., that led to a total fishing ban in Lake St. Clair, wants the company to contribute \$175 million—about a year and a half's profits—toward cleaning up the lake.

In a letter to the company's chief executive officers, the Lake St. Clair Anti-Pollution League charged Dow "has committed the un-

pardonable sin of poisoning the waters, fish and all aquatic life in Lake St. Clair with Mercury, a metallic substance which may linger for many years."

To back up its demands for "indemnification to the citizens of Michigan and Canada," the group announced yesterday it was initiating a consumer boycott of all Dow products until its demands are met.

Hal Southard, president of the group and a St. Clair Shores real estate and land developer, said the money would be spent with the proper governmental agencies for cleaning up and testing of the lake waters.

"It's unfair and unrealistic to expect the taxpayers to pick up the cost of cleaning up Lake St. Clair and a lawsuit against Dow Chemical Co. would take many years," he said. "This boycott could get us action a lot faster."

Dow admits its Sarnia, Ont., subsidiary had been leaking up to 200 pounds of mercury daily into the St. Clair River, which empties into Lake St. Clair. The disclosure led to a ban on fishing in the lake by both the Ontario and Michigan governments.

[From Time magazine, May 4, 1970]

#### ENDANGERED GREAT LAKES

For 20 years, U.S., and Canadian industries have dumped millions of pounds of toxic mercury into the Great Lakes watershed. Now the result has caused alarm in both countries. On the heavily fished Lake Saint Clair, recent tests of pike and pickerel showed mercury levels as high as seven parts per million—14 times the maximum level deemed safe in fish for human consumption.

Last month local officials in the U.S. and Canada totally banned fishing on Lake Saint Clair and partly banned it on Lake Erie. Last week Interior Secretary Walter J. Hickel ordered a federal investigation of all lethal substances discharged into the Great Lakes' U.S. waters. In Ludington, Mich., for instance, five electroplating companies were recently found dumping cyanide into Lake Michigan, source of drinking water for millions of people. As for mercury, Hickel will stop all lakeside discharges if Governors of the affected states ask him to do so.

Clear threat. The sudden interest in mercury is based on a flurry of mercury-poisoning cases—including more than 100 deaths—in Japan, Iraq, Guatemala, Pakistan and New Mexico. The toxicity of mercury is well documented; Lewis Carroll's portrait of the Mad Hatter in *Alice's Adventures in Wonderland* was inspired by the fact that 19th century hat makers used mercury (to shrink fibers for felt) that damaged hatters' brains and literally drove them mad.

U.S. industry alone consumes 5,300,000 lbs. of mercury a year. Most of this is used by paper companies to prevent the formation of slime, and by chemical plants as an electrode in the production of chlorine. Much of the mercury lost in these processes is believed to be picked up by microorganisms in lakes and rivers and passed up the food chain to larger fish. By the time it reaches predators like the pickerel and perch, its potency has been multiplied as much as 4,000 times. Since these fish are prized by fishermen, the suspected ultimate poison (methyl mercury) is a clear threat to human health.

Everybody wrong. Ontario officials have given eleven paper and chemical plants on Lakes Erie and Saint Clair until May 1 to clean up. Michigan officials have been less charitable. They closed Wyandotte Chemicals Corporation's mercury-dumping operation on the Detroit River last week, and will allow it to open only after the company has installed a temporary recycling system. A group of angry Ohio commercial fishermen last week filed a \$100 million damage suit against both Wyandotte and a Dow Chemical plant at Sarnia, Ont. The Canadian government has

agreed to pay fishermen \$500,000 compensation for the new antifishing rules.

These steps are only a beginning. Neither the U.S. nor Canada has a system for monitoring mercury spillage; neither has set up standards for the same amount of mercury in foodstuffs. Worse, many pollution experts are still quite unclear about the subtleties of water-borne mercury. As one Canadian official recently remarked: "Everybody thought that since mercury was 13½ times heavier than water, it would sink right to the bottom." Everybody was wrong.

#### AMERICAN PRISONERS OF WAR IN SOUTHEAST ASIA

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

Mr. ZABLOCKI. Mr. Speaker, last Friday the House Foreign Affairs Subcommittee on National Security Policy and Scientific Developments, held one of the most moving and memorable hearings which it has ever been my privilege to chair.

Our witnesses were five wives of American servicemen who are missing in action or known captured in Southeast Asia. Also testifying was Mr. H. Ross Perot, the Texas businessman who has been very active on behalf of American POW's in Vietnam and their families in the United States.

In his testimony, Mr. Perot outlined a number of concrete suggestions for congressional action which would focus national and international attention to the plight of our captured servicemen in Vietnam. This action will bring pressure to bear on Hanoi to stop their inhumane treatment of POW's, and will enhance their early release of the prisoners.

Mr. Speaker, I believe that Mr. Perot's proposals are worthy of consideration by the Members of this body and want to take this opportunity to share them with my colleagues.

He suggested that:

First, Congress hold a joint session to hear from wives of American servicemen held prisoner in Southeast Asia;

Second, the chaplains of both the House and Senate, as our beloved chaplain, Rev. Edward G. Latch, has today, and in the past, included into their opening prayer each day a special mention of the plight of American POW's;

Third, replicas of North Vietnamese stockades, dungeons, chains attached to trees, and other devices used to confine American prisoners be displayed in the rotunda or in some other place of the Capitol to arouse public sentiment;

Fourth, each Member of Congress make humane treatment of American prisoners of war an issue in his campaign for reelection; and

Fifth, each Member of Congress who conducts a poll of his constituents include a question about the POW issue.

Implementation of these proposals, Mr. Perot assured, would help convince the enemy in Vietnam of the unity and determination of the American people, regardless of their view on the war, to achieve humane and just treatment for American prisoners, as demanded by the Geneva Convention on prisoners of war.

Another result of putting Mr. Perot's suggestions into effect would be to help encourage and sustain the wives and families of our missing and captured servicemen. At present, many are unhappy and frustrated at what they believe is apathy on the part of the American people and their government about the plight of their loved ones.

I, therefore, urge that Mr. Perot's proposals be given careful consideration by those who are in a position to make a decision on their implementation.

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

Mr. ZABLOCKI. I yield to the gentleman from Louisiana.

Mr. HÉBERT. Mr. Speaker, I am pleased the gentleman from Wisconsin is making the statement.

I would like to inform him that in the city of New Orleans for Armed Services Day, which is the 14th of May, instead of presenting military figures or men in uniform, the city of New Orleans will pay honor and tribute to the four wives of prisoners of war who appeared before the Armed Services Committee. We have invited all the wives of prisoners of war living in Louisiana to be the honored guests of our armed services celebration this year.

Mr. ZABLOCKI. Mr. Speaker, I thank the distinguished gentleman from Louisiana (Mr. HÉBERT) for advising the House of his city's planned tribute to the wives of prisoners of war. It is my sincere hope every community will arrange ceremonies paying tribute to our brave servicemen and their loved ones, who are courageously and patiently awaiting their return.

#### PROPOSAL FOR SELECT COMMITTEE OF HOUSE TO GO TO VIETNAM AND CAMBODIA

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

Mr. MONTGOMERY. Mr. Speaker, on Wednesday I hope a large number of Members will join with me in sponsoring a resolution concerning the current situation in Southeast Asia. The House resolution will call for the appointment by the Speaker of a select committee of 11 Members from this body to go to South Vietnam and Cambodia to observe and study first hand the situation in Southeast Asia, and upon their return to make a full and detailed report to Members of the House on their findings. The major emphasis of the factfinding mission should be the search and destroy missions in and around the Communist sanctuaries of Cambodia and increased air activity above the DMZ. I feel they should also look into other important programs such as Vietnamization, troop withdrawal, pacification, and other matters pertaining to our involvement in Southeast Asia.

It will be most important that this select committee have the complete and full cooperation of the Department of Defense and be allowed to talk to those

people they want to and travel to those areas they so desire.

Of the 11 Members selected, two should be from the Armed Services Committee and two from the Foreign Affairs Committee. The committee would be instructed to report back its findings within 30 days of adoption of this resolution.

I feel very strongly that those Members of the select committee should be ones with open minds on the situation in Southeast Asia and ones who could and would conduct a thoroughly objective factfinding mission in order to give a factual report to the Members of this body and consequently to the people of America.

The new developments in Vietnam and Cambodia are the most important issues being discussed by the people of America today. For this reason, this resolution needs to be adopted with dispatch and the select committee needs to be given the green light to begin its study as soon as possible.

We are sending each Member of the House a copy of the proposed resolution. I would urge each of you to study the measure carefully and call my office if you desire to have your name added as a cosponsor when the resolution is introduced on Wednesday.

#### CAMBODIA: NIXON'S NEW POLICY FOR VIETNAM

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

Mr. ASHLEY. Mr. Speaker, by ordering U.S. combat troops into Cambodia for the first time, President Nixon has departed sharply from previous conduct of the war. He has chosen to widen the conflict—temporarily, he says—in an effort to bring it to an end more quickly.

The decision reflects the President's judgment after weighing the risks and opportunities presented by alternative courses of action in Cambodia. For several reasons I seriously question President Nixon's judgment and decision.

First, the allied drive into Parrot's Beak will almost certainly provoke reaction from Hanoi, and perhaps Peking, with consequences throughout Southeast Asia that cannot be predicted but which could be fateful.

Second, if the attack was launched without consultation with the Cambodian Government, as appears to be the case, it is a clear breach of Cambodian neutrality, the Geneva Accords, and the principles of international law which the administration has repeatedly cited in connection with the long-standing and equally illegal Communist Vietnamese presence on Cambodian soil.

Third, expansion of the war into Cambodia is a refutation of the policy of de-escalation and raises serious questions as to the credibility of announced troop withdrawals and efforts to seek a negotiated settlement.

Fourth, there is strong evidence that the South Vietnamese and allied drives into Cambodia are the result of a trade-off between President Nixon, anxious to



announce additional troop withdrawals, and the Joint Chiefs of Staff and U.S. commanders in Vietnam who strongly recommended that all withdrawals of U.S. combat forces should be postponed until the actual relationship of the Laos-Cambodia situation to the security of South Vietnam could be more accurately assessed.

On April 20, 10 days before the Cambodian thrust was launched, Mr. Nixon told a national TV audience that 150,000 additional U.S. troops would be withdrawn by the spring of 1971. Little attention was paid to the caveat that "the timing and pace of these new withdrawals within the overall schedule will be determined by our best judgment of the current diplomatic and military situation"—a marked departure from the previous system of withdrawal quotas every 90 days, with identification of the units to be pulled out.

In a dispatch from Saigon following the President's troop withdrawal announcement, a senior American commander is quoted as saying:

This is a schedule we can live by . . . it gives us the flexibility we need to cope with new battlefield situations as they occur. This way, if the enemy launches a series of attacks, we can deal with them first and carry out the withdrawals later.

What seems to be clear is that a compromise gave both the President and our military what each wanted: For the President, the political advantage of presenting to the public a big, bold, reassuring figure of 150,000 more American troops to be brought home; for the military, greater freedom of action in the field which they have sought from the start of the conflict.

Aside from the risks already described, it now appears evident that Mr. Nixon's ability to deliver on his withdrawal commitment may well be contingent upon success in the exercise of this new long-sought tactical flexibility by the military. In my view, it is imprudent and dangerous in the extreme to mortgage our political aims and objectives—which go far beyond troop withdrawals—to the risks and uncertainties which of necessity attend future military operations. It is the worst of poor judgment to do so when the entire chapter in Vietnam has been punctuated by reliance on military estimates and actions which have proved disastrously inaccurate, costly, and unproductive.

My fear, then, is that President Nixon has relinquished control over the conduct of the war in Vietnam, that he has opted in favor of its direction by the generals on the gamble that some sort of traditional military victory can be achieved—as distinct from humiliation or defeat—that will lead to the traditional kind of peace which he promised during his presidential campaign.

Under the circumstances, I would expect the Congress to seek full disclosure of the circumstances which led to the offensive in Cambodia and to make it clear that it rejects a new Nixon policy for Vietnam which widens the conflict so precipitously.

#### "AN AMERICAN SPEAKS OUT"— SPEECH BY WILLIAM DAVID YATES

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

Mr. HALEY. Mr. Speaker, I take great pride in submitting this speech entitled "An American Speaks Out," by William David Yates, the Florida State American Legion Oratorical Contest Winner.

David has pointed out that although America's fiber is stronger from our citizens having the right to disagree, it is stronger when that right is exercised within a lawful framework.

David is obviously a very earnest and proud American, who does not feel that love of country is old fashioned as some of our people seem to indicate. It is reassuring to see this young person express his impression of today's America so realistically and eloquently.

I am very impressed with this young man's love of his Nation, his pride in being an American, his understanding of things as they are in our country today, and his willingness to stand up, be counted, and do something to better these United States. I would like to share his speech with you:

#### AN AMERICAN SPEAKS OUT

Four score and seven years ago, our fathers brought forth upon this continent a new nation, conceived in liberty and dedicated to the proposition that all men are created equal.

These were the words of a sad Abraham Lincoln at the battle of Gettysburg in 1863. As he said them, Lincoln looked out over his divided nation and tears filled his eyes because the America he saw was not a country where free men lived together in brotherhood; instead he saw a nation torn apart by civil war and blood stained; a nation whose very existence was threatened because American fought against American.

It is a hundred years since Lincoln spoke these words and again America is threatened—not by a foreign power but by Americans themselves.

We are truly the most privileged group of citizens in all the world; a people with more rights and freedoms than man has ever known before. We have the greatest heritage on earth and we are holders of the most precious citizenship known to man.

Yes, as Americans we have a great deal to be proud of. And yet, many times we take what we have for granted.

Do we strive to keep America free by defending her? No, we say a war is immoral. Do we carry out one of our greatest responsibilities as citizens and go to the polls? No, we say our vote is insignificant. Do we love America for what she is or for what we can get out of her?

We are supposedly the most advanced people in the world but I question our real intelligence. In a country with a government of the people, by the people, and for the people, it is obvious that every citizen plays a very important role. And yet, time and time again we fail this nation by not carrying out our responsibilities as citizens—by not living up to the goals every American should have.

As the people of this nation we are the blood of America. We can give her life and strength or make her sick and give her death. But the blood of America is composed of over 200 million cells, each with a definite function or purpose. And if one cell fails to

carry out its function or becomes malignant, the entire body can be hurt.

Yes, it is very important that every American carries out his responsibilities as a citizen because this will assure America of becoming stronger.

What are the responsibilities of being an American? One is to deal honestly and fairly with our fellow countrymen—the principle of Justice. Our forefathers realized the importance of Justice, when they founded this nation some 200 years ago. They had firsthand knowledge at real unjust treatment under England's rule and for this reason they installed within the tenets of our Constitution a surety that the generations of Americans to come would not suffer the same injustices.

And yet . . . in America today there are those who say they have been wronged and demand justice. They are known as racists, yuppies, draft-card burners, and what not. They claim to be dissenters but their efforts are a far cry from true dissent. They are America's malignant cells. They say that they want justice but do they do America justice by burning her cities? By defying her laws? By refusing to defend her?

We are the so-called good, upstanding Americans, but do we do America justice with our apathetic attitudes and disrespect for the same laws?

One of the greatest responsibilities an America has is to respect the laws of his community and of his nation. We are fortunate enough to live in a nation which allows for change in a peaceful, orderly manner. And yet so many times we revert to violence. Respect for the law is that intangible force that will instill in the citizens of a nation a true respect for the rights of their fellow countrymen. It is that vital cog of the wheel of peace in America.

There is a national guard in every state to maintain this peace. But the real peace in America does not lie in the national guard of federal government.

Instead it lies within the hearts and minds of every American.

We are citizens of a nation once torn apart by civil war. But do we learn from our past mistakes? No, we say! "I'm going to get that black man down the street" or "I'm going to slit that white's throat" or "I'm going to burn that Jew's house down!"

A nation of free men living together in brotherhood? No, a nation of selfish people filled with hate instead of love and who never stop to think of what is best for America before they act. But alas, Americans, we are going to have to change because every time an American fights against another American, a nation is hurt and into its wounds pour its enemies aided and abetted by that nation's people.

There is a time in every young man's life when he is called on to serve his country. Many think of it as a responsibility but there is no greater honor that can be bestowed on an American than the right—yes the right—to fight and die for America. For when you are defending America, you are fighting for more than just a country. It's an ideal; a dream—the American dream that every man has the right to be free because we are endowed by our Creator with certain unalienable rights among which are life, liberty, and the pursuit of happiness.

But there are those men in the world who do not want man to be free and try to take these unalienable rights away from him. In fact, there are right now half a million American young men fighting and dying on the battlefield of a foreign soil so that you and I may be free. Free to scorn and knock America; to tear her down instead of building her up. Free to scar America with the flames of hatred and violence—free to destroy America by failing her in every action.

It is time to wake up Americans from our

slumber of greed and selfishness, and lack of national pride. Let us rise up out of the bog of complacency and become 200 million united as 1, not necessarily in our ideas but in our goal: a better, a stronger, a more beautiful America. What is a more beautiful America? It is a nation where everyone doesn't have to agree with their fellow countrymen but where every American citizen has enough love for his country to at least respect the right of a fellow citizen to disagree.

It is obvious that as Americans we have many important responsibilities, but in the end the rewards we can reap are truly unlimited.

And there is one responsibility that I have which stands out above the rest for I am a young person and it is the duty, the honor of my generation to see that the next generation of Americans is also free. We are the youth of America—the torch bearers of freedom's flame. We are 30 million strong and growing; growing with the vibrancy of a young America. As a member of this special corps of young people, America means a great deal to me. She means the right to say what I want to say; to believe what I want to believe; to be whatever I want to be—the right to be FREE. And above all she means the right to stand up and say "I am an American."

Yes, I'm an American and I'm not afraid to stand up for my country, because, I love America. And I offer a challenge to you, the silent majority to do the same; to simply stand up for America. Will you accept this challenge?

#### PRESIDENT NIXON'S STAND ON CAMBODIA

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

Mr. DEVINE. Mr. Speaker, President Nixon proved to the entire world that he is a man of courage, leading a strong and powerful Nation which will not accept humiliation and defeat like a pitiful helpless giant, in his decision on Cambodia last week.

This action was not one of unwarranted aggression, Mr. Speaker, but a necessary move to protect our troops in South Vietnam who are seriously threatened by the illegal invasion of Cambodian territory by North Vietnamese troops.

An editorial in the Washington Daily News defends the President's action, explaining how this territory has been made a staging ground for attack by Hanoi, and how the danger posed by enemy presence there has increased in recent weeks. I insert this editorial in the RECORD at this point.

#### NIXON WARNS THE COMMUNIST WORLD

President Nixon has made an impressive defense of his decision to send U.S. troops into Cambodia to destroy Communist bases and headquarters for their attack on South Vietnam.

Altho the decision seems to be militarily sound, it is also clearly loaded with danger. It runs the risk of unexpected and unpleasant reactions by North Vietnam, China and Russia.

Nevertheless, the President—and this may be the most important part of his address last night—served notice on the Communist world that America is not "a pitiful helpless giant" that will tolerate "humiliation and defeat" or will fail to "meet a direct challenge".

In this way Mr. Nixon was looking past Vietnam to other areas of danger, like the tinderbox Middle East and Berlin, and warning the Kremlin not to test us. He has concluded that a policy of firmness is better than appeasement in warding off collision between the two superpowers.

Historically, such a policy is often the best one, and we hope the Soviet Union gets the President's message, avoids miscalculation, and does not press on toward confrontation.

In Vietnam itself, the situation during the past weeks has grown even more perilous than the President said. White House officials disclosed that the North Vietnamese have been pushing out from their separate border sanctuaries in Cambodia, trying to link them up into an area of free movement, and attempting to connect this zone with the South China Sea.

If this strategic move had succeeded, the enemy could move unlimited supplies by sea from North Vietnam and China and, as Mr. Nixon said, "launch massive attacks on our forces and those of South Vietnam."

Mr. Nixon declared, and most people in this country will agree: "We will not allow American men by the thousands to be killed by an enemy from privileged sanctuaries."

The President's plans are that our soldiers will withdraw from Cambodia in six weeks to two months after destroying so much of the enemy's supplies that he will be set back for several months. During that time, Mr. Nixon hopes Hanoi will realize it cannot win militarily and that it will start serious peace negotiations.

The North Vietnamese, however, are a tenacious foe and withstood fearsome bombing. We fear that Hanoi will find some way out of its military predicament. One way would be to ignore the sanctuaries, march on Cambodia's capital of Pnom Penh, rout the weak government of Lon Nol, reinstall the leftist Prince Norodom Sihanouk in "power" and have him demand that we cease our "invasion" of "his" country.

We cite this bleak scenario only to point out that our military action in Cambodia may not, as the President said, shorten the war and get U.S. troops home quicker. We hope it does, but there are so many complications in sight that the public should not expect an easy or decisive victory.

Mr. Nixon is already coming under attack for "invading" Cambodia and "widening the war." These are specious charges. He sent troops into areas in Cambodia invaded by the North Vietnamese five years ago and occupied by them since then.

By using those areas as a staging ground for attack, it was Hanoi—not us—who made Cambodia part of the Vietnam War. And Cambodia is being attacked by the North Vietnamese today only because its government had the outrageous nerve to ask them to go home.

We don't know whether Mr. Nixon will succeed in eliminating Hanoi's invasion bases and saving the Cambodian government. But he is not wrong to try.

#### CONGRESSMAN ANNUNZIO INTRODUCES LEGISLATION TO INCREASE AVAILABILITY OF MORTGAGE FINANCING

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

Mr. ANNUNZIO. Mr. Speaker, at the end of the last calendar year, the principal lenders on conventional home mortgages, the country's savings and loan associations, had a total of 55 percent more mortgage loans outstanding than

they had held 6 years earlier. In the same period, the principal lenders on FHA and VA home mortgages, the mutual savings banks, increased their holdings of residential mortgages over 50 percent. But these increases in outstanding loans were less than the 58-percent increase in the gross national product.

The growth in outstanding home mortgage debt in fact has been inadequate. The lending institutions have not provided the financing needed to bring the stature of home ownership to all employed and responsible people who, by the lenders' tests of pre-1966 years, would have become ready for ownership in the last 5 years.

Two of the many facts which indicate the source of this failure are especially pertinent to the corrective legislation which I shall propose today: First, the annual total amount of savings and loan association loans for home purchase in 1969 was only about 10 percent larger than it had been in 1963—and the annual volume had fallen by as much as 30 percent in 1 year, 1966. And in 1969 the annual volume of loans for new home construction extended by savings and loan associations was one-third below the volume achieved in 1963. The total of the two groups of loans—for construction and for purchase—fell from \$25.2 billion per year in 1963 to \$21.8 billion per year in 1969. The second fact to note is that, while the annual volume of lending was below its 1963 level in the years when the tax reduction act and other forces were generally stimulating extraordinary growth of business investment, the price index for new homes increased by 18 percent between 1963 and 1969; actual prices increased even more because of the trend toward larger homes. For comparison with the 18-percent increase of price of a comparable house in 1963 and 1969, the wholesale commodity price index increased 16 percent.

An inadequate number of new houses are being built, an inadequate number of old houses are being rehabilitated, builders and skilled crews have been leaving the home construction industry, savings and loan associations and mutual savings banks are lending less in total dollar amounts despite higher prices on each home against which a mortgage is written, than they did half a dozen years ago.

When an industry raises prices in the face of smaller volume, year after year, it either is becoming monopolized or it is up against a cost situation from which a return for investment and management can be obtained only by higher unit prices.

The financial institutions are unable to finance a steady, much less a rising, volume of output and sale of such higher priced housing. The home financing industry cannot provide as rapid an increase in loan capital as has gone into other business, because savers can get as much as 60 to 100 percent higher yields from investment in other safe securities.

A legislative program for increasing the annual building and rehabilitation of houses should begin with frank recognition that the developing shortage of housing is accounted for in substantial

part by the difficulty of making a profit from building and by the characteristics of the capital market, including regulatory limits on interest rates paid by mutual savings banks and savings and loan associations while other businesses and governments are not so limited in what they can pay to savings.

There have accumulated too many years of evidence that freely and rapidly rising prices of housing are not the way to attract the capital needed for supplying the Nation's needs for the structures needed to house the cities' population. There is abundant evidence that discrimination against the saver of modest means, in the many forms taken by that discrimination, is not the way to get him to accumulate in his savings associations the amount of money which is needed if mortgage loans are to be available in the volume required by a growing number of families, and if mortgage loans are to be available at costs which will leave something over for the family to spend at the department store, the automobile dealer, and so forth.

I introduce today a bill which recognizes that continuing price escalation is not the way to mobilize the builder and the saver.

At this time, I want to pay tribute to the gentleman from California (Mr. HANNA), with whom I have had the privilege of serving on the House Banking and Currency Committee and who introduced an identical bill 3 months ago. Mr. HANNA recognized in his bill that it is necessary to do more than promise less discriminatory treatment for the man who saves at his building association or savings bank, if capital is to be forthcoming for residential building and financing. His bill, and mine, would offer to the financial institution, and to the builder, a reduction of his taxable income on such part of the income as was obtained from building or rehabilitating housing, and from financing such building and rehabilitation.

Mr. HANNA and I go farther than that, to reach the quarter of a trillion dollars in tax exempt organizations, and require them to shift, within the next 25 years, the contents of their portfolios so that they will hold home financing paper for at least one-quarter of their assets.

Then our bill enables the small saver to obtain a return from his savings and loan association or mutual savings bank comparable to that which he could obtain if he bought high-grade corporate bonds or municipal securities. We propose that the interest on accounts up to approximately \$15,000 shall be exempt from Federal income taxes.

The substantial increase in the net yield of saving at a thrift institution will encourage saving, by savers who already have accumulated substantial assets and by persons who have not yet established habits of thrift. The higher net yield will attract more money into thrift institutions. It will keep more money there, since the taxpayer will not have to turn over to the Federal Government the amount of income taxes, which frequently would be as much as \$300 per year, and for a large number of savers

could be even more, on the part of his interest income which gains tax exemption.

Our bill combines methods of reducing pressure to raise home prices, with incentives to supply the loan capital which housing needs. The combination of steady prices per unit of housing with a greater volume of loan capital, should reverse the trend toward a shortage of housing that has been evident for several years.

#### THE RIGHT ROAD TOWARD VOTING AT 18

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

Mr. ALEXANDER. Mr. Speaker, one of the most important issues facing us in this body is the proposal to lower the voting age to 18. There has been a great deal of debate in recent weeks over the best way to achieve this purpose, whether by constitutional amendment or by legislative action.

Today's Washington Post had an editorial entitled, "The Right Road Toward Voting at 18," which raises some valid questions and some logical answers on this subject.

I am in support of the principle of lowering the voting age, but I want this action to be taken in the secure belief that it is constitutional and that it has the support of the people of this country. It is my feeling that a good majority of the voters favor lowering the voting age. According to reports, there is a majority in the Congress that favors this action.

Would it not be the wiser part of valor to deal with this situation through the recognized and accepted procedure of a constitutional amendment, Mr. Speaker? Such a constitutional amendment could be handled quickly by the legislatures of the various States. There would be no constitutional questions and there would be no doubt as to its validity.

Because the editorial in today's Washington Post expresses this thought so eloquently, I would like to bring it to the attention of each of my colleagues, as follows:

#### THE RIGHT ROAD TOWARD VOTING AT 18

It is most unfortunate that the voting rights bill and the proposal to lower the voting age to 18 years have become entangled in a political controversy. In our view, both are important. Both should be enacted on their own merits. But there is no logic in tying them together, and the President has made a formidable argument in his letter to Speaker McCormack that a uniform voting age can be fixed only by constitutional amendment.

Chairman Celler of the House Judiciary Committee fears that extension of the Voting Rights Act of 1965 may fall unless the House accepts the Senate bill with the voting-age rider attached. The answer to that is that Congress must not permit it to fail. But Congress should accept the bill for what it is. Logic becomes very twisted when the House leadership argues that a Senate rider of doubtful constitutionality should be accepted for the sake of presenting a more popular package.

The difficulty with the assumption that Congress has authority to fix the minimum age for voting is that it flies into the face of

some rather specific provisions of the Constitution, Article I, Section 2, says that voters who elect members of the House shall have those qualifications fixed by the states for choice of their own legislators. The Seventeenth Amendment says the same in regard to electing senators. Whatever right Congress may have to change this is derived from the Fourteenth Amendment which forbids the denial of "equal protection of the laws."

But is a voting age of 21 years a denial of equal protection? Can it really be said to involve "invidious discrimination" against the young, to use the phrase the Supreme Court applied in its so-called one-man-one-vote decisions? Apparently the authors and ratifiers of the Fourteenth Amendment did not think so, for they specifically recognized the voting age limit of 21 years to be the correct one. In Section 2 of that amendment they provided that a state's representatives in Congress should be reduced if it should deny or abridge voting rights of male citizens over 21.

The only ground on which the sponsors of a voting-age change by statute have to stand is the Supreme Court's decision in the Morgan case. The court upheld a provision in the 1965 Voting Rights Act enfranchising Puerto Rican children in New York who were literate in Spanish but not in English. The state had made ability to read and write English the test, thus discriminating against an ethnic minority. It is, as the President noted, a giant leap to go from this well founded conclusion to the flimsy assumption that denial of the vote to youths of 18, 19 and 20 is discriminatory in a constitutional sense, when the Fourteenth Amendment itself clearly indicates that it is not.

In the face of this strong evidence that a statute intended to give 18-year-olds the vote would not accomplish its purpose, the risk should not be taken. Congress should not put the Supreme Court in the position of having to go along with an unconstitutional statute or risk disappointing millions of young people for reasons many would not understand. Nor should it subject the country to the potential chaos that might result from many local, state and national elections in which eligibility to vote would be open to wide question. The Senate bill makes provision for an early test of constitutionality in the courts, but there could be no assurance that the issue would be finally resolved even for the 1972 presidential election.

The President is open to criticism for not having pushed his proposed voting-age amendment months ago, although his views have been well known since the 1968 campaign and an amendment for the purpose is already before the Senate, with the endorsement of two-thirds of its members. If this were promptly passed by both houses, it could be ratified in time for the 1972 election. The women's suffrage amendment required only 15 months for ratification.

It is highly probable that, if Congress acts promptly, a new amendment would be in effect in less time than would be required for a definitive constitutional test under the statutory procedure proposed by the Senate. And that procedure is likely to prove futile in the end. We urge Congress to take the right road toward a worthy objective without further bickering.

#### PROTECTING AMERICA'S FISHING RIGHTS

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

Mr. DON H. CLAUSEN. Mr. Speaker, today I am introducing legislation to establish a 200-mile marine resources con-

servation zone off the coast of the United States.

In March 1966, I introduced legislation, subsequently passed by the 89th Congress, which extended the U.S. fishery zone 9 miles beyond the outer limits of the territorial sea. In January 1969, I introduced legislation to extend the fishery zone 47 miles beyond the outer limits of the territorial sea.

In each case, my action was prompted by the conviction that foreign fishing fleets are systematically plundering the fishing grounds off the coast of the continental United States. I refer specifically to the fleets of the Soviet Union, the most persistent and threatening offender, and, to a somewhat lesser degree, the fleets of Japan. More recently, South Korea's fishing fleet, in direct violation of agreements with this country, has been plundering our salmon fishery.

I am proposing this extension of the fishery zone, not as an offensive measure against foreign fleets, nor as a defensive measure for the security of the United States, but with the conviction that there is an urgent need for applying stringent conservation measures in light of the existing threat.

Fishery scientists are increasingly concerned over apparent changes in the ecology, especially along the west coast, and these changes are almost certainly the result of the massive fishing efforts of foreign fleets—particularly those of the Soviet Union. These huge trawler fleets have almost completely eliminated some bottomfish stocks and have made serious inroads into pelagic stocks.

In light of these continuing and, indeed, increasing depredations, I consider it imperative that we in the Congress establish a basic resources conservation zone for the effective protection and management of fish and other marine resources, and to secure the rights and the livelihood of American fishermen.

#### PRESIDENT NIXON'S WIDENING AND REESCALATION OF THE WAR IN INDOCHINA

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

Mr. BINGHAM. Mr. Speaker, we meet here today at a grave moment in the country's history. The danger comes not from any external threat to our security but from the widespread feeling of betrayal here at home produced by President Nixon's widening and reescalation of the war in Indochina.

Many of us who have shared the hatred of the Vietnam war felt by the young and alienated in our society have nevertheless been trying to persuade them that our processes of government are responsive to the feelings of the people, and that disruption and violence will serve no constructive purpose. Today those words of ours have a hollow sound.

The President had attempted to persuade us that he was trying to disengage America from the Vietnam war. He had promised Congress, as the minority leader reminded us last Thursday, that he would not send American forces into

Cambodia without first consulting the Congress. He failed to keep that promise.

In his speech of Thursday night, President Nixon sought to justify his action on the ground that it was necessary to protect the lives of American troops. This to me is nothing less than a preposterous argument, in view of the fact that the Cambodian sanctuaries have existed for years and that the President and his predecessor have until now consistently resisted the pleas of the generals that the sanctuaries should be invaded. Now that the policy of restraint has been abandoned, we can only wonder where the line will be drawn. How far will we go in Cambodia in pursuit of an elusive foe? Will we also invade Laos? What about North Vietnam itself? Whatever the answers to these questions, it seems clear that the President, by taking this step, has plunged us deeper into the morass.

If the President's major purpose was to protect American lives, there were many simpler and better ways open to him to accomplish that objective. If he was genuinely concerned about aggression against Cambodia, why has he not taken the case to the U.N. for decision on possible collective action?

To me the President's moves are a sign of desperation, a sign of belated recognition that his policy of Vietnamization of the war, without attempting to negotiate a compromise peace, was bound to fail.

I hope this House will take action on Wednesday to make clear that it disapproves the President's actions and to require that American forces be withdrawn from Cambodia immediately and that the resumed bombing of North Vietnam should be stopped. Thereafter, if the Saigon government insists on continuing its intransigence, it should clearly understand that it will have to do its own fighting.

I believe that a negotiated peace is still possible, but it can only be achieved on the basis that the realities of the situation will be reflected in any settlement that is achieved. The nonsense of supposing that our side can totally achieve its objectives at the peace table, when it could not and cannot do so on the battlefield, must come to an end.

#### UNITED STATES REACTS TO ESCALATED COMMUNIST ACTION

(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, like many Americans I laud the President for his announcement that he would take whatever action is necessary to protect the lives of American fighting men and his orders to destroy the enemy sanctuaries that we have too long tolerated on the Cambodian side of the Vietnam border. Those Americans who truly desire an end to the war have long awaited such a showing of leadership.

It is truly unfortunate that the desired objective—capture and destruction of the enemy command post—has not been accomplished. The success of

a military operation depends upon secrecy and surprise. Last evening's CBS show announced that captured VC troops were aware of the impending American action 3 days in advance of the public decision by the President.

If true, this means that the enemy in Hanoi is better informed than the U.S. Congress or the American people, or perhaps even our troops, of our actions. Obviously, there are serious security leaks in the United States. A fifth column sanctuary exists right here in our Nation's Capital.

I do not feel that it is again necessary to impugn the loyalty of some in our State Department, some members of our diplomatic corps—nor anyone on the President's staff, but I would again remind the members of the Southeast Asia collective defense treaty itself. Did our leadership comply with article 4, paragraph 1, of the SEATO Treaty which provides that military measures taken to repel aggression must be immediately reported to the Security Council of the United Nations Organization? If so, we again must remember that the post of Under Secretary General for Political and Security Council Affairs in the U.N. Organization is presently held by one Leonid N. Kutakov of the Soviet Union. See CONGRESSIONAL RECORD, volume 115, part 26, page 35882, for full text of SEATO Treaty.

We must remember that Soviet planes, military hardware, and supplies are sustaining the Vietnamese Communists. Likewise, Russian helicopters—the world's largest—with the capability of vacating many personnel and much material from any objective area in a 72-hour period, have been supplied the enemy.

Had it not been for Soviet support, there could have been no Cambodia sanctuary and correspondingly, without increased Soviet involvement in Southeast Asia there would have been no need for U.S. troops to attack Cambodian sanctuaries.

The President's announced action is a reaction to Communist escalation of oppression in Indochina.

#### WITHOUT NATIONAL SECURITY ALL OTHER GOALS ARE ACADEMIC

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

Mr. RANDALL. Mr. Speaker, on Saturday evening, May 2, it was my privilege to be a guest at the 44th annual convention of the department of Missouri Reserve Officers Association of the United States.

The department banquet was held in the Officers Club of the Richards-Gebaur Air Force Base, Mo. There was a large attendance of Reserve officers from all components, Army, Navy, Air Force, and Marines, accompanied by their ladies.

As usual the banquet was a colorful affair, the entertainment was excellent, and one of the highlights of the evening was the presentation of an award to Hallmark Cards, Inc., which was received by a Mr. W. P. Harsh, a senior officer in the

Hallmark organization. An award goes each year to one of the leading business firms in the Middle West who has shown during the year their complete support and cooperation with the Reserve officers training program by accrediting their employees during the training period with their regular company compensation or in some instances the difference between the regular civilian compensation and that paid during the Reserve training period. Hallmark received and deserved the generous applause of the large crowd assembled at the department banquet.

The highlight of the evening and the reason I take the floor this afternoon is to focus attention upon the remarks contained in the address by Brig. Gen. Earl O. Anderson, deputy chief of Air Force Reserve.

The remarks were most timely particularly in the light of the debate which is just beginning over the decision to attack the Cambodian sanctuaries.

General Anderson's remarks were hard hitting. He pulled no punches. As an opener he pointed out that "without national securities all other goals would be academic, at best." He reviewed the Soviet strength and listed their inventory of intercontinental ballistic missiles.

An interesting refutation to the charge that we in this country are called "imperialists" and "aggressors" was presented when we suggested that if we were truly an aggressor with imperialistic designs, there was a time when we were the only country in the world with a nuclear capacity to force others to bend to our will. Because we made no such attempt and conducted ourselves with restraint at that time should be the best refutation of these false charges.

In answer to many of our present critics who insist that the objective to modernize our Armed Forces is a waste of money which would be better spent on other goals, General Anderson conceded that systems like Atlas and Titan missiles had all been retired without having been fired in anger, but that such should not be cited as an example of military waste. The general was most eloquent and his logic was foolproof when he said:

We must subscribe to the school of thought which says that it is better to have a weapon and not need it, than to need one and not have it.

It is a privilege for me to share with my colleagues the very clear thinking and the excellent presentation of the arguments for a strong deterrent as delivered to the Missouri State convention of the Reserve Officers Association. I am submitting the full content of General Anderson's address as delivered.

ADDRESS BY BRIG. GEN. EARL O. ANDERSON—  
WITHOUT NATIONAL SECURITY ALL OTHER  
GOALS ARE ACADEMIC

I'm very pleased to be able to join our Richards-Gebaur and Missouri friends here tonight. I understand that several weeks ago in Washington Ben Mangina complained to my boss that the people in Ben's outfit felt like Air Force Reserve orphans because it's so seldom that General Marchbanks gets out this way. General Marchbanks told him that with all the activity at the Pentagon he only gets out to visit our trouble spots.

Consequently, since I'm standing here tonight, Ben can rest easy . . . for now anyway.

Seriously, General Marchbanks did want to be with you this evening but a fast-breaking commitment with the Chief of Staff, General Ryan, forced him to change his plans. He did ask me to extend his best wishes to you for a successful convention.

Before I say anything else, I want you to know that my appreciation of the Reserve Officers Association and the many people who participate in this great organization is exceeded only by my appreciation for the over 400,000 individuals who are a part of the Air Force Reserve. Of course, I realize, many of you fall in that category also.

Our friends of ROA have always been available to assist whenever we have had a need of assistance. This has not been infrequent in the past, and I'm sure the pattern will continue in the future.

Today, perhaps more than ever before, it is so important for those who believe in assuring the security of our nation to stand up and be counted. I know the Reserve Officers Association plays an important part in espousing the threat that exists and the necessity to be prepared to meet that threat.

You are aware, of course, that the military establishment has come under increasing fire recently from a variety of sources, most of them not on the battlefield. Much criticism has been levelled at what is termed misdirection of national priorities. Many sincere and conscientious groups believe that the nation's support of programs to deal with problems like housing, education and pollution is much too low in proportion to the outlays for national security. Some do not stop there, but, lay the entire blame for the situation on the military.

On this score, let me call your attention to a comment made in a recent talk by the Chairman of our Joint Chiefs of Staff, General Earle Wheeler. He pointed out that, while members of the JCS keep themselves "fully informed on the wide spectrum of external and internal problems confronting our country, our role and our duty, under the law, is to focus upon those concerns which are wholly, or largely, military in nature."

The seemingly obvious point that General Wheeler was making is that we in the military believe that the solutions to the domestic problems of this country should and will be provided by its non-military agencies and resources. Certainly, this does not mean we in the military should not assist to some extent; however, our primary attention must focus on military matters.

There is one important point which some of our critics tend to overlook, without national security, all other national goals would be academic, at best. Reasonable and honest men may differ on exactly what is necessary for that security, but history records no case in which security was enhanced by military weakness. In other words, our efforts to move ahead in economic and social areas can succeed only if we can at the same time preserve our national security.

There are several factors that are bound to have an important bearing on our ability to maintain our security. One of the primary ones is the growing tendency to ignore or downgrade the military threat to this nation. That tendency is more widespread now than at any time since World War II. We hear it said repeatedly, for instance, that it is inconceivable that the Soviets could consider a massive strike against this country.

In a recent speech, General Ryan had this to say on the subject:

"Those who express this view, in my opinion, either ignore the buildup of strategic capabilities by the Soviets or assume that their purpose of deterrence is identical to our own. A massive first strike by the So-

viets can never be ruled out as a possibility by those of us who hold the responsibility for the defense of our country. And the consequences of such a strike are so grave that we must continue to give first priority to the task of deterring it."

Let's review, briefly the publicly acknowledged status of the Soviet armed strength. The Soviets today have more than five times as many intercontinental ballistic missiles as they did just five years ago. Not only do they now have more ICBMs than the United States, but their SS-9 missile will deliver several times more payload weight than our Minuteman. According to General Bruce Holloway, Commander in Chief of the Strategic Air Command, the SS-9 has a yield of 12 to 25 megatons, and more than 230 of them are now under construction or operational. In addition, the Soviets have a fast growing fleet of submarines with ballistic missiles similar to our Polaris Force. They have tested a fractional orbit bombardment system. They have improved and expanded their Air Defense tremendously, including anti-ballistic missile systems. They have about twice as many tactical aircraft as we in the U.S. Air Force, and they are still bringing new fighters into their inventory. They have increased the size and quality of their ground forces, and they have expanded their sealift.

At the same time, the United States has no major new offensive strategic systems moving into production. Thus, it seems obvious that our strength in relation to that of the Soviet Union is declining.

Meanwhile, our national military leaders cannot guess at the intentions of the Soviets. However, they can and must continually evaluate the Soviet capability. And let me stress the vast difference between intent and ability. For instance, if you know that an adversary does not have the capability of inflicting serious damage, you really don't have to worry about his intentions. You will recall that in the late 1940s and early 50s, we were not concerned about a Soviet strike on our country for the simple reason that they had no capability for such a strike.

And this affords an opportunity to refuse those, both in and out of this country, who have repeatedly and insistently called the United States "Imperialists" and "Aggressors." During the period after World War II, when the Soviet Union was fashioning the iron curtain and fomenting turbulence in Iran, Greece, and Turkey, the United States alone, among all nations, possessed a nuclear weapon capability. If we were truly an aggressor with "Imperialist" designs, it would have been a simple matter for us to have engaged in nuclear blackmail of the Soviet Union or anyone else to bend them to our will. But, did we attempt any such thing? Of course not. In fact, what this "Imperialist" nation did do was to grant independence to the Philippines and implement the Marshall Plan designed to restore the economies not only to our European allies but to our former enemies.

Let us return to the threat which presently faces our national security. Our Under Secretary of State, Mr. Elliot L. Richardson, spoke recently of what he termed the two interpretations of Soviet attitudes.

One attitude, he summarized, is the belief that "as practical needs have become more insistent, communist ideological fervor has waned. The Soviet leadership is viewed, like Candide, as increasingly content to cultivate its own garden."

Mr. Richardson then summarized the other view as a belief that "Soviet attitudes are little changed and that the threat to our security is not significantly diminished."

He explained: "Those who propound the first viewpoint do so despite the continuing and accelerating buildup of Soviet military strength, to the spread of Soviet power and

influence in the Mediterranean and Middle East, to the invasion of Czechoslovakia and subversion of its government, to the Soviet support of Hanoi in its evident desire to take over South Vietnam."

Despite all of these indicators, many of our critics insist that to modernize our force is a waste of money which would be better spent on non-military goals. They point to weapon systems like the B-36, the B-47, the Atlas and Titan missiles, all retired without having been fired in anger, and cite those now outmoded weapons as horrible examples of military waste.

Again, such critics completely miss the point that those weapons were designed to deter nuclear attack, and that such an attack has thus far been deterred. We must subscribe to the school of thought which says it is better to have a weapon and not need it than to need one and not have it. They also serve as prototypes for more sophisticated equipment. Because the Model "T" Ford is outmoded today does not mean that for its purposes it wasn't a great automobile leading the way to the vehicles we enjoy today.

People who chide the Air Force, for instance, because it states a need for the F-15 Air Superiority Fighter evidently have the naive belief that anything American is inherently superior to anything foreign. This apparently leads them to believe that no matter how old it may be, the latest American fighter will be able to overcome the newer Soviet counterpart which is faster and which embodies more up-to-date technology than ours. That's wishful thinking, and wishful thinking never provided security to any person or nation.

Does all this mean that the military is for unlimited arms funds and against improvement in the civilian communities? Of course not, and you and I know it. In fact, we are already seeing a large shift in national priorities taking place. According to a Department of Defense spokesman, the defense budget estimates for Fiscal Year 1971 represent the lowest percentage of the total federal budget since 1950.

Of course, a lot of us here tonight recall what happened in 1950. The Defense budget was heavily slashed, our Armed Forces drastically weakened, and then the North Koreans invaded South Korea! I am sure that some of you men here tonight returned to active duty as a result of that. With the regular forces at such a low level, the Reserve components had to be mobilized to stave off defeat. The Reservists answered the call and served well, as they always have, before and since.

The memory of 1950 should impart a message to us today. And, I would state it simply as this: Don't weaken the active force to an unacceptable level, but, as you do reduce the active force, strengthen the Reserve forces! Unfortunately, there are those who believe that as you reduce the active force, the Reserve forces should be reduced proportionately. Realistically, just the opposite is necessary. Experience has shown repeatedly that to maintain a given level of military strength with a smaller amount of money requires an increase in Reserve capability. In the Air Force, for example, we know that it costs a little under half as much to maintain a Reserve flying unit at a combat-ready level as it does to maintain a regular unit of the same type.

As I mentioned a moment ago, the total Defense budget is shrinking. Not only is a smaller proportion of the national budget being made available for military requirements, but the dollars going to the armed services are being shrunk further by inflation. And every indication is that the military faces further reductions.

It must be recognized that such reductions will reduce our capability to meet unantic-

ipated military requirements and will limit the number of U.S. military options which will be available to meet new crises anywhere in the world.

There seems to be little doubt that the Reserve components will be somewhat adversely affected by these cuts. Hopefully, however, the fund reductions applied to the Reserve forces will not be so drastic as to result in a significant weakening of Reserve strength. Whatever happens, I assure you that those of us in the Reserve management structure will do everything possible to keep our Reserve force viable and responsive to the security needs of our country.

I would be remiss if I failed to acknowledge a most important source of Reserve strength. In fact, I should say two sources. One is those employers of Reservists who provide great assistance to the Reserve programs by adhering to a liberal policy regarding Reserve participation by their employees. Many firms continue full-time pay for workers performing their two week active duty tours, in addition to regular vacation pay. Other employers make up the difference between civilian and military pay during those tours.

The other equally important source of Reserve support is received from the wives and families of our Reservists. They are really the unsung heroines and heroes of the Reserve program. The understanding demonstrated for the need of their men to be absent from home to participate in Reserve training, the positive attitudes they show in taking on those extra responsibilities the absences entail, the warmth with which they welcome their men home, all these and other things constitute a positive and substantial contribution to the Reserve program, and consequently, to the nation's security.

To maintain our ready-now Reserve we need all this support. But more than that, we need the understanding that our national security cannot be sacrificed for wishful thinking. We all want a world of peace. However, we must be realistic and face the obvious. Preparedness is not something to be shunned, nor is patriotism. Our citizen Reserve has always been an essential resource to our national Defense posture. In the future, more than ever before, this may be even more important. We look to people like you to make sure our nation isn't short-changed by well-meaning but misdirected individuals who would have us lower our defense while those around us raise theirs to frightening levels.

#### POLISH CONSTITUTION DAY

The SPEAKER. Under a previous order of the House, the gentleman from Illinois (Mr. PUCINSKI) is recognized for 60 minutes.

Mr. PUCINSKI. Mr. Speaker, yesterday all over America, in communities where there are Americans of Polish descent, special memorial services were held to commemorate the significance of Poland's May 3 Constitution.

Perhaps one of the largest of such observances was held in Chicago where more than 100,000 Americans of Polish descent watched a thrilling parade, depicting the highlights of Polish history, wind its way from the Polish National Alliance Headquarters at Division and Milwaukee, to Humboldt Park on Chicago's west side.

At the park itself, a most thrilling and inspiring memorial service was conducted by the president of the Polish National Alliance and Polish American Congress, Alliance Aloysius A. Mazewski. President Mazewski set the tone for this solemn

commemorative service when he called upon Americans of all religions, races and ethnic origins to join in paying tribute to the gallantry and valor of those heroic Poles who brought to the continent of Europe, 179 years ago, the spirit of human dignity and the doctrine of self-determination which served as the basis of our own Constitution.

I shall include Mr. Mazewski's remarks, as well as the remarks of all the other speakers on the program, at the conclusion of my own observations.

It was a source of great pride to me to see such a huge throng of people assemble in Humboldt Park yesterday for this patriotic observance. It is a reflection on the patriotism of Americans of Polish descent, and at the same time, a tribute to the leadership of not only the President Mazewski, but his very able women's vice president, Mrs. Irene Wallace, who was general chairman of yesterday's Chicago observance.

Mrs. Wallace deserves the eternal gratitude of all Americans for taking on the difficult task of organizing yesterday's colorful and inspiring parade and the program at Humboldt Park. Mrs. Wallace is a young woman, but her zeal and her dedication to the cause of human dignity, is a source of inspiration for Americans of all ages.

I shall include at the conclusion of my remarks, a formal program for yesterday's memorial service and the names of all the members of the committee which, under the careful direction of Mrs. Wallace and through outstanding cooperation, helped put together this imposing tribute to human dignity yesterday. President Mazewski has again proven himself an outstanding leader for having such dedicated people assisting him.

I shall include in my remarks the proclamation issued by Mayor Daley and the one passed by the Illinois General Assembly under the leadership of State Representative Lechowicz. I regret that I do not have a copy of an address delivered by the Governor of Illinois, Richard B. Ogilvie, which placed into proper perspective the challenge that lies ahead, but I shall include in my remarks the address delivered by Under Secretary Elliot L. Richardson who was the main speaker at Chicago's Polish Constitution observance.

All of those who played such a key role deserve our highest commendation.

Mr. Speaker, at the conclusion of my own remarks, a number of my colleagues have asked to join in this special order marking the 179th anniversary of Poland's Constitution. Their remarks will follow in this special order:

REMARKS BY ALOYSIUS A. MAZEWSKI, PRESIDENT, POLISH NATIONAL ALLIANCE, CHICAGO, ILL., MAY 3, 1970

Today, we are paying tribute to the great sons of Poland.

They taught us that true patriotism is a way of life committed to national goals and purposes.

In their search for true patriotism, they reached the summit of civic wisdom and probed the depths of the awareness of national responsibilities. They incorporated their findings in the May 3rd, 1791 Constitution.

This document is unique in certain universal appeals to mankind.

Although it is a revolutionary act, it did not come into being through revolutionary torment and bloodshed. In consonance with the Polish tradition of tolerance and respect for the dignity of man, it is the product of civic and sociological evolution in Polish political concepts.

Unlike most of the constitutions that were born of revolutions, the May 3rd Act, does not widen the horizons of individual freedom, but safeguards the national freedom with the sense of responsibilities and purposes of the state.

The 18th Century Poland has a thought provoking lesson for us in America today.

As a state and a commonwealth of nations, it was encumbered by too much individual freedom, too much social and civic permissiveness, too much tolerance of the evils inherent in unresponsiveness to the vital interests of the country, superseded by grossly exaggerated rights of the individual.

The May 3rd Constitution came too late to save Poland from immediate dangers of external aggression. It gave, however, the Polish people, a new sense of national life and purposes. And therein lies the enduring and forever persuasive power of this noble document. It was the wellspring of national aspirations for whole generations of Poles even as it is today a promise of deliverance for Poland now suffering foreign ideology and dominance.

In its universal appeal, the May 3rd Constitution contains a highly relevant lesson for us in American today.

Like Poland in the 18th Century, we in the United States today witness excessive individual freedom encroaching upon the stability, peace, order and tranquility of the society.

We see the gravity of social cleavages, succored by intellectual, or indifferent tolerance, that may rip our land apart.

On the far out fringes of our society we see the devaluation of the American spirit and ideal which, if unchecked, may destroy our national viability and freedom.

We, of the vast silent majority cannot afford to remain silent much longer;

We must reassert the ascendancy of national goals and purposes over the individual's pursuits stemming from hedonism and irreverence for established order;

We must curb the real danger of excessive permissiveness;

We must put limits on the tolerance of the abuses through which our basic freedoms suffer;

We must recommit ourselves to the principles of patriotic living.

These, my friends, are not rhetorics, but imperatives for our American nation—imperatives incorporated in the May 3rd Constitution.

Admittedly, we have certain grievances as an integral, ten million strong segment of America's pluralist society. And we ask our distinguished guest and main speaker, the Honorable Elliot Lee Richardson, to convey to President Nixon our feelings and opinions.

We feel that lines of communications between the White House and American Polonia are somewhere, perhaps, unwittingly, shortcircuited by overly protective or political misinformed sides;

that as an ethnic group whose history in the New World antedates the Pilgrims, we have taken prominent and honorable part in every phase of American history—yet we have not received proper recognition in politics—especially in federal appointments;

that the United States foreign policy is unduly cautious and unimaginative regarding "de jure" recognition of the Odra Nysa boundary, which act would be a stepping stone toward European settlement, peace and security.

Deeply disturbed by recently revealed NATO plan to lay a nuclear barrage across Poland and Czechoslovakia in case of the Soviet aggression against Western Europe, we submit to the United States authorities, that such plan is inhuman, genocidal and even in military terms untenable, and ask for its rejection.

These grievances, however, are being subordinated in our thinking and feeling by the overriding national interests and commitments which are being challenged by the communist conspiracy in South East Asia.

Last Thursday, a historic decision was made by President Nixon, as the Commander-in-Chief of American Armed Forces, responsible before the electorate and history for the safety and security of our nation and for its viability in terms of leadership, determination and honor as the leading power of the free world.

We may have differences of opinion as to the justification of our initial involvement in Vietnam.

In the course of national debates we may have expressed hawkish or dovish appraisal of the situation. However, the time for debates had ended with the entry of our gallant fighting men into Cambodia, to deny the enemy privileged sanctuaries.

We do not subscribe to the cries for bug-out raised by far-out dissenters. But we strongly subscribe to Stephen Decatur's injunction:—"our country, right or wrong!"

A man, whom we placed in the highest position of leadership, responsibility and trust, has made a decision which is binding. That decision undoubtedly was made on the basis of facts and information not accessible to us for reasons of national security.

History will pass a judgment on it.

Our duty is not the question that decision at this critical moment of its implementation, but abide by it and support it.

For that decision was made by the man whom we entrusted with the leadership, safety and good name of our country.

INVOCATION, REV. CASIMIR CZAPLICKI, C.S.C. ASSOCIATE PASTOR, HOLY TRINITY CHURCH, HUMBOLDT PARK, MAY 3, 1970

Heavenly Father, it is with grateful hearts, that We, Americans of Polish heritage, gather here for these inspiring and colorful Polish Constitution Day ceremonies. We are ever mindful of our thousand year old Faith and Culture. We are aware that our forefathers came to America because it has always been the land of the free and the home of the brave.

Our Father, we are grateful for the many blessings You have bestowed upon all the peoples of this wonderful country of opportunity. We, Americans of Polish ancestry, along with other Americans, have worked together, prayed together, laughed together and cried together. Above all, whenever it was necessary to defend freedom anywhere in the world, we fought, bled and died to preserve our precious liberty.

In these troubled times, Heavenly Father, we turn to You for help. Teach us to understand one another; to trust one another; to help one another; to love one another. May America, under God, remain the land of the free and the home of the brave. Amen.

#### PROCLAMATION

Whereas, Poland's May 3rd Constitution of 1791 has been and remains an inspiring and vital force for generations of Poles during their heroic struggles for freedom and independence; and

Whereas, in our times it grows in significance as a symbol of psychological and political resistance of the Polish nation against communist oppression; and

Whereas, the Constitution of May 3rd observances have become, since the turn of the century, an integral part of Chicago's civic

and patriotic activities and have always been dignified by participation of leading public officials of the United States; and

Whereas, to thousands of Americans of Polish origin in the Chicago metropolitan area who cherish their ethnic heritage the May 3rd Constitution commemorations are the wellspring of patriotism and dedication to the cause of freedom and America's greatness; and

Whereas, this year's observance coincides with the 90th anniversary of the Polish National Alliance chief sponsor of May 3rd Observances and the great Polish American fraternal organization whose members contribute much to the civic, cultural and economic betterment of our city:

Now, therefore, I, Richard J. Daley, Mayor of the City of Chicago, do hereby designate May 3, 1970, to be the Polish Constitution Day in Chicago, and urge all the people of our city to join the descendants of the men of great civic virtue and wisdom who framed this historical document, by participating in the parade and commemorative program which will be held at the site of the Kosciuszko monument in Humboldt Park.

Dated this twenty-fourth day of April, A.D., 1970.

RICHARD J. DALEY,  
Mayor.

HOUSE RESOLUTION NO. 414, STATE OF ILLINOIS, SEVENTY-SIXTH GENERAL ASSEMBLY, HOUSE OF REPRESENTATIVES

Whereas, On Sunday, May 3, 1970, the Polish National Alliance and all of Polonia will commemorate and celebrate the 179th anniversary of Poland's adoption of the Constitution of May 3, 1791, the most progressive and liberal legislation of 18th century Europe; and

Whereas, Although this great rebirth and assertion of democracy came to the Polish people too late to forestall the 3rd partition of Poland in 1795 by Russia, Prussia and Austria, the May 3rd Constitution nevertheless became for the succeeding generations of Polish people a source of inspiration, national strength and faith in a better future; and

Whereas, in the United States, wherever Americans of Polish descent live, this holiday is observed through the month of May to pay tribute to the Polish nation and to remind fellow Americans that Poland was one of the first pioneers of liberalism in Europe; and

Whereas, The celebration commemorating the adoption of the Constitution will be held in Chicago's Humboldt Park near the General Thaddeus Kosciuszko Monument under the auspices of Educational Department and Circuits 12-13 of the Polish National Alliance; therefore, be it

Resolved, By the House of Representatives of the Seventy-Sixth General Assembly of the State of Illinois, that we commend the Polish National Alliance of the United States upon its celebration of the 179th anniversary of the adoption of the Polish Constitution on May 3rd; and that a copy of this preamble and resolution be forwarded to the President of the Polish National Alliance of the U.S. of N.A., Mr. Aloysius Mazewski, at its national headquarters, 1520 West Division Street, Chicago, Illinois 60622.

Adopted by the House of Representatives, April 23, 1970.

FREDRIC B. SELCKE,  
Clerk, House of Representatives.  
JACK E. WALKER,  
Speaker, House of Representatives.

RESOLUTION ADOPTED AT MAY 3D, CONSTITUTION OBSERVANCE MAY 3, 1970, CHICAGO, UNDER THE AUSPICES OF THE POLISH NATIONAL ALLIANCE

Deeply cognizant and appreciative of our ethnic heritage as Americans of Polish ori-

gin, we solemnly commemorate one of the great moments in the political history not only of Poland but of all free nations of the world. That moment arrived on May 3rd, 1791 in Warsaw when the great constitution of national renaissance, of civic wisdom and responsibility, and of social justice safeguarding the precept of liberty, had been proclaimed by the Great Diet of Poland.

Gratefully acknowledging that moment of our forefathers' recommitment to individual freedom and democratic processes under the principle of the law and order of the land, we unanimously adopted the following resolution—

1. Deeply disturbed by recently publicized and debated NATO plan which would wantonly and needlessly kill millions of people and devastate Poland and Czechoslovakia in the event of the Soviet aggression against West Europe, we urge that the United States as the principal and leading power in the North Atlantic Treaty Organization reject this plan in its entirety. It is our considered opinion that a nuclear barrage across Poland and Czechoslovakia, without a pre-emptive strike against ballistic bases in Russia will not deter the Russian armed forces from an offensive against West Europe; on the contrary, by practically guaranteeing immunity to Soviet nuclear arsenal, the plan might give the Russian command an opportunity for a pre-emptive strike against Europe. Military considerations, however, are of secondary importance in this NATO Plan. The moral issue involved in it is of overriding and paramount importance. From the standpoint of international morality and human decency this plan should and must be rejected.

2. Taking note of recent developments in the area of international relations, with a special emphasis on the deepening crises in South East Asia, we unequivocally support the United States Government in its search for honorable, permanent and just solution to the armed conflict in the Far East, to the controlled and safeguarded nuclear arms limitations, and to general disarmament under meaningful and effective international control.

3. In view of the slowly and hesitatingly developing dialog between West and East Europe, we submit that the initiative of the United States in an early and irrevocable recognition of the Polish-German frontier along the Odra-Nysa Rivers would immeasurably strengthen those elements in both parts of divided Europe, who strive toward initial accommodation and eventual peace settlement in Europe.

De facto possession of the lands along the Odra-Nysa Rivers by Poland is an irreversible fact of history. De jure acceptance of this fact would be an important step toward restoring to Europe its demographic, historical and cultural wholeness now split by the Yalta principle which never have had any validity.

4. We further submit that by reasons of geography and demography, Poland constitute the keystone to Central and East European peace and stability and as such should be singled out by the United States foreign policy for particular attention. Within this frame of reference, we strongly recommend that Poland be accorded:

(a) Most privileged status in trade relations;

(b) Economic and technical assistance to the Polish people mostly through utilization of the American counterpart funds in Poland for such projects as the regulation and electrification of the Vistula basin, building of another hospital similar to the one in Krakow which stands as a symbol of American generosity and concern with the well-being of the Polish people;

(c) Restoration of the cultural exchanges between the United States and Poland which would envision supplying Polish college and university libraries with latest scientific

publications of the West, exchange of students and professors, reciprocity in performing arts and eventual restoration of the Royal Castle in Warsaw.

4. As Americans already deeply rooted in American soil, we pledge continuous enrichment of the United States with the best values of our millennial ethnic heritage, and our total dedication to the defense and perpetuation of the American way of life.

ADDRESS BY THE HONORABLE ELLIOT L. RICHARDSON, UNDER SECRETARY OF STATE

"All power in civil society should be derived from the will of the people, its end and its object being the preservation and integrity of the state, civil liberty, and the good order of society, on an equal scale, and on a lasting foundation."

I need not remind you that those words of so much universal meaning came from the Polish Constitution of 1791. They embody ideas of particular meaning to Americans. Those same ideas had been enshrined in our own Declaration of Independence fifteen years earlier.

As a nation, Poland has known its share of triumphs and much more than its share of tragedy. The Constitution of 1791 was such a triumph. Its importance stretched beyond Poland's borders. It, for example, inspired the brave men, who, early in the 19th Century, made the first of a series of attempts to throw off the despotism which bound Poles and Russians and so many other peoples.

It is more than fitting, therefore, that May 3 should be celebrated not just by the Polish-Americans, but by all Americans.

The Proclamation of our own Constitution, in 1789, was basically the beginning of our life as a nation. At the time of the proclamation of the Constitution of 1791, Poland had more than 800 years of recorded history behind her. Now Poland looks back on more than 1,000 years of national life. It is not for me today to try to outline for you all of the achievements of the Polish people during that thousand years. One cannot help but recall, however, that it was Polish valor which on two memorable occasions prevented the submersion of our western civilization as it has evolved since Greco-Roman times. I refer to the battle of Legnica in 1241 when the Tartar hordes were turned back from their invasion of Europe and to the raising of the ottoman siege of Vienna by Jan Sobieski in 1683.

We all know what Poland's position on the border lands of Western civilization has cost her. Only a little more than 25 years ago, the news of the Massacre in Katyn Forest shocked the world.

The gallant uprising in Warsaw thrilled, and then grieved, all those who love freedom. Untold numbers of Polish men and women gave their lives to prove the words of their national anthem, "Poland has not yet Perished."

No nation has ever been more a prisoner of her geography. We know of the partitions and subjugations which have wracked Poland. Following the Napoleonic wars, there was a saying in Poland: "Paris is too far away; the Tsar is too near at hand, and God is too high."

But, while the Polish State was repeatedly destroyed, the Polish Nation remained through that thousand years to confound and confuse its oppressors. It remains today, a living symbol of the futility of tyrants.

In America, we think of the many contributions Poland has made to the development of our Country and its arts and sciences. All Americans know of those brave and selfless soldiers, Thaddeus Kosciuszko and Casimir Pulaski, who joined the newly formed army of the Continental Congress as volunteers to employ their considerable military and technical skills, and eventually to shed their blood for the cause of freedom.

We think of the countless families from a divided Poland under foreign occupation during the 19th and early 20th centuries, who left their homeland, their loved ones, and their means of livelihood to share both the difficulties and the rewards this Country had in store for them. They contributed to the cultural and material enrichment of America just as such pre-eminent figures as Copernicus and Chopin had contributed to the cultural heritage and enrichment of all mankind.

Like earlier attempts to submerge them, the current separation of Poland and other Eastern European peoples from their Western heritage and relationships is doomed to failure. Even the suffocating darkness of the Stalinist night was not sufficient to sever the Polish peoples from their traditional ties or to terrorize them into submission. Thirteen years ago, the unvanquished spirit of the Polish people forced the foreign occupiers to allow to Poland a measure of national autonomy.

The United States is doing what it can to foster greater educational, cultural and scientific interchange with the countries of Eastern Europe. Eleven students from Alliance College, which, as you know, is supported by the Polish National Alliance, will be studying in this coming school year in Krakow, Poland. Such encouragement of American students of Polish descent to avail themselves of government grants for overseas study in the land of their forefathers is a forward looking step. I congratulate the Alliance for promoting it.

Neither we nor the peoples of Eastern Europe have been willing to accept the present restraints and restrictions in national life as a permanent state of affairs. And we refuse to recognize any doctrine under which a great power can claim the right to intervene militarily, not only to impose unpopular governments, but to determine what the internal policies of those governments will be.

As long as there are such restraints and such arbitrary abuses of powers, however, we are left with no choice but to look to our own strength. It has long been a traditional saying that the warrior with the longest sword was the most menacing. The rest of that saying is that if you cannot lengthen your sword, you must thicken your shield. We wish to menace nobody. The United States hopes that through negotiations we can blunt some of the dangers and eliminate some of the problems of a divided Europe. We must pursue policies aimed at a genuine relaxation of tensions between East and West. But we must also fashion common policies, together with our allies, for the pursuit of security both through military strength and through arms control.

None of us wants to see the proliferation of new and more awful means of mass destruction. We are taking every possible action, consistent with our security, to see that it is avoided. This is the meaning of the strategic arms limitation talks now going on in Vienna. We must, however, face the fact that common security will never be obtained if we are unwilling to make the necessary sacrifices for our own defense.

Any potential enemy must be forced in advance to face up to the costs of risking an all-out assault on American retaliatory power . . . If we were not in a position to establish such a modern defense, the validity of our promises to our allies would quickly come into question. For Eastern Europe, this would mean that the changes and evolution of the past fifteen years could be undone at a moment's notice. The slow growth of a greater autonomy, the goal of eventual freedom, would be put in mortal jeopardy.

There have indeed been meaningful changes. Where once we saw what appeared to be a monolithic system directed from one center by one man, we now see increased



evidence of national assertiveness. People who fought for, and got, minimum physical needs now seek the kind of human freedoms they know all too well exist elsewhere.

Governments are rediscovering the histories of their own peoples, histories which have been distorted and even banned. Although there are those in Eastern Europe who would like to turn the clock back and who have tried to erode even the limited freedoms obtained at such costs in 1965, we know that in the end they cannot be successful. They will have to accommodate to the demands of their peoples.

How can we be sure? Even now, we see a rising concern over the growing technological gap between European countries and the West. Those economies may not be in danger of collapse, but they are falling behind with every day that passes. Those failures must and will have their political impact. The parties which thought they had all of the answers simply cannot answer the most basic economic problems at all.

In this situation we can and do hope for meaningful negotiations which can lead back in the direction of normalizing the life of Europe. We seek to deal with concrete issues and try in concrete ways to resolve them, avoiding meetings for their own sake which can raise unfounded hopes. Although we must continue to probe all openings for better East-West relations, we must remember that coexistence requires more than just a spirit of good will. It requires patient and precise efforts to reconcile specific issues. It requires the definition of positive goals which can be achieved within the context of fully observed agreements. It requires real progress on the settlement of the real problems which face us.

As President Nixon has said, "It is not enough to talk of relaxing tension, unless we keep in mind the fact that 20 years of tension were not caused by superficial misunderstandings. A change of mood is useful only if it reflects some change of mind about political purpose. It is not enough to talk of European security in the abstract. We must know the elements of insecurity and how to remove them."

Certainly, the continued restrictions on the national life of Poland and the other Eastern European countries are such elements of insecurity. They cannot be glossed over or obliterated by an attempt to rush into an ill-prepared for conference which would contribute nothing significant to changing the present unnatural situation in Europe.

The military intervention in Czechoslovakia stands to the shame of all of the governments involved, though not to that of their peoples, who had no share in the decision. We are not willing and we do not believe the peoples of Eastern Europe want us to gloss over in advance such disgraceful adventures by an unqualified acceptance of the status quo. Their freedom does not lie in that direction. Maintenance of our freedom precludes such an action by us.

This is something of which President Nixon is deeply aware. His historic visit to Warsaw as Vice President and the magnificent reception he received are well remembered by both Poles and Americans.

In espousing a genuine reconciliation between Eastern and Western Europe, we cannot ignore the fact that it will be won and firmly established only when nations are free to deal with one another on a basis of equality and mutual respect. During the first and second World Wars, many Poles fully recognized the indivisibility of their freedom and security from those of their brothers to the East and fought for them under the banner: "For our Freedom and Yours."

That is the spirit in which all of us must seek to solve the problems of today's world. If we are true to it, we will ensure a true security and a true freedom for all. We know that freedom and security are concepts which cannot be divided without diminishing them.

"The preservation and integrity of the State, civil liberty, and the good order of Society, on an equal scale, and on a lasting foundation"—All these the Polish Constitution of 1791 held to be the "End and . . . object" of government, which must be "derived from the will of the people." Recalling those words of 1791 we remember those who are deprived of their effect. "While yet we live," we will not forget them.

PROGRAM, MAY 3D CONSTITUTION DAY OBSERVANCE, HUMBOLDT PARK, MAY 3, 1970

1. Opening remarks: Chester Mikolajczyk, Commissioner District 13, PNA; Helen Orawiec, Commissioner District 12, PNA.

2. National anthems: American and Polish; Holy Trinity High School Band.

3. Invocation: Rev. Casimir Czaplicki, C.S.C., Associate Pastor, Holy Trinity Church.

4. Introduction of master of ceremonies: Hon. Aloysius A. Mazewski, President of PNA and PAC.

5. Honor gun salute: Polish Legion of American Veterans, Dept. of Illinois Service Officer in Charge.

6. Wreath laying ceremony.

7. Remarks: Hon. Richard J. Daley, Mayor of Chicago.

8. Remarks: Hon. Richard B. Ogilvie, Governor of State of Illinois.

9. Address: Hon. Elliott Richardson, Undersecretary of State.

10. Reading of resolution: Mrs. Irene Wallace, PNA Vice-President and General Chairman of the Observance.

11. Remarks: Major Gen. Antoni Grudziński, O.B.E. Repr. 1st Armoured Div. in London.

12. Introduction of guests:

13. Benediction: Rt. Rev. Francis Rowinski, Bishop of the Western Diocese, Polish National Catholic Church.

14. Conclusion:

PROGRAM COMMITTEE:

Irene Wallace, Vice-President PNA, General Chairman.

Comm. Chester Mikolajczyk, Program Chairman.

Comm. Helen Orawiec, Program Secretary.

Comm. Thomas Paczynski:

Comm. Sophie Buczkowski.

Frank M. Prochot, Vice-President PNA.

Edward Moskal, Treasurer PNA.

Thaddeus Radosz, Director PNA.

Catherine Dienes, Director PNA.

Dr. Edward Rozanski, Director PNA.

John Ziemia, Director PNA.

Mr. ROSTENKOWSKI. Mr. Speaker, on May 3 we celebrated the 179th anniversary of the Polish Constitution of 1791. This celebration marks a great day in the history of our planet because although the people of Poland have not yet been liberated, their forefather's concept of liberty, which this document so eloquently depicts, continues to live in the world corridors of international thought.

Just 2 short years after America drafted her Constitution, the high principled and proud people of Poland, amidst a backdrop of absolutism and militarism, drafted an instrument which to this day is considered a landmark for liberalism and democracy in Europe. These ideas are summarized in the Polish Constitution thusly:

All power in civil society should be derived from the will of the people, its end and object being the preservation and integrity of the state, the civil liberty and the good order of society, on an equal scale and on a lasting foundation.

This philosophy of government discernible throughout the Third of May Polish Constitution leads one to believe that the American people and the Polish

people had each drawn inspiration for their respective constitutions from the same source.

Unfortunately, the adoption of this great document did not provide the sustained impetus for insuring the freedom which it promised. As a result, 4 years after the constitution was adopted, Poland was partitioned by Russia, Prussia, and Austria and thereby became embroiled in the throws of a political vortex which to date they have been unable to escape. Nevertheless, generations of Poles both home and abroad continue to dream of the day when Poland's struggle for liberty will be achieved.

Mr. Speaker, I am proud to say that our participation in this observance today underscores America's support and interest in the Polish nation as well as all people around the globe who are dedicated in their efforts to escape the personal bondage of communism.

Mr. RODINO. Mr. Speaker, the struggle to be free of both internal and external repression of human dignity and spirit and thought belongs to men of all ages.

Shortly after their adoption of a written constitution, not dissimilar in language and philosophy to our own, the Polish people in 1795 suffered the third partition of their country which deprived them of their sovereignty.

I join the commemoration of this just, but shortlived freedom of the Polish people.

Those of us who are custodians of free democratic institutions have the most sombre responsibility to preserve our precious right through the expansion of free thought and the continued search for social and human justice for all men.

Mr. GERALD R. FORD. Mr. Speaker, I wish to join with my colleagues and with all Polish Americans in honoring the 179th anniversary of the creation of the Polish Constitution of 1791. This Constitution, like our own, espoused the concept that all power in civil society should be derived from the will of the people.

Unfortunately, history has not been kind to our Polish brothers. Only during a very few of the past 179 years have the Polish people enjoyed the freedom and independence to which they aspire. Since 1791, Poland has suffered a history of repeated invasion and occupation by its neighbors. Even today the people of Poland must celebrate this occasion silently behind an iron curtain and under the iron hand of Moscow.

Throughout this history of occupation and oppression the Polish people kept alive their desire for human dignity and human freedom. While the flame has flickered dimly in the Polish torch of liberty, the fire that burns brightly in the spirit of the Polish people has served a higher illumination. The oppression and sacrifices of the Polish people serve as constant reminders that freedom once lost is not easily regained. Few lessons of history are so lucidly portrayed.

Other fellow citizens of Polish descent have contributed their strength, skills and vitality to forge a nation founded

in traditions of freedom and dignity. I am proud to stand with them today in honor of these traditions. I share their concern for the future of their homeland. I support their efforts to encourage the eternal struggle that must be waged for man's freedom. Finally, I join in their hope that some day Poland will once again realize the ideals of their May 3 Constitution.

Mr. BYRNE of Pennsylvania. Mr. Speaker, yesterday some 10 million Americans of Polish descent and Poles throughout the free world commemorated a noble experiment in democracy—an experiment doomed to failure by world powers.

Joining in this worldwide observance, coordinated in this country by the Polish American Congress, were many thousands of my Polish friends and neighbors whom I have the honor of representing in my congressional district.

It is to them specifically and the brave Polish people generally to whom I dedicate my brief remarks of admiration.

Perhaps it is with a bit of chauvinism that we Americans look upon ourselves as the pioneers of democratic and constitutional government. How many of us realize that a brief 2 years after the United States was formed by our own Constitution, the people of Poland, on May 3, 1791, promulgated their own Constitution guaranteeing rights and privileges unknown on the European Continent at that time.

The tenets of the Polish Constitution can be summed up from the following quotation:

All power in civil society should be derived from the will of the people, its end and object being the preservation and integrity of the state, the civil liberty and the good order of society, on an equal scale and on a lasting foundation.

To those of us who take our civil liberties for granted, the above may be of little impact; but to those familiar with the time and the mores of the European society of that period this noble experiment must be viewed as outstanding.

Little Poland was surrounded by militaristic, autocratic, imperialistic governments—each eyeing the fertile lands of Poland with envious desires.

Unfortunately, as it has happened from the 18th century through to our own 20th century, the small nations have been victimized by the large ones.

In a short 4 years, this attempt at liberalism and democracy was ended, as the troops of Russia, Prussia, and Austria invaded and partitioned Poland among themselves.

I wish I was in the position to state that this is only history and these "errors" have been corrected in our own "enlightened age." Of course, I cannot. Poland today is not free, either internally or externally. Its government is not constituted for the benefit of its people and is controlled and managed by a major power determined to carry its philosophy and stringent lack of personal freedom throughout the world.

May the day come when the tenets of the May 3, 1791, Polish Constitution once more govern this noble nation.

Mr. HELSTOSKI. Mr. Speaker, we are celebrating, this year, the 179th anniversary of the adoption of the memorable May 3 Constitution of Poland.

This historic Polish national holiday is observed solemnly throughout the world, and above all, by the 10 million Americans of Polish descent in the United States.

We can stress with pride that this great national holiday is not observed only by those of Polish origin. For many years, by traditional custom, the U.S. Congress observes this anniversary and many Members of Congress express their respects for the 3rd of May Constitution. Many State governors and mayors of large cities, by proclamation, recognize the importance of this day.

What caused the fact that this Polish Constitution has found such a strong echo and response in so many countries of the free world and particularly here on the free soil of the United States of America?

The Constitution of May 3, 1791, was a great accomplishment of deep minds of the most brilliant contemporary law experts, politicians, and philosophers, who based this important act on the highest contemporary ideals of freedom and democracy that have enlightened the minds of the authors of the present American Constitution and the French Declaration of the Rights of Man and Citizen.

Unfortunately, Poland at that time was nearing its fall and was soon to succumb to the force of the greater potentials of the enemies who surrounded her on all sides.

Within 4 years after the adoption of the May Constitution, the third partition of Poland and a long period of slavery ensued. In the years that followed Poland had the benefit of full independence for barely 20 years, from 1918 to 1939. Twice; namely in the times of the so-called Congressional Kingdom, from 1815 to 1830 and lately, from 1945 to 1956, Poland was governed by envoys or ambassadors of Moscow. All the remaining years of that period, beginning with the third partition 120 years ago, were days of absolute slavery.

But what are these years in the context of the thousand years which have elapsed since the founding of the Polish State, since the adoption by Poland of Christianity and which thousand-year anniversary we have celebrated only 4 years ago?

Truly those 120 years are only a small fraction of the glorious and brilliant 1,000 years of the history of Poland. These 1,000 years of the Polish State are brightened by such historical facts as the victory of Boleslaw Chrobry over the Germans; as the founding of one of the first universities in Europe, the Jagiellon University in Krakow; the victory of Jagiello over the Crusaders at Grunwald; the epical discovery by Nicholas Kopernik—Copernicus—that the earth revolves around its axis and around the sun; the victory of Jan Sobieski in Vienna.

A nation with such traditions and such historic and scientific accomplishment is truly a great nation. The greatness of a nation and a country is not measured by the vastness of its lands or the size of its population. A nation's contribution

to the world culture and civilization on one hand, and its participation and its position in international politics, the weight of the voice of its representatives in negotiations deciding on the fate of nations on the world scale on the other hand, are the determining factors of a nation's greatness.

Poland, today, does not play a great role in the international arena, but in the past 1,000 years there were long periods when not only was the Polish position and the Polish voice considered and when it was a deciding factor in the formation of the fate of the world.

Even in the period of those sad days when Poland was practically erased from the map of the free countries of the world, the Poles were not forgotten as a nation and they played an important role in the history of the culture and diplomacy of the world.

Above all, the Polish people never acquiesced in their lot as an unfree people. In their own country, as in all parts of the world, the Pole fought insistently on the fields of battle and did his share for his own freedom and the freedom of others. Kosciuszko and Pulaski in America; the Dabrowski Legions in the Napoleonic Wars; Prince Joseph Poniatowski who paid with death in the waters of the Elster for his title as French Marshal; the glorious but bloody Polish insurrections of 1830, 1848, and 1863; the participation of Poles in the last two World Wars on all fronts of the world; the victory over the Soviet armies of Lenin and Trotsky in 1920; and that memorable battle of the Vistula, which had been rated as one of the 17 decisive wars determining the fate of the world; the defeat of the Hitler forces at Monte Cassino in 1944. All of these are but a few of the bright milestones on the road of Poland to independence and freedom.

And in the same period, the contribution of the Polish nation in the field of progress and general world culture is also great. The names of the Polish poets of Poland—Mickiewicz, Slowacki, Krasiński, Norwald, Wyspianski—are among the names of the greatest poets of Europe. The two Nobel awards to Sienkiewicz and to Reymont are proof of the world renown of Polish literature. The music of Chopin is accepted today as a treasured property of the entire world. Ignace Jan Paderewski, a great composer and Polish pianist of international fame is particularly remembered in America. In the field of science, Marie Curie-Skłodowska, a Nobel Prize laureate, by her famous discovery of radium was the initiator of the development of the studies which led to all the present accomplishments of the atomic era. These few names should suffice to state in all earnestness that a nation that gave to the world such people, is undoubtedly a great nation.

The Polish nation does not demand for itself any special rights or privileges. It asks simply only for that article of first need, as necessary for life as bread is for every individual and for every nation regardless of its size. It demands freedom and independence, and the right to decide in its own matters without foreign interference.

This same freedom and independence is today demanded by many nations and countries in the great areas of the world, not only in Europe, but also in Asia and Africa. Without doubt the chief oppressor of these nations is Soviet Russia. The Soviets, today, are the visual symbols of bloody tyranny on earth. On the other hand, the leader of the free countries of the world today is the United States of America, and this American leadership is generally acknowledged. The eyes of millions of people remaining in Soviet and Chinese enslavement are directed toward the symbol of freedom, the Statue of Liberty at the entrance to the Port of New York.

The solution of the great many of our international problems facing the world depends on the results of the struggle for peace and on the conditions of the coexistence led by the United States on one side of the free world and on the other side by Soviet Russia, a country that intends to force upon others its communistic system. The policies of America inaugurated immediately after World War II by President Truman, and consistently followed thereafter, are policies of peace. In direct contrast, the policies of the Soviet Union are directed toward control of the world. They consist of constant efforts to "bless" other nations with a forced communization even though these nations avoid such blessing, refuse them, and beg to be freed from them. Such a nation upon whom a Communist system was forced upon by the Soviet Union, contrary to its desires, is Poland. Ironically, the Communists have called this "liberation" and the Polish nation, much against its public will, finds itself now in the Soviet-oriented orbit.

Only time will tell what this peaceful struggle of the ideology of freedom with the doctrine of forcible communism will bring to the world.

A desire for general peace based on the principles of freedom and justice to all nations is a main and basic policy accepted by the entire American Nation. This goal is an indivisible part of the history of the United States and of our great traditions, and it stands high among the ideals which we have inherited from the past leaders of our Nation. Every American acknowledges with pride the principle that every nation has a natural and undeniable right to decide for itself regarding its internal matters without terror from the minority within and without force and threat of force from without. This means simply that the internal matters of Poland, as of any other country of Central and Eastern Europe, and for that matter, the entire world, neither America nor Soviet Russia nor any other country should be allowed to interfere. Only the Poles should have the right to make free decisions regarding their internal problems, just as in the internal problems of America, only Americans should freely decide for themselves and in the internal matters of Soviet Russia, the Russians should decide these for themselves. In equal measures this concerns

all the other nations of Europe, Asia, and Africa. Let this principle become not only a beautiful slogan but let it be a basis of actual deeds. Let us systematically adopt a policy to make declarations and insistently demand their enforcement by all the others who also proclaim these principles.

Abraham Lincoln once said that the American Nation was born of freedom. May the future historians be able to say without hesitation and with justification about our generation that the American Nation, born in freedom, was always faithful to the cause of freedom, not only in its own country but also in relation to other countries and nations of the world.

If our Government adopts a definite policy on freedom for all nations and stands by it uncompromisingly, we can be assured that the dreams for a free Poland and the desire of all people of good will for a permanent peace and justice in the world, will soon become, not only a fond dream, but a real actuality.

Mr. Speaker, in connection with this May 3 celebration, the Bergen Ampols, an organization of Americans of Polish extraction, residing in Bergen County, N.J., have forwarded me the resolution which they adopted at their recent meeting. Through this resolution they reaffirm their intention to restore freedom to Poland.

These Americans of Polish descent are hard-working individuals in the Bergen County Polish communities. They are loyal to America, the land that has given them the freedom that their forefathers were denied—yes, even denied to their brothers and sisters who remain within the boundaries of the Polish nation even now.

Although having adopted the American way of life, these people carry on to instill the spirit of Poland into the hearts of their youngsters to carry on the traditions of their forefathers.

Mr. Speaker, I wish to bring this resolution to the attention of my colleagues in this honorable body and wish it to be included in the RECORD as part of my remarks.

The resolution follows:

Whereas we, the Bergen Ampols, an organization of Americans of Polish descent, shall on May 3rd mark the 179th anniversary of the constitution which at that time indicated Poland as an independent state, and

Whereas since that time the country of Poland has been subjugated by an aggressive and overpowering neighbor, and

Whereas we wish to let it be known that red Russia has been defeated in battle only one time, and that in the battle of Warsaw in 1920 when the Polish forces drove the Russian invaders out of the countryside, and also recaptured lands correctly parts of their territory, the only defeat communist Russia has suffered, and

Whereas some world dictators, in World War 2 positively decided to apportion Poland and satisfy the greed of one of its neighbors, thus opening the door for the subjugation of eastern Europe in general, now therefore

Be it resolved that we of the Bergen Ampols together with upwards of ten million Ampols in this country shall continue to fully pray for and fight for the freedom of a betrayed Poland, now under the red heel of Russia,

Be it further resolved that May 3, 1970, be marked in this country not only as Polish Constitution Day, but also that it be designated as the fiftieth anniversary of the defeat of the Communist forces by the gallant Poles in the battle of Warsaw, 1920, and

Be it further resolved that copies of this resolution be sent to President Nixon, Governor Cahill, and our representatives on the State and National level.

Approved March 15, 1970.

PAUL BORUTA,  
President, Bergen Ampols.  
WANDA MAKOWSKI,  
Corresponding Secretary.

Mr. KLUCZYNSKI. Mr. Speaker, 179 years ago a group of patriotic and far-seeing Polish leaders wanted to inaugurate a new era in Poland. They felt that some basic changes in the machinery of the Government were needed; and to meet this imperative need they drafted a constitution. It was adopted, promulgated and went into force on May 3, 1791.

Since that year May 3 has been celebrated as Polish Constitution Day, and the event has been regarded as a great landmark in Poland's fight for liberalism and efficient government. The Constitution was a liberal, democratic document, and as such it aimed to reduce the powers of the Monarch without impairing the authority of the central government. By this Constitution the Government became a limited constitutional monarchy. It did away with the old class distinction and class privileges, and guaranteed religious freedom. It placed the peasantry under the law, and protected their interests against the landlords. It set up a responsible cabinet type of central government, and the powers of the elected house were enhanced.

The Constitution embodied some of the ideas of the American Revolution, and also of the French Revolution. In embracing the twin aims of liberalizing and strengthening the Polish Government, the Constitution of 1791 was a major democratic instrument, and as such it serves to this day as an ideal to the Polish people. I heartily join all Americans of Polish ancestry in the celebration of Polish Constitution Day.

Mr. ST GERMAIN. Mr. Speaker, it always gives me great pleasure to take part in the commemoration of the Polish Third of May Constitution Day. I wish to salute the millions of Americans of Polish descent, and freedom-loving Poles everywhere, on this important Polish national holiday.

When we read among the immortal words of the Constitution which was adopted in 1791, 179 years ago, that "all power should be derived from the will of the people" we can recognize how close in spirit the Polish people of that time were to our American ancestors who had adopted our Constitution only 2 years before. Like this Nation, the Polish people cherished liberty, independence, and respect for the rights of the individual. They, too, were opposed to tyrannical domination in every form.

But while the hopes and desires of the Polish people for the future of their nation were similar to ours, their history has been tragically different.

Only a few years after the celebrations that accompanied the Third of May Constitution, Poland was partitioned by Russia, Austria, and Prussia. During this century they have felt the heavy oppression of nazism and communism, suffering immeasurably at the hands of these totalitarian movements. The Katyn massacre is a dreadful example of the horrors to which they have been subject from foreign oppressors. This year marks the 30th anniversary of that mass murder of Polish prisoners of war by the Russians. Over 4,400 Polish military officers and intellectuals were found in mass graves in the Katyn Forest. No trace has ever been found of another 10,000 Polish officers last held as prisoners of war in the Soviet camps of Starobielisk and Ostashkov.

The Polish people in spite of their deep love for freedom and democracy are even now under the domination of Communist rule. Their true aspirations remain frustrated and their potential greatness as a nation remains obscured by a totalitarian power that stifles the true character of the Polish people. But that indomitable spirit has endured and eventually it will break through. I am fully confident that the day will come when self-determination once again guides the destiny of the Polish Nation, and when the energies, genius, and traditional ideals of the Polish people will once again express themselves openly. The leaders of Russian communism will find that the true character of a people cannot be repressed indefinitely.

Reflecting on the spirit of the Third of May Constitution we can see why our fellow citizens of Polish descent have been such fine Americans and contributed so much to our country. Their national heritage had already educated them to the ideals for which this country stands. Here they were able to put those ideals into action.

Mr. FLOOD. Mr. Speaker, on this anniversary of Poland's pioneering Constitution of 1791, I want to join with many of my colleagues in remembrance of Poland's great contributions in the struggle to advance human freedom and the level of attainment by civilized man. And I am honored to renew my pledge to do all I can to help bring about the achievement once again of true Polish freedom and independence.

No nation on the face of this earth has been more dedicated than Poland, throughout its long and frequently tragic history, in the cause of human freedom and national independence. And no nation has been a greater beneficiary of that dedication than these United States, where we owe so much in our own Revolutionary War to the gallant Polish heroes who adopted our cause as their own.

No nation, Mr. Speaker, has done more to advance the cultural level of our civilization. And no nation has contributed a harder and more loyal stream of immigrants to our shores. It is significant that the Constitution of 1791, which we honor today was, like our own Constitution of 1787, a source of inspiration to those who cherish freedom throughout the world.

Mr. Speaker, I believe it is appropriate to call attention once again to a very

practical, concrete way in which the House of Representatives can advance the cause of individual and national freedom in Poland as well as other captive nations.

A special committee of this Chamber could conduct an inquiry and study of all the captive nations, including those in Eastern Europe, in the Soviet Union, in Asia, and elsewhere. Particular reference should be made to the moral and legal status of Communist totalitarian control over these nations, and to the conditions existing there. Emphasis should also be placed on the means by which our own country can best assist them by peaceful processes in their present plight and in their aspirations to regain their freedoms.

In this 91st Congress and in several preceding ones, I have sponsored, along with other Members, a resolution to achieve these purposes. House Resolution 102, to establish a Special Committee on the Captive Nations, which I introduced in the present Congress, is now before the House Rules Committee, along with resolutions for the same purpose sponsored by a number of our colleagues from both sides of the aisle.

I feel confident that the facts brought to light through studies and hearings would themselves focus a powerful searchlight on an empire shrouded in darkness. They would lend strength and encouragement to those who may feel they are struggling alone to advance the cause of man's dignity and freedom, in Poland and elsewhere among the captive nations.

And so, Mr. Speaker, as we mark this anniversary of Polish freedom under law, I hope each of us will resolve to do all we can to speed the day when Poland will once again be a wholly independent member of the international community of nations. And I believe we can speed the day when the friends of liberty in Poland can feel that their individual freedom and dignity have at last become secure.

Mr. ADDABBO. Mr. Speaker, on May 3, people of Polish origin throughout the world celebrate a national holiday—Polish Third of May Constitution Day. This celebration focuses on the assertion of democracy in Poland on May 3, 1791, a historic event which occurred 4 years before the third partition of Poland by Russia, Prussia, and Austria.

It is customary for Members of Congress to join in this celebration with a number of statements about the spirit of the Polish people and the similarities in the Polish May Third Constitution and our own Constitution. The real significance of these statements and the tribute from Members of Congress is our determination to help the oppressed people of Poland through our expression of support for their hopes for freedom. In this way we in the United States can hold out a hand of friendship to those people throughout the Communist world who have not lost hope.

Mr. Speaker, I am pleased to join in this tribute to the true spirit of the Polish people on this occasion.

Mr. DADDARIO. Mr. Speaker, on May 3, 1791, the people of Poland adopted the

first democratic constitution to be recognized by a European nation. That landmark accomplishment signified Poland's commitment to democratic popular government.

Those constitutional principles have lived in the hearts of the Polish people throughout their history despite oppression and foreign domination.

Today, we pay tribute to the courage and bravery of these people. On their holiday we reaffirm our commitment to help them acquire the legitimate independence they have been denied so long. How tragic that Poland should be subject to the evils from which it sought to defend itself.

We in the free world echo their genuine patriotic sentiments in observing this anniversary. Their commitment to the principles of human freedom, human dignity, and individual rights remains.

In their hopes and in the fulfillment of their national spirit, all Americans join.

Mr. DULSKI. Mr. Speaker, yesterday, May 3, marked the 179th anniversary of the signing of the Polish Constitution.

The occasion was marked in my home city of Buffalo, N.Y., as the result of a proclamation signed last Friday by Mayor Frank A. Sedita.

The text of the proclamation was read to the assembled audience in front of city hall by Deputy Mayor Stanley M. Makowski; simultaneously, the Polish flag was raised in front of the building. The proclamation read in part:

Buffalo owes a debt of gratitude to its citizens of Polish descent whose sense of community pride and fierce loyalty to the cause of freedom have helped to create a better community for us.

Zbigniew Stypulkowski, a representative of the Executive Committee for a Free Poland in London, England, was guest of honor at a weekend of festivities planned jointly by various Polish-American organizations to commemorate the 179th anniversary of the signing of the Polish constitution.

#### PROCESSION AND MASS

Sunday's events began with a color guard procession of civic, veterans, youth, and club groups from Dom Polski Hall, 1081 Broadway to St. Stanislaus Church where Rt. Rev. Msgr. Peter J. Adamski, an honorary chairman of the observance, celebrated mass.

A rally, featuring an address by Mr. Stypulkowski, was held at Dom Polski Hall. Mr. Stypulkowski was one of 16 Polish underground leaders who was sent to the Lubyanka prison in Moscow after World War II. Released after 6 months, he has worked for 25 years to return freedom to Poland.

Deputy Mayor Makowski is also an honorary chairman of the celebration, which was coordinated by Karol Tomaszewski. Other members of the committee are: secretary Joseph Siviak; treasurer, Thaddeus Gorczynski; recording secretary, Leon Piskinowicz; public relations assistant, Thomas L. Franczyk; and chaplain, Rev. Walter Klos.

#### REAFFIRM OUR FELLOWSHIP

Mr. Speaker, it was an honor for me to once again have the opportunity to take part in this always delightful and impressive observance in my home city.

It is our opportunity to once again affirm the universal fellowship of free men and the need of all peoples and all nations to overthrow atheistic communism, or any other form of tyranny that a few would impose upon the many.

Time and time again, Poland has been overrun by its neighbors and has been taken over by alien rule. Unprotected by natural boundaries, it has for many centuries served as a battleground for warring powers and become a prize for the victor.

We know well that the people of Poland are encouraged by our friendship and by our efforts. We know well that the spirit of liberty still lives in the hopes of the people of Poland. The cause of the Polish people, as is ours, is the cause of free men everywhere who live for the love of liberty.

Mr. Speaker, as part of my remarks I include the text of an editorial from the *Am-Pol Eagle*:

**POLISH CONSTITUTION LANDMARK OF DEMOCRACY**

On May 3, 1791, the country of Poland unveiled a document which has been regarded as one of the most fundamental doctrines of freedom ever written. This document, the Polish Constitution, has been hailed for being one of the first written democratic documents proclaiming the principles of human liberty and equality.

This year, on the occasion of the 179th anniversary of the Polish Constitution, ceremonies will once again be held in commemoration of the writing of this great document.

The observance of Polish Constitution Day in Buffalo will begin on Sunday, May 3, with a Solemn High Mass at 12 noon in St. Stanislaus Church, Rt. Rev. Msgr. Peter J. Adamski, PA, will be the celebrant. The Mass will be preceded by a color guard procession from Dom Polski Hall to St. Stanislaus Church.

Later that afternoon, Zbigniew Stypulkowski, a member of the Executive Committee for a Free Poland, will address a gathering at Dom Polski Hall.

Polish Constitution Day should be a day of proud reflection for all people of Polish origin. We must surely take pride in the fact that our Polish ancestors drafted a document which eloquently expresses the rights and freedom that belong to every man regardless of race, color or religion.

Constitution Day ceremonies give us an opportunity to display this pride. It is hoped that all of Polonia will take this opportunity and participate in these ceremonies.

We must show to all in a public manner the esteem and honor vested in so democratic an event.

**GENERAL LEAVE**

Mr. PUCINSKI, Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and pay tribute to Polish Constitution Day.

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

There was no objection.

**ORGANIZED CRIME AND THE GHETTO**

The SPEAKER. Under a previous order of the House, the gentleman from Virginia (Mr. POFF) is recognized for 10 minutes.

Mr. POFF, Mr. Speaker, Mr. Oliver Lofton, the associate director of the Community Relations Service delivered a significant address on March 5, 1970, before the Third Organized Crime Training Conference held at the University of Oklahoma Center for Continuing Education. In substance, the address highlights to what great extent many of the present urban ills of our society are directly attributable to the criminal exploitation of the poor, particularly the poor citizen of minority race or ethnic background, by the forces of organized crime—meaning, of course, the Mafia and its hundreds of hirelings, pushers, pimps, small-time numbers racketeers and thugs.

Mr. Lofton pointed out that terror and exploitation are not the only and perhaps not even the most lasting of the influences of organized crime on so-called ghetto residents. He notes that the Mafia underlings are always the well-dressed drivers of new cars who brag of their friends in high places. The obvious "success" of these third-rate hoodlums leads many of our deprived young people to emulate the activities of these agents of the Mafia. The result is that the syndicate has a willing supply of volunteers to fill its ranks and all because of the American drive for success, or at least the vestiges of success.

The apparent success of these mere legmen is but an indication of the fantastic success and great power of the Mafia organization as a whole. Mr. Lofton notes that members of this ominously powerful conspiracy are purported to have boasted that they will put their man in the White House by 1980. So, the threat to our country is not merely a social one, great though that threat certainly is, but also a political one—menacing not only the physical and economic but also the political security of our citizens.

Legislation, in the form of S. 30, which portends to cripple this insidious assault on our institutions is currently before the House Judiciary Committee. Hearings on this most important legislation will begin on May 20. It is imperative that this legislation, which has been designed to vitiate the threat of the Mafia to us and our fellow citizens, receive attention comparable to the magnitude of the threat. I urge my fellow Members of the House to give this bill their considered attention and that S. 30 be approved by the Judiciary Committee for action by the House soon. The passage of this legislation will provide needed new weapons for the forces of law and justice in the life and death struggle with the forces of crime.

Mr. Speaker, in order that more persons might become aware of the great extent of Mafia influence in our society, I include Mr. Lofton's speech before the Third Organized Crime Training Conference in the RECORD at this point:

**ORGANIZED CRIME IN THE GHETTO**

Ladies and gentlemen, colleagues, looking out at this distinguished audience of representatives of the law enforcement community, I cannot help but feel concerned. Much like the old gentleman who lay on his deathbed, and after painfully scanning the

room he turned to his grieving widow to-be and whispered, so if the whole family is here, who is watching the store? And we may well ask who is watching the store—for our store is crime and I hasten to add that business has never been better. The reasons how and why business is so good have been advanced by the many experts in attendance at this conference: Therefore, rather than pursue the subject from a perspective with which you are familiar, let me share with you instead, the views of one black man as he sees crime in the ghetto—crime as a black child sees it—crime as a black man lives with it—crime as a black man emulates it.

Psychologists tell us that as children we are drawn to hero worship. Like some of you, I was a child of the forties—the war years—my idols were the movie giants: John Wayne and Errol Flynn, Cavaliers who could declimate all opposition by swinging from a yard-arm, maiden tucked under one arm, sword in the other—or the wiping out of a whole enemy battalion on the beach with one left-over hand grenade. Television was still in its infancy. Living in a small New Jersey town, the Saturday or Sunday movie was the citadel. I found some of my heroes on the screen, some on radio, some in comic books. Comic books, if you recall, were big in the forties and they were blamed for everything. There was Superman, Batman, Spiderman, Plasticman. Oddly enough every kind of man but blackman. And if my memory serves me, in those days there wasn't the awareness or concern for a racial problem by most white folks. And while I was doing my thing in that small New Jersey community I can well imagine what my brothers in Harlem were doing.

The ghettos of New York, New Jersey, Detroit, Chicago, Los Angeles, were still in the cocoons. What kinds of idols did those black ghetto children have? The movies were not quite as accessible, T.V. was out of reach for most. The black ghetto children had to find their idols in the comic books or on the street where they lived—who then were their heroes—the successes, the men who had it made? There was crazy Willy, a pusher, who had a car two blocks long and real alligator shoes and big friends downtown, or there was shifty Sam, a pimp with his \$100 suits and two bit tips and more good looking chicks around all the time. He also had the man downtown looking out for him. And there was fast Freddy. He was tough. He had a cellar club and they had cool packets and nobody messed with his street. It was a scene duplicated in whatever ghetto you care to examine. Stereotypes, yes, but stereotypes of whom? They had a view of heroes—a bit jaundiced, I'll admit, but it was their view.

Sterling Tucker, field services director of the National Urban League, in his article entitled "Ghetto, the Ghettoized and Crime" stated:

"Conditions in the inner city, which today hurry blacks along the path to easy money and a special brand of self-respect, yesterday hurried European immigrants residing in America's cities down similar roads."

Then, as now, there are those in the inner city who see crime as an easy road to the good life and the only way to acquire status. In writing about delinquency back in 1942, Clifford Shaw and Henry McKay wrote, "In low income areas, where there is the greatest deprivation and frustration, where in the history of the city, immigrant and migrant groups have brought together the widest variety of divergent cultural traditions and institutions, and where there exists the greatest disparity between social values to which people aspire, and the availability of facilities for acquiring these values in a conventional way, the development of crime as an organized way of life is most marked. Crime in this situation may be regarded as one of the ways or means by which people

attempt to acquire the economic and social values generally idealized by our culture, which other persons in different circumstances acquire by conventional means." What Messrs. Shaw and McKay stated then, we have indeed seen borne out in fact.

Let me put it into eyeball language for you. First, what is a ghetto? The best definition I have heard about is that "A ghetto is a neighborhood where people infect one another with the virus of failure, and where children are infected long before the virus is detected." What then can a black child think of a governmental structure, seriously infected by the social disease of organized crime. I don't think I have to tell you how many times we have read about "Bought and paid for" governmental servants supported by organized crime. What can a black child think of a merchant, a landlord, both of whom are trapped willingly or otherwise, by organized crime and who retaliate by cheating or denying services to the black ghetto resident? If my observations hold any surprises, it is the surprise of how few ghetto products have embraced crime as a way of life—not how many.

There can be no question about the fact that the life of a white immigrant in the ghetto was bad. But for the black child and the black family exposed to the daily contamination of organized crime in the ghetto, it is interminably rotten. What kind of hope and promise does today's society hold for the black inner city resident? Who are the heroes black children can revere? The time is different, but now, as then, we still find the men in blue and the downtown "fixers" doing business at the same old stand. *Organized crime is not getting older—it's getting better!*

Let me now dwell briefly with another overview. How does the black man live with crime in the ghetto? Incidentally, along these lines, I comment to you a telling article in the June 1969 issue of "Federal Probation" by Ralph Salerno. It is most revealing commentary on organized crime and criminal justice. The point I wish to make, and one Ralph Salerno illustrates so well, is that in the arena of crime, there is no victor; No winner! Only losers! I submit to you, as a case in point, what I call the narcotic psychosis of losers. There is the addict. He is a loser. He is lost to himself and to society. Then there is the victim from whom the addict steals to support his habit. The victim is a loser. And since most of the addicts inhabit the ghetto, always taking from it. Well, the ghetto loses, and you can complete the cycle because the addict loses again as he or she is enslaved by organized crime which provides the drugs to keep the addicts in perpetual servitude. Let us not overlook another loser in this cycle to hell. There's you and me—and the rest of the middle class and upper class public who may think they have escaped being touched by this awesome plague. Take another look, friend, at your spiraling taxes. Taxes that are being used to combat organized crime's favorite blue chip stock—narcotics. And there are still the children of the ghetto who see these criminal violations going unpunished. How demoralizing it must be to those who would aspire to break the cycle. How then does the black man live with organized crime in the ghetto. Spend a night or two in any black or brown ghetto across this country and then tell me if you can call that living.

Gentlemen, we have at our doorsteps a most serious problem—organized crime. And we need help to solve this problem—the public's help, if only the public could be more aroused—more concerned. I am sure we are in agreement that it is difficult to sustain public interest in the problems of organized crime.

There is no question about the fact that a sensational gangland killing like that of

Anastasia in a downtown New York hotel barber chair arouses public interest or that congressional hearings and investigations such as were conducted by Senator McClellan and the late Senator Kefauver awaken public concern—particularly when they involve testimony as vivid as that provided by Joseph Valacchi. However, there are a number of factors involved in the difficulty of sustaining public and political concern about organized crime. As I see it—foremost is its incredibility—it seems just too big to be believed—and yet, as incredible as it may sound, it was Mr. Salerno who has predicted that "organized crime, going at its present rate, boasts it will put its own man in the White House by 1980" Fantastic? Incredible? In the ghetto they have an expression, "You better believe it, man." And you had better! An even more ominous reason for the difficulty in sustaining public concern about organized crime, particularly in the ghetto, is that much of the public, black and brown as well as white, do not want it interfered with. In fact, it seems that the great white majority doesn't even care about organized crime in the ghetto.

Recently, the crime commission task force issued a general statement that "politicians will not act unless the public so demands. But much of the urban and suburban public wants the services provided by organized crime and it does not wish to disrupt the system that provides these services." I'm talking about drugs, loansharking, prostitution, and other vices almost too numerous to mention. And then, much of the public does not see or understand the effects of organized crime generally, much less in the ghetto. It is apparent that those who have no direct contact with organized crime in its many manifestations tend to forget about it as soon as it disappears from the headlines. To those living in the ghettos, however, there is no such respite. Organized crime is an integral part of their every day lives.

The general public fears crimes of violence but they don't fear gamblers, corruptors of unions, or bankrollers of vice and prostitution. To white suburbia, the violence associated in the popular mythology with organized crime is an "in-house" kind of thing. After all, "gangsters only kill other gangsters." The truth, in fact, is that organized crime is a most pervasive and corrosive force in our society, and particularly in our cities where it plays a major role in the street crime the general public fears so much.

Gentlemen, I share your concern with all organized crime, particularly after reading in a recent publication what I believe is not an overstatement of fact: it reported that, "official concern with organized crime has been obscured by other national crises which have surfaced in the past 20 years. What is overlooked, however, is organized crime's involvement in creating and sustaining these crises. Once this deep relationship is recognized, it is almost possible to believe that key elements of the urban crisis may not be resolved without major successes in eliminating organized crime in every community (particularly in the ghettos)."

I am concerned in my remarks to you today primarily with the impact of organized crime on the inhabitants of the ghettos across this Nation. In our search for solutions to the cities' problems, we are apt to overlook the stranglehold organized crime has in this area. I am convinced, and hope you will be too, that the urban crisis will not be resolved without major successes in reducing organized crime.

In ever increasing numbers, the affluent, the middle class, white and black, along with large businesses are abandoning the inner city to the poor. However, quite the opposite is true of organized crime and organized crime in big business. The commod-

ities purveyed are illegal goods and services, and in general, the consumers market of this big business is the inner city ghetto and barrio, with the ghetto dwellers the prime victims.

Professor Donald Cressey, in his "Theft of a Nation" wrote: "The direct victims of Cosa Nostra and all organized criminals are the urban poor, especially members of the minority groups. Number lotteries and book-making thrive on the dollars of unskilled wagers, not on the bets placed by the rich or educated, the well housed, well employed. Similarly, the American drug addict is more likely to be poorly educated, unskilled and a member of a disadvantaged ethnic group. And it is the urban poor, the factory worker and the marginal Negro businessman, not the affluent suburbanite, who frequently is so desperate for a loan that he seeks a usurer."

Gentlemen, I submit that there is a psychological non-acceptance of the idea of law and order by ghetto residents, young and old, when they see organized crime flourishing in their midst. Numbers runners, pushers, loan sharks, white slavers, all operating virtually unhampered by the law enforcement establishment, who obviously, to their way of reasoning, must be on the "take" if they permit such flagrant violations to continue unchallenged. And so it must follow, if the law is on the take, then so is somebody downtown . . . and that somebody is also aware, and unconcerned. How then can black or brown people, especially those in the ghetto, accept the eloquent terms law and order. *Whose law? Whose order?*

As members of the law enforcement community you cannot help but be awed by the billions turned over annually by organized crime operating in our inner cities. . . . *Billions!* Let me illustrate. A recent New York State study indicated that in 1968, central Harlem had an estimated numbers play of 64 million, South Bronx 25 million, Bedford Stuyvesant 19 million. And that is only in 3 selected New York ghettos. You can project without fear of contradiction that Chicago, Detroit, Los Angeles, Newark, Philadelphia, and even our nation's capital, have equally devastating figures.

This problem, as well as other organized crime-related problems, is by no means limited to one section or geographical area of our nation. I am advised that there exists more than 24 known mafia or cosa nostra families or other loosely affiliated organized crime groups operating all across the country. Those same three New York ghetto area studies show a total of \$108 million being spent for "pot" and another minimum of \$115 million for heroin. The difference between the numbers' player and the hard drug user of course is obvious. A habitual gambler can miss a bet one day . . . but an addict must have a fix every day. A numbers bet can average a dollar a day—a heroin user shoots \$50 to \$100 a day.

Drug abuse specialists in the city of New York recently placed the number of city heroin addicts at 100,000. Most are young, most are ghetto residents. 50 percent are black, 25 percent Puerto Rican. Continuing with the astronomical arithmetic of drug addiction it is concluded that stolen merchandise brings in one-fourth its true value after passing through the fence. Estimates on how much an addict must steal to support his habit range from \$200 to \$400 a day, seven days a week. Conclusion: Heroin motivated thefts in New York City alone cost over \$2 billion a year.

Gambling and narcotics traffic are controlled by organized crime for profit. Other lucrative illegal activities you hear and deal with are loan sharking and prostitution in the ghetto. The organized crime task force of the President's 1967 Crime Commission did say, I'm happy to report, that "prostitution is on the decline. Not that it isn't popu-

lar—it's just too difficult to organize and discipline and is too hard to maintain." I would venture to guess that the free enterprise system had a lot to do with that decline. Loan sharking on the other hand is thought to be only second to gambling in terms of profit. Loan sharking, skylarking or usury appears to be as old as civilization itself. It is a multi-billion dollar business for organized crime, and again the poor, the uneducated, the Ghetto resident, are the most popular victims. It is not unusual for a borrower to put up his body as collateral, but it is to the lender's interest to terminate neither the loan itself or the life of the borrower. Here again, the Presidential task force reports: "The lender is more interested in perpetuating interest payments than collecting principal; and force, or threats of force of the most brutal kind, are used to effect interest collections, eliminate protests when interest rates are raised, and prevent beleaguered borrowers from reporting the activity to enforcement officials." and according to Professor Cressey, "the ultimate fate of a defaulting borrower is increasingly less apt to be death or even maiming. He is more apt to be swallowed up by the organization and used as an inside man. Borrowers are encouraged to meet their debts through service in crime for the syndicate." In brief, evidence points to an intermeshing net spread by organized crime over the ghettos.

The most common crime figures in today's ghetto continue to be the runner, the bookie, the pusher, the pimp and the shark. Who then does the black man emulate? Who are the everyday heroes and idols of the ghetto youth—black and brown? They are the big men on the street. They are well fed, well dressed, big cars, cool pads, members of the ghetto who have it "made"—have "status"—and have cover and concurrence of the law. After all, don't all Americans admire success? Is there any reason to believe that ghetto children are any less American than the rest of us? For all intents and purposes, the resident organized crime operators are living examples—the real live models of the kind of success the ghettos provide. A recent study of youthful offenders from three Chicago neighborhoods reflects that, when asked, "What is the occupation of the adult in your neighborhood whom you most want to be like in ten years?—eight out of ten named some aspect of organized crime.

Another pathetic effect of organized crime in the ghetto is the deep lasting cynicism it breeds in ghetto dwellers regarding law enforcement. Gentlemen, I give you a quote: "The most grievous charge against municipal police is not brutality, although it exists . . . permissive crime in the ghetto is the nightmare of the slum family. Permissive crime is the name for organized crime that flourishes in the ghetto . . . designed, directed and cultivated by the white national crime syndicates operating numbers, narcotics and prostitution rackets freely in the protected sanctuaries of the ghetto . . . because no one, including the police, cares particularly about ghetto crime. It pervades every area of life." The author of those words was the late Dr. Martin Luther King.

In '68, the Kerner commission echoed Dr. King's words by reporting that "the strength of ghetto feelings about hostile police conduct may even be exceeded by the conviction that ghetto neighborhoods are not given adequate police protection. . . . Ghetto residents witness the willingness of the police to wink at widespread corruption in the form of gambling, loan sharking and drug traffic." The New Jersey select commission on civil disorders, on which I had the honor to serve, appointed to investigate the 1967 riots in New Jersey, reported that the element of corruption, in the criminal justice system

itself, was a major factor in poor relations between the police and those who rioted. In this area, it has also been reported by Professor Cressey that in one year alone, 90 Harlem spots, or fixed numbers locations, paid police about two million five hundred thousand dollars for protection.

When Floyd McKissick went on TV following the 1967 Newark riots, he was quoted as saying all the riots that happened were because of the Mafia. He blamed the Mafia because they control all the drugs, gambling, and loan sharking in the Newark ghetto. This may be an oversimplification . . . and then again, maybe not. Be that as it may, can we ignore the element of truth suggested—remote perhaps, but in my opinion, of utmost importance.

Gentlemen, I sincerely wish there was a way, a panacea for eliminating the spectre of organized crime from our Nation. There is a way, but I am not so sure it could be called a panacea. It might start in the courtroom with judges who would have become so sensitive to the dispensing of justice, that when the known generals or lieutenants of organized crime are convicted for tax evasion, instead of receiving the minimum sentence, they receive a sentence that would more realistically reflect society's abhorrence with the enormity of their participation in the pollution of our American way of life. For mark me well—unless we begin to show some measurable successes in relieving the stranglehold of organized crime in our ghettos, 10 years from now we may well find that the prediction of organized crime, that it will one day put a man in the White House, has indeed come true.

#### OPPOSITION TO THE SPREAD OF THE VIETNAM WAR

The SPEAKER. Under a previous order of the House, the gentleman from Ohio (Mr. WHALEN) is recognized for 10 minutes.

Mr. WHALEN. Mr. Speaker, on August 8, 1968, Richard M. Nixon told delegates of the Republican National Convention that "the first priority foreign policy objective of our next administration will be to bring an honorable end to the Vietnam war."

Largely due to this promise and his unspecified plan to accomplish it, Richard M. Nixon was elected 37th President of the United States by a war-weary Nation.

The tragic dimensions of this plan have become apparent in recent months.

It is a plan which repeats the mistakes of the previous administration and incorporates new errors of its own.

It is a plan which has replaced the goal of an "honorable peace" with a new objective—"we will not be defeated."

It is a plan which hopes to achieve peace at the Paris conference table by recalling and refusing to replace our principal negotiator.

It is a plan which seeks to narrow the war by extending it to another country.

It is a plan which seeks disengagement by expanding engagement.

It is a plan which, by rejecting one of its basic tenets—securing prior consent of the Congress before the commitment of American ground combat troops in Cambodia—has impaired the credibility of those Members of Congress who, in good faith, conveyed this pledge to our constituents.

It is a plan which disregards the constitutional responsibilities of the Congress.

It is a plan which, since January 20, 1969, has produced 13,590 American deaths, 80,853 American wounded, and has cost the American taxpayer approximately \$24 billion.

In short, it is a plan which has made peace in Vietnam more remote than at the time of its implementation 16 months ago.

In yesterday's Washington Post former Senator Ernest Gruening of Alaska, commenting on the 1964 Gulf of Tonkin resolution, observed:

The greatest failure of Congress is not then but now. It's hard to explain why intelligent people continue to blindly support any policy that keeps us in the war a moment longer.

On Wednesday, May 6, the House of Representatives has an opportunity to reverse that judgment. Pending before the House is an amendment which would prohibit funds to be used, without the consent of Congress, "to finance the introduction of American ground combat troops into Laos, Thailand, or Cambodia."

I plan to support this amendment for two reasons.

First, if adopted, the amendment will end, or at least limit, our ill-conceived adventure in Cambodia.

Second, its adoption will represent the assumption by the House of Representatives of the constitutional powers which the Congress has derogated since 1964.

If the House of Representatives fails to act on this amendment, like the proverbial Arab we might just as well "fold up our tents and silently steal away in the night."

#### THE FAMILY ASSISTANCE PLAN

The SPEAKER. Under a previous order of the House, the gentleman from Indiana (Mr. HAMILTON) is recognized for 10 minutes.

Mr. HAMILTON. Mr. Speaker, I supported the Family Assistance Plan—FAP—bill in the House because its defeat would have meant, intentionally or not, the continuation of a welfare system that has just not worked.

I have some reservations about the President's FAP. I cannot guarantee that it will solve our welfare problems. I can guarantee that the present system will not solve them, and I am willing to try a new approach.

#### THE PRESENT WELFARE SYSTEM IS A FAILURE

The present system, and especially that part of it known as Aid to Families with Dependent Children—AFDC—has gotten out of hand, and the Federal Government is helpless to restrain or control it under present law. Since 1960, operating costs of AFDC have tripled—to a current \$4.3 billion annually—and could rise to \$12 billion by 1975.

In addition, the present program has many weaknesses, among them these:

It is perverse in its incentives, since it encourages the breakup of homes and does not encourage recipients to train for jobs;

It is difficult to administer and often degrades the recipient;

It provides no benefits to many in need and, to others, benefits too meager to meet basic needs, and

It fosters the very conditions that it is supposed to relieve, since it adds to social unrest by drawing millions of persons into the urban slums.

#### THE FAP

The FAP provides for minimum standard payments, with federally assisted State supplements, for poor families with children in place of the AFDC program. It also provides for uniform, nationwide eligibility requirements and payment procedures, thus cutting out much of the administrative redtape associated with the present system.

Under the FAP, all adult family assistance recipients, except for those few specifically exempted, are required to register for training or employment and to accept suitable opportunities when offered. If an eligible person fails to register for work, he will not receive the benefits; if he refuses a suitable job or training his benefits will be canceled.

The strongest work incentives, of course, are the monetary benefits which accrue to the wage earner. But there are other incentives built into the plan:

It offers the hope of getting off welfare;

There is no reduction in benefits for the first \$720 in earnings;

The amount of the extra training bonus has been raised;

The manpower agency would reimburse trainees for the cost of attending training programs, and

Child day care facilities are to be provided, which will make training and employment possible for a large number of mothers.

For the aged, blind, and disabled, the FAP consolidates existing Federal-State programs and sets Federal eligibility standards and income exclusion provisions. The bill provides a minimum payment of \$110 per month for all aged, blind, and disabled eligibles who have no other income. This is an average increase per month of \$42.

#### RESPONSE TO ARGUMENTS AGAINST THE FAP

First. It rewards nonwork. The present welfare system does, but the FAP does not. By providing help for the first time to the working poor—those who work full time but for poverty wages—the present policy of penalizing work and rewarding nonwork is reversed. No longer will a man have to quit his job or have to leave his family in order for his family to receive assistance.

Second. It helps the shiftless unemployed. The present welfare system does, but not the FAP. Of the 1.4 million male family heads classified as employable who would be eligible under the FAP, only an estimated 30,000 have done no work during a 12 month period. No one can continue to receive benefits under the FAP unless he registers for or trains for work.

Third. It is a guaranteed annual income. The present AFDC program is a guaranteed annual income, because payments are made with no regard for the

efforts of the adult family members to achieve self-sufficiency through work or training. The FAP bill would have established a guaranteed annual income if it were not for the training and work incentive programs. The classic definition of a guaranteed annual income is an income which assures money regardless of work or need or earnings. The FAP is exactly the opposite. I did not vote for a guaranteed annual income. I voted to increase pressure on the poor to take jobs. I voted for a supplement to the income of the individual who is working and not making enough to supply his family with the ordinary needs of life, but who is not now on welfare. I will pay this supplement and get this man to the employment office, because if something is not done he will become one of the additional millions added to our present AFDC program.

Fourth. It costs too much. There is no doubt but that the FAP is expensive. But the cost of the FAP must be weighed against the projected costs of the present welfare system. We have no chance of curbing the costs of the present system. We have a good chance under the FAP of getting people off welfare and to work. It is a risk we ought to take.

#### CONCLUSION

In the end, then, I supported the FAP bill because there was no other alternative except a continuation of the present discredited system. Those who objected to the FAP did not offer a single constructive alternative.

#### POLAND'S CONSTITUTION DAY

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

Mr. ZABLOCKI. Mr. Speaker, it is a pleasure for me to join with my colleagues once again in commemorating the 179th anniversary of the Polish Constitution of May 3, 1791. In marking this commemoration, however, we pay tribute to more—much more—than a document. What we honor in reality is the dedicated commitment down through the years of Poles to freedom and the right to establish their own form of government.

Poland's Constitution was adopted on May 3, 1791. In many respects it was similar in philosophy and intent to the American Constitution which had been written only 4 years earlier. As in the case of the American Constitution, it was based on the principle that all power in civil society is derived from the will of the people, that sovereignty resides in the people, not in the state.

Tragically, however, and unlike our own Constitution, the Polish Constitution was never tested by time. Shortly after its adoption, Poland was overwhelmed and partitioned by three neighboring empires—Russia, Austria, and Prussia. Despite Poland's more advanced and enlightened status, the combined military power of these three states proved too strong.

Yet Poles everywhere have never ceased to honor that golden moment in Polish history—to recall with longing

the thought of what could have been, what should have been, indeed, what one day will be.

It is therefore fitting that we set aside this day to pay homage to the May 3 Constitution of 1791 and to honor the nation and people who created it.

As we pay that homage, however, we must remember the important lesson to be learned. It is, in short, a lesson of geo-politics. For despite the fact that two nations adopted constitutions recognizing the dignity and freedom of man, one nation grew and prospered while the other was carved up among its neighbors.

Why was that so? Was it because of some superior morality which infused the founding fathers of this nation? Or, was there some basic flaw in the Polish character which spelled its doom? I think not.

The answer—and the lesson—it seems to me involves geography. On the one hand, the United States occupies a large portion of a continent with friendly nations. Poland, on the other hand, is a small part of its continent; but more importantly, it has historically been surrounded by great and sometimes hungry powers.

We must therefore try to understand how Poland's place in Europe has shaped the thinking of her leaders and her people. As Poland reached out to embrace the principle of popular sovereignty she was trampled by neighboring nations founded on the principle of state. In fact, many attribute the rape and partition of Poland by the forces of Russia and Prussia to the fact that these two absolutist powers felt threatened by the rising tide of liberalism within Poland.

Are we to be surprised, then, that there is a similarity between the 1795 partition of Poland and the Soviet invasion of Czechoslovakia. In both instances, the forces of a totalitarian state invaded and suppressed another nation because they feared the philosophy of individual freedom.

It is truly tragic to realize that a people as enlightened as the Poles, as soundly schooled in the philosophy of individual liberty to conceive the May 3 Constitution should now be under the yoke of Soviet Communist rule.

Thus do the chapters of oppression unfold—one black page after another. Undoubtedly one of the most tragic of chapters is that of the Katyn Forest Massacre. Ironically, perhaps, it is appropriate that this year's May 3 observance coincides with the anniversary of the Katyn Massacre.

It was, as you know, 25 years ago in a forest near Smolensk in the Soviet Union that one of the most brutal acts of genocide in World War II took place. Eventually found in three mass graves in the Katyn Forest were the bodies of 4,423 Polish officers, scientists, professors, chaplains, lawyers, and students—all lovers of freedom.

Bitter as these memories are, we must not forget—we cannot forget:

We cannot forget that embodied in the May 3 Constitution of 1791 was the concept of the value and dignity of the individual man. This philosophy has been passed from generation to generation of



Poles. It is an idea which will not be erased by tyranny, repression—not even by death. The Polish people have suffered for many years, but they have not given up hope. We join them today in that hope. We join them in the prayer that one day soon Poland and its people will be free—that the promise of 1791 will one day soon come true.

#### VIETNAM WAR

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

Mr. GILBERT. Mr. Speaker, the lingering war in Vietnam and the more recent events in Cambodia, as well as the resumption of the bombing of North Vietnam, all point out just how desperate our situation is in Southeast Asia.

We cannot negotiate our way out, it seems; we cannot win a military victory; we cannot trust the Government of South Vietnam to protect itself; the new Cambodian Government cannot stand alone. We are simply trapped in quicksand in Indochina. The more we struggle, the deeper in we go.

There would be no value to repeating here again all the reasons we should—and must—leave Indochina. All of us here in this Chamber understand where we are and why we are in such an indefensible position.

But, I would urge all of my colleagues to consider this Nation's future as well as the recent and present developments, here in the United States as well as abroad, before the vote Wednesday on the Military Authorizations Act.

If this Congress is truly representative of the American people, I would say we have no other choice but to make our intentions in Congress crystal clear to the administration.

We learned in previous years the folly Congress commits when it submits blindly to the demands of an administration which follows the dictates of the military.

Unless we stop this new escalation of fighting in Indochina immediately, we face the very real possibility of being part of a government which has lost complete touch with the people it is supposed to lead.

Mr. Speaker, our first duty is to save our Nation. To do that, I believe that we must stop not only this new escalation, but the fighting in Vietnam as well. We must bring our troops home as quickly as possible and we must devote ourselves to resolving the many domestic issues that plague our Nation today. This Nation has endured many crises, but never before has an American administration become so out of touch with the people it represents.

I urge the Congress to do everything in its power to end this new madness as soon as possible.

#### TAKE PRIDE IN AMERICA

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

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a nation. The United States consumes more steel than any other nation. In 1967, the United States consumed 139,096,000 short tons of steel. The Soviet Union was second, consuming 107,737,000 short tons.

#### DOMESTIC PROBLEMS RESULTING FROM VIETNAM WAR

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

Mr. MILLER of Ohio. Mr. Speaker, we as Members of Congress are all too familiar with the magnitude of the problems and frustrations that have accrued as a result of the war in Vietnam—the ever-increasing casualty lists, the tight budgets, the campus unrest.

We have experienced severe hardship both as a country and as individuals as we have dealt with this war.

No one, however, has been asked to endure the anxiety and frustration of our Nation's involvement as have the families and loved ones of our fighting men in Vietnam. These courageous and loyal Americans have borne the burden, with patience and dedication. At great personal sacrifice they have suffered through misery and hardship.

For many, the ordeal has become constant. The families of those fighting men who have been listed as missing in action have been subjected to the most trying and fatiguing form of frustration. They live in a limbo-like state—their thoughts and plans imprisoned by the state of not knowing—not knowing whether their loved one is alive and being held captive or whether he has given his life for his country. Time is the torture. Days run into months, months into years.

We as Americans sympathize with these families and pray that their load will be lightened. But this is not enough. We are dealing with a callous enemy, one devoid of understanding and respect for the codes of international ethics.

He does not listen to our pleas, he does not honor our offers of armistices; he plots and pursues this unconscionable war, indifferent to the wants and desires of his people.

To change his ways we are going to have to change our tactics, we are going to have to bring new diplomatic and international pressures to bear. We have to enlist the efforts of friend and foe alike, in convincing the North Vietnamese Government that their truculence will not be rewarded, that only through constructive exchange and communication can the peace talks in Paris progress to a successful conclusion. We must convince the North Vietnamese that an acknowledgement on their part as to who they hold captive must be forthcoming before any meaningful settlement can be reached.

#### CONSUMER CLASS ACTIONS

(Mr. HARVEY asked and was given permission to extend his remarks at

this point in the RECORD and to include extraneous matter.)

Mr. HARVEY. Mr. Speaker, today I am introducing a bill on the subject of consumer class actions. Many Members are undoubtedly aware that the Committee on Interstate and Foreign Commerce, through its Subcommittee on Commerce and Finance have been holding extensive hearings on the subject, prompted by a Presidential message and the transmittal of legislation. Some of the Members have introduced similar bills containing different approaches to the problem.

During the course of our hearings we heard testimony from the American Bar Association and that organization had suggestions which were different in some respects from any to be found in the other bills before the committee. It is my opinion that upon a subject as important to the courts, the bar, and the public the suggestions of this prestigious organization deserve to be put in the form of a bill and before the committee and the Congress. It is for this reason that I am introducing a bill which has been drafted from the presentation made by the association before the subcommittee.

Hearings have been completed and the committee will begin to consider the various bills for mark-up. I am confident that the subcommittee, the full committee and the House itself will give careful and thoughtful consideration to the bill being introduced today. It provides, much as the President's bill does, for a triggering device in the form of positive action by the Justice Department or the Federal Trade Commission to establish the basis for class action by obtaining a judgment or injunction against an offending company. In order to avoid a frustrating jam in the courts thereafter it sets up a new authority in the Federal Trade Commission to also set damages for individual claimants.

It is not my purpose here to accept this new bill as the final authority on the subject of class actions. The suggestions and testimony from which it was prepared did not pretend to iron out every last detail and this was done by making a few assumptions as to the best way to handle some of the finer points. I am not at all sure that I would, in the end, recommend every procedure in this bill as the best. It must be considered along with the other bills already before us and given the attention it deserves. It is my hope only that by introducing this bill today I am making it possible to bring the very best bill on consumer class action from my committee and before this House for ultimate decision.

#### PUBLIC SERVICE EMPLOYMENT: PRO AND CON

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

Mr. DANIELS of New Jersey. Mr. Speaker, one of the major unfinished items of business before the Select Subcommittee on Labor, of which I have the honor to be chairman, is action on the various pending manpower bills.

We have before us three bills, H.R. 10908, introduced by the gentleman from Wisconsin (Mr. STEIGER), H.R. 11620 and its several companion bills, sponsored by the gentleman from Michigan (Mr. O'HARA) and over 10 other Members of this House, and finally, H.R. 13472, the administration's proposal, sponsored by the gentleman from Ohio (Mr. AYRES).

These bills differ in a number of particulars, but perhaps the major difference lies in the area of job creation, or public service employment. The Steiger bill and the administration bill do not provide for job creation, emphasizing instead the provision of training and other supporting services. The O'Hara bill, while making provisions for improved training and supportive services functions, also provides explicitly for a massive program of public service employment—Federal support for new jobs in areas of public need.

In a recent edition of the American Legion magazine, the gentleman from Michigan and the gentleman from Wisconsin each presented a brief but cogent argument on the question of public service employment; the gentleman from Michigan in support of the concept, and the gentleman from Wisconsin in opposition. In order that the Members of the House may have the benefit of the thinking of both of these distinguished Members—both of whom have been involved in the development of existing manpower legislation—I ask unanimous consent that the two articles from the Legion magazine be printed at this point in the RECORD.

[From the American Legion magazine, May 1970]

SHOULD THE UNITED STATES FINANCE LOCAL PUBLIC JOBS FOR THE UNEMPLOYED?

YES

(By Hon. JAMES G. O'HARA, Michigan)

Some years ago, it was commonplace to point scornfully at the spectacle of food surpluses being destroyed in one place while people were starving in another. The irrationality of that kind of performance is matched, and more, by the spectacle of significant numbers of Americans going without work while, at the same time, vitally important public services go unperformed because of a "lack of people to perform them."

Legislation sponsored by over 100 members of the House of Representatives and known as "The Manpower Act" would make an important beginning toward putting an end to this kind of contradiction.

One part of that bill would authorize the United States Department of Labor to enter into contracts with other federal, state or local government agencies, or with private non-profit organizations, to provide useful public service jobs for unemployed persons. The contracts would require the so-called "fringe" benefits—workman's compensation, unemployment insurance, retirement and health coverage—which other workers in similar occupations in the area receive.

This proposal is based upon the assumption that most jobs, under whatever economic conditions prevail, will be found in the private sector of the economy; but there are jobs in the public sector which need to be done, and for which unemployed persons can be prepared with relatively simple training.

The jobs involved are not, as some allege, "leaf-raking" or "make-work" jobs.

Rather, we propose to fund labor-intensive programs in areas of public service which

can be justified in terms of public need, whatever the labor market situation. I am thinking of existing openings in water and air pollution control, as hospital and school aides, in public safety, public transportation tight-money policies, it seems par- all areas where the work itself is its own justification.

The Administration has now taken the same position that many of us have been taking for years—that work ought to be substituted, wherever possible, for welfare and other forms of public assistance. But the Administration's program in this direction seems to be concentrating not on actual productive work, but on "training." After many years of close involvement with the legislation on which federal training programs are based, I remain convinced of their value; but I still believe that at the end of the "training" there has to be a real job, or the "training" will be no more relevant than welfare has been as way out of the poverty cycle.

In a period when private sector jobs are shrinking, as a direct result of Administration, beautification programs and the like—particularly urgent that we take public action to provide real jobs for those who are able and willing to work.

NO

(By Hon. William A. Steiger, Wisconsin)

My answer is no.

As citizens require and demand additional services from government, there will be a need for increased employment in the public sector. We will have to provide manpower for quality services, and undoubtedly some federally subsidized training will be necessary.

But what is suggested by some in Congress is a massive public service employment program, guaranteeing jobs to all who need them, to be used as a tool of economic and social policy.

The latter is a very different proposal—one I do not believe is either desirable or achievable.

What kinds of jobs are we talking about? Does WPA come to your mind? Is the strategy of the 30's appropriate in the 70's?

To conduct a massive public service employment program we would be forced to resort to relatively low-skill jobs.

The work may need doing, but it leads the individual nowhere. He either pursues one low-skill job after another, or the job ends and he is no better off than when he started.

We have new technology and are finding better ways to do things every day. If used properly, this technology can meet expanded public needs on a substantial and efficient basis.

Should we chain the poor to the jobs of the past—the jobs nobody else wants? Or should we strive to open up new opportunities for the future?

The federal government now provides job opportunities through its expenditures for goods and services. By contracting with private industry to perform needed public services, government helps provide work opportunities. By more heavily involving the private sector and providing job training and placement, we can enable the poor to participate more effectively in our economy. Government could then concentrate on insuring that quality service is being provided rather than on administering new programs.

This approach is far preferable to one which has government attempting to artificially open dead-end jobs.

It is estimated that a guaranteed public service employment program would cost \$5,000 per enrollee per year. This means yearly expenditures of billions of dollars. This allocation of resources is highly questionable and I do not believe the federal government should embark on such a course.

There are many additional questions which should be asked about massive public service employment. To date I have found no satisfactory answers.

#### DIALECTIC OF DEATH—THE NIXON WAR

(Mrs. MINK asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Mrs. MINK. Mr. Speaker, we are a Nation beset with crises and seemingly powerless to solve our most urgent quest for peace without engaging in more war.

President Nixon's decision to invade Cambodia without prior approval by Congress and the resumption of the bombing of North Vietnam question against the constitutional powers of the Congress.

Mr. Nicholas von Hoffman has written in today's Washington Post an article which expresses our deep frustration and sense of impotence and I commend his article to my colleagues' attention:

"DIALECTIC OF DEATH"

(By Nicholas von Hoffman)

Senator Fulbright rested in the high-backed, comfy chair which is a little bigger than the other leather chairs and which he gets to sit in by being chairman of the Foreign Relations Committee. The rest of the seats at the oval table in Room S116 of the Capitol were occupied by news people.

The committee had just finished having a closed meeting, though why they should have met in private was not clear. They had no secrets to protect. The administration had met with them previously and told them a lot of guff, to use a presidential expression, and never mentioned the government was readying an army to invade Cambodia.

Ostensibly, the news people were asking the senator what had gone on in the meeting, but they looked like frightened young people coming to a kindly father for reassurance. Their questions lacked the insinuations of incredulity that are supposed to be the mark of their profession. Rather, the tendency of what they asked was, "tell us it isn't so bad," "tell us you're going to fix it up and make it right."

Old J. William was kindly and patriarchal, but the slow tones of his words were weighty with a guarded pessimism: "He could say he was authorized to bomb Moscow . . . the rule of reason . . . this committee doesn't have the capacity . . . we've made efforts to cut appropriations."

He wasn't able to reassure. The feeling of fright didn't dissipate, not even in this room of late 19th century decor, so suggestive of the old Washington of long summers, buzzing flies and knowing the dawn always comes. The night before, all of them heard the President talk the dialect of death: peace through war, defense by invasion and the new concept of life-saving aggression.

The meeting broke up into small clots of newsmen, committee staff people and an occasional senator going slowly out of the room and down the halls. Some were still mulling over the speech; others were arguing about what to do.

The ones that focused on the speech weren't bothered by its mendacious aspects, its assertion that the United States has made a good faith effort to negotiate the end of the war, the omission of any mention of the deposition of Prince Sihanouk; only great and artful politicians know how to conduct their business without lying. No, what the discussants seized upon were those passages

that exposed the presidential fear of appearing to be weak: "If, when the chips are down, the U.S. acts like a pitiful, helpless giant . . . our will and our power . . . is being tested tonight . . ."

These are not political but psychological statements. We have palsied the world with our power; we have affrighted ourselves with it. The only head of state on this globe who would use the words pitiful and helpless in regard to the murderous potential of the United States is Mr. Nixon, the president who moves from mansion to mansion, cogitating about whether he is man enough, whether he is the equal of Woodrow Wilson, Franklin Roosevelt, Dwight Eisenhower and John Kennedy. He who seeks relief from such doubt can never find it and never stops looking. But the question being hashed out by the people dispersing from S116 last Friday was if this private, personal trial would, in the hands of the most powerful man who has ever lived, become a death ordeal for the nation he was elected to preserve.

That afternoon, senators made speeches in the great chamber carpeted in an ugly purplish rug whose design looks like a woven Montgomery Ward linoleum mat. Gore of Tennessee talked a long time to the tourists flushing slowly in and out of the balconies. One of his colleagues meandered in carrying a pillow, which he placed on his chair to protect his senatorial hemorrhoids.

While Gore spoke, the news of what Mr. Nixon had said at the Pentagon circulated about: "You know, you see these bums, you know, blowing up the campuses. Listen, the boys on the college campus today are the luckiest people in the world." In the restaurants fringing the Capitol area, people like Sam Brown, one of the leaders of the Moratorium, another Vietnam KIA, asked what in the world was he to tell the youthful anti-war constituency?

Some kind of an answer came Saturday. The gangs of tourists were not around because Congress wasn't in session, and the grounds of the empty Capitol were a lovely contradiction of the idea of death; whites, pinky grays and virulent greens in puffs and billows of spring explosion, the mortar and howitzer fire of the earth.

Four senators, Goodell, Hatfield, Hughes and McGovern, had called a press conference and revealed themselves to be strict constitutional constructionists, which ought to please the attorney general, who has probably regarded them as liberal permissives. They had discovered Article I, Section 8, of the Constitution, which says, "The Congress shall have power to declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water."

They said they were going to try to block off appropriations for the war. All who agree are urged to write their congressmen. It seemed insipid considering the condition of the country.

Their measured language was inadequate with the National Guard out in Kansas, Maryland, Connecticut and Ohio. Soldiers are Mr. Nixon's response to every situation, Cambodian sanctuaries, students, mailmen. He will be using them on Wall Street as brokers next, for the Dow Jones is dropping in the same jagged configuration on the graph as the line in the Gallup Poll. Farm income is off, but the price of food and everything else is up; the jobs and the overtime are evaporating; nobody has money.

After his fashion, he is keeping one campaign promise; he is getting us together to boot him out, but that is in the long run. On Saturday in Washington, the senators were limiting themselves to implementing strict constructionism. As they finished, there was more news from the Pentagon—Secretary Laird warning the enemy that an attempt on their part to defend themselves

would be regarded as a hostile act and bombing of the North would be recommended.

The news from further away in Saigon was that our perfidious, little yellow and red opponents had struck their tents and their infrastructure and snuck off into the jungles. It is eight years now the peewees have run off in the woods, but, at home, beyond the trees and the flowering bushes of the Capitol grounds, there was evidence that people would stand out in the open and fight.

#### GIVE 'EM HELL, HARRY

(Mr. RANDALL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. RANDALL. Mr. Speaker, on Thursday evening, May 7, in the music hall of the Municipal Auditorium in Kansas City, the junior chamber of commerce will sponsor the presentation of a two-act documentary called "Give 'Em Hell, Harry!"

The playwright is Carl E. Bolte, Jr., and as the invitation suggests, the play will not only honor former President Truman, but it will also dramatize the event-filled Truman years when he was the tenant and Master at 1600 Pennsylvania Avenue.

Mr. Speaker, the Jaycees of Kansas City have chosen a most appropriate date to present their play because the evening of May 7 is the eve of Mr. Truman's 86th birthday which this year falls on Friday, May 8.

As the Member of the U.S. House of Representatives who is privileged to represent our former President in the Congress, I recommend all of my colleagues and any of those who may read the CONGRESSIONAL RECORD that if they happen to be in the vicinity of Kansas City on the evening of May 7, they should most certainly make their way to the music hall. I am certain that this play will be top notch entertainment and more than that will bring back pleasant memories of the Truman years.

While I have not had the opportunity to see a copy of the script, it is my understanding that it will portray a very accurate account of the days of the "Fair Deal." We all know that Mr. Truman as Vice President was thrust without notice into the most trying job in the world during some of the most critical days in the history of the United States.

I am reliably informed that the play covers the time when Mr. Truman became angry over an unfavorable review of his daughter's singing ability. A portion of the play is devoted to the discussions with General Marshall, General Arnold, and Admiral Leahy which led to the decision to detonate the first atomic bombs on Hiroshima and Nagasaki. It was about that time that Mr. Truman realized that after listening to all of his advisers, the decision is ultimately that of the President of the United States and it was this realization that led to the oft quoted expression "The buck stops here."

Another portion of the play portrays the month of May 1946 when Mr. Truman was confronted with a crippling railroad strike. Within the past week I

have heard the decision of Mr. Nixon to deploy troops into Cambodia called a courageous step with a disregard for the political consequences. Mr. Truman faced up to an equally courageous decision when he drafted all of the railroad workers into the armed services in order to keep them on the job.

It is hard to believe how so many different events could be packed into a two-act play, but there are scenes which portray the beginning of the Marshall plan; the Puerto Rican attack upon the President and the House of Representatives; the Berlin blockade; and the most famous presidential campaign of all time in the fall of 1948 when the famous "whistle-stop" campaign moved back and forth across the United States.

There are some scenes devoted to "the police action in Korea" and the recall of General MacArthur. This play is an accurate portrayal of the Truman years in the White House by a good cast with interesting settings and a script that at the same time is entertaining as well as historically correct.

I was just about to forget to mention that the entire event is a Jaycee production for the benefit of the Kansas City Philharmonic Orchestra. William P. Midgley is the committee chairman, and William L. Hays is in charge of invitations. The Kansas City Music Hall will seat more than 2,500 persons and all the proceeds from this documentary drama will go to the support of the financially beleaguered Kansas City Philharmonic Orchestra.

It is my privilege to extend an invitation to my fellow Members of Congress to attend this production. Even on this short notice my office will help with tickets and reservations for any of my colleagues who may find it possible to be in Kansas City on the evening of May 7.

Many Members have differed politically and ideologically with our 33d President. Yet I suspect down deep in the hearts of those who differed with him, there is a genuine admiration and respect. I am confident that this great American, Harry S. Truman, is today one of the best loved of all our Presidents.

It should be a great night in Kansas City for those who are fortunate enough to attend to see portrayed the origin of such phrases as "It's time I spoke to him in the same restrained manner that a sergeant speaks to a mule," and then listen to the context that led to the most famous quote of all: "If you can't stand the heat, get out of the kitchen." It is my prediction that everyone who attends will be well entertained and come away delighted that they participated in this birthday salute by the benefit showing of "Give 'Em Hell, Harry."

#### ERRORS OF ESCALATION ARE BEING REPEATED

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

Mr. TIERNAN. Mr. Speaker, as the New York Times stated this morning:

With terrifying speed all the tragic errors of escalation are being repeated in Southeast Asia.

And once again the Congress has been reduced to virtual impotence in the making of this foreign policy.

Alexis de Tocqueville wrote long ago that:

No protected war can fail to endanger the freedom of a democratic country. War does not always give over democratic communities to military government, but it must invariably and immeasurably increase the powers of civil government; it must also compulsorily concentrate the direction of all men and the management of all things in the hands of the administration. If it leads not to despotism by sudden violence, it prepares men for it more gently by their habits.

When it was first announced that this country was supplying automatic rifles to Cambodia over a week ago, I introduced a resolution stating the sense of the Congress that the President consult with and abide by the decision of the Congress before any further steps are taken concerning Cambodia. Today I am reintroducing this resolution with 17 cosponsors.

Before our panicky pace in Cambodia gets completely out of hand, I urge that the Congress consider this resolution:

H. CON. RES. —

*Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the President consult with and abide by the decision of the Congress before any further steps are taken concerning Cambodia.*

#### CAMBODIA: A TRAP NIXON EVADED IN 1967

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

Mr. TIERNAN. Mr. Speaker, as our involvement in Southeast Asia gets deeper and deeper, hundreds of articles are appearing in newspapers and magazines on both sides of the issue.

One such article appeared in yesterday's Washington Post. "Cambodia: A Trap Nixon Evaded in 1967" was written by Josiah Lee Auspitz, president of the Republican Ripon Society. At this point in the Record I would like to submit Mr. Auspitz' article, and I urge all of my colleagues to take a moment to read it:

CAMBODIA: A TRAP NIXON EVADED IN 1967  
(By Josiah Lee Auspitz)

The contingency plan which President Nixon has now dusted off for a massive search-and-destroy mission into Cambodia is similar to those which he opposed courageously and publicly in November, 1967.

At that time, Gens. Dwight D. Eisenhower and Omar Bradley, on nationwide television, advised hot pursuit and an "end run" on Communist forces beyond the borders of South Vietnam. Within 24 hours, Mr. Nixon responded in careful but unmistakable language, dissociating himself from this suggestion.

An expansion of the war, he said, was not advisable at that time.

He was right in the fall of 1967, and the Ripon Society praised him for helping to prevent a possible escalation of the war, even at the price of differing with Ike. He is wrong to embrace this plan now, and the manner in which he has made his decision suggests that he is in danger of falling into the same kind of bureaucratic trap that caught President Kennedy in the Bay of Pigs and enmeshed Lyndon Johnson in Vietnam.

#### UNDERESTIMATED FACTORS

The decision to go into Cambodia was doubtless presented to the President as a low-risk venture, as a quick surgical operation. American troops would clean out North Vietnamese base camps and then use this victory to gain a quick and favorable negotiated settlement.

But such a view of the Cambodian operation gives scant attention to the nature of the terrain, the problems of information flow into the White House, the implications for the Vietnamization program, the likely responses of other factors in Indochina, the global implications for American foreign policy and the consequences for American political institutions.

Mr. Nixon appears not to have considered these factors adequately. As a result, he has for the first time put himself in a position—which he can still reverse—in which he is the victim rather than the commander of his foreign policy bureaucracy.

1. The nature of the terrain: On the simple maps Mr. Nixon used in his talk, the operation looks very easy, but in fact the terrain is heavily overgrown. The area north of the Parrot's Beak is forest on both sides of the border.

The Communist headquarters (COSVN) that U.S. troops are seeking to destroy has in the past been moved around on both sides of the border between Cambodia and South Vietnam. When COSVN was thought to be located on the Vietnamese side, it was subjected to B-52 raids and major ground sweeps, but it was not destroyed. If U.S. operations were not decisive on the South Vietnamese side of the border, there is no reason to assume they will be more successful in finding the camps on the equally overgrown Cambodian side.

Even if the sweeps do succeed in producing high "body counts," they probably will not achieve their basic goal of proving permanently the American negotiating position. Suppose, for example, that U.S. forces succeed in killing half the top 100 officers of the North Vietnamese army. Communist activities would no doubt be disrupted for a time, but a disruption of a few months will not change decisively the aims or capabilities of a 25-year-old Communist organization bent on unifying Indochina.

2. Information flow: It is doubtful whether the President can get an independent estimate even of the success of the military operation. There will be scant press reports. The military reports will inevitably be biased by the high political risk to the President in undertaking this operation.

If the operation "fails," those who planned it can expect demotion, dismissal or retirement. Their response, if it follows human nature, will be to report success wherever possible and to find pretexts to get more time and resources if the results are inconclusive.

Press reports suggest that the Cambodian operation will be given six to eight weeks to succeed. By eight weeks at the latest, therefore, the President should abandon this operation—either as a success or a failure. An inconclusive result should be judged a failure, and he should take steps to assure himself of the accuracy of the information on which to base such a judgment.

3. Vietnamization: The areas adjacent to Cambodia (the Mekong Delta and Saigon)

which the President now wants to protect have already been turned over to the South Vietnamese for defense. Indeed, the defense of the delta and Saigon by ARVN (the South Vietnamese army) has been publicly hailed by the administration as a sign of success of the Vietnamization program.

It is a contradiction of these past claims to suggest, as the President has, that the lives of American troops are potentially in danger in these "Vietnamized" areas. If ARVN is strong enough to mount an attack across the border, it should be strong enough to defend the Mekong Delta and Saigon.

The U.S. public can only conclude either that it has been misled about the success of the Vietnamization program or that it is being misled now about the reasons for the Cambodian operation.

4. Possibilities of wider involvement: The risk of an all-Indochinese war is reduced by Mr. Nixon's unfortunate willingness to assume the far greater risk of nuclear confrontation. But should a wider land war develop, the roles played by Thailand, Red China and North Vietnam will be crucial.

The Thais: On April 21, the Thai premier announced that troops had been moved into position along the Thai-Cambodian border for "security" reasons. This suggests possible Thai occupation of the parts of Cambodia on which Thailand has as a traditional claim, as well as Thai involvement in the lowlands of Laos, whose inhabitants are ethnically Thais.

The Chinese: They are building a road from Yunnan Province through northwestern Laos into Burma to give them an outlet to the sea for the export of raw materials. Should Thai or North Vietnamese armies move into this area, the Chinese might well occupy the territory needed to secure their road.

The North Vietnamese: Within the Nixon administration, two contradictory arguments seem to have been used to justify the Cambodian venture. On the one hand, it was argued that the North Vietnamese would be too weak to counterattack; on the other hand, it was asserted that Hanoi's forces were so strong that failure to move into Cambodia would lead to a rout of U.S. forces as they withdrew.

Both of these contradictory assumptions can be found in the President's address, and they give one an uneasy feeling of unclear purpose.

In fact, the North Vietnamese have a number of possible responses to the U.S. operation. They can take Phnom Penh; they can simply try to elude the Americans in the overgrown Cambodian terrain with which they are more familiar, or they can counterattack in areas of South Vietnam from which U.S. mobile units have been removed to free troops for the Cambodian operation.

The President's dark hints at the end of his speech about past crises in American military history suggest that he is planning to respond to North Vietnamese counterattacks by threatening a nuclear confrontation or a full-scale bombing of North Vietnamese cities, harbors and dikes. Should the Cambodian operation turn into a Bay of Pigs, Mr. Nixon may be drawn into a nuclear confrontation like that of the Cuban missile crisis ("Kennedy's . . . finest hour," the President called it).

5. Consequences for American democracy: Secretary of State Rogers had publicly assured the Senate Foreign Relations Committee that he would consult with it before any new commitment of American forces. He did, indeed, appear before that committee last Monday, but he gave it no clear notice of the ARVN invasion of Cambodia on Wednesday or the American search-and-destroy operation Thursday. He thus showed a serious disregard for the prerogatives of elected officials and for constitutional procedures.

Even if the Cambodian operation is "successful," it may subject Mr. Nixon to such bitterness that the Republican leadership will have to be extraordinarily resourceful to avert a permanent breach between the Executive and Legislative Branches.

6. The global perspective: The overriding defect in the President's three speeches on Vietnam was that they failed to put the war into clear perspective in the global context of U.S. foreign policy. The President has perpetuated the notion that the United States and Hanoi are engaged in a contest of will and bluff—in a poker game—and that if Washington appears to lose, its commitments everywhere in the world will be in jeopardy.

In fact, the United States is engaged not in a poker game, but a chess game. Its major adversary is not Hanoi, but Moscow; North Vietnam is but a corner of the board. And while American resources and attention are occupied there, Moscow is able to pick up pieces in the Middle East, Africa, Europe and Japan.

#### UNDERSTATED LIMITS

The only way President Nixon can regain control over this situation is to impose strict limits on the incursion into Cambodia. White House briefings have defended the operation as focused on a target within 20 miles of the border—one which can be captured or destroyed within six to eight weeks.

But these specific limitations were not in the President's speech, nor, to all appearances, have they been made operational in orders to the military. Nor have they been made credible to foreign powers capable of widening the war.

This gamble has got to be sharply defined and limited, and its results coldly evaluated over the next eight weeks. If the President doesn't do this, the Congress should.

#### SENATE COMMITTEE DOES HOUSE'S HOMEWORK

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

Mr. ASHBROOK. Mr. Speaker, last month, both in remarks I placed in the CONGRESSIONAL RECORD and in one of my weekly Washington reports to residents of Ohio's 17th District, I posed the following question about the House of Representatives: "Are we a deliberative body?" I pointed out that I had received a telegram urging me to support the welfare reform bill and quoted a portion of the telegram:

We are not completely satisfied with the bill in all respects. However, we believe that this bill should be passed by the House at this time in order that it may be debated fully in the United States Senate, where an opportunity to amend its objectionable portions might be forthcoming.

This was yet another example of an increasingly prevalent attitude that the House of Representatives is not the deliberative body it should be. Apparently the sender of that telegram did not believe the bill could be debated fully in the House.

Now comes dramatic proof of the extent to which this body has abdicated its deliberative function, so vital to the enactment of carefully drafted legislation that will actually accomplish its stated objectives. The House Ways and Means Committee held hearings on the administration's welfare proposals from October 15 through November 13, filling

seven volumes with the testimony taken during that period. Yet the Senate Finance Committee, after only 3 days of public hearings postponed further hearings on the bill because its defects were so patent. Both liberal and conservative members of the committee expressed grave reservations about the plan.

Today I received a newsletter from the Friends Committee on National Legislation. In its lead article, "For a Genuine Family Assistance Program," the newsletter states:

The first half of the battle for meaningful public assistance is over. The House, under the crafty management of Ways and Means Committee Chairman Wilbur Mills, Ark., passed without amendment April 16 the Administration's Family Assistance Act almost identical in language to the original proposal.

Unfortunately the bill did not get the necessary detailed scrutiny before the House that could have given us an excellent program.

Why should such a proposal which even many liberals have labeled "radical" and which admittedly will cost at the very least more than twice as much as existing welfare programs not get the necessary detailed scrutiny before the House?

The article goes on to say:

The Senate is expected to hold extensive hearings and seriously look at the detailed structure of the program.

Again the question arises: Why was it left to the Senate to "seriously look at the detailed structure of the program"?

In explaining the postponement of the Senate Finance Committee hearings on welfare reform, the committee press release states:

It was also the view of the Committee that monetary incentives for able individuals to reduce or quit gainful employment in order to qualify for larger welfare benefits should be ended. Unfortunately, the Family Assistance Plan continued these disincentives to self-help.

I illustrated through the use of comparison charts in testimony before the Rules Committee and in remarks on the floor of the House that under the family assistance plan, as presented to us in the House, it would not in many cases pay to work. This anomalous result in a program purportedly having a strong incentive not only to encourage but to require welfare recipients to work obviously undermines the whole structure. Yet as obvious as it seemed to me and 154 of my colleagues, this fatal flaw in the bill apparently was either not seen or deliberately overlooked by the 243 Members of this body who chose to support the Family Assistance Act.

I have often criticized the apathetic syndrome characterized by the attitude "Let George do it." I sincerely hope we have not reached the point where most of us in this body will just shrug our shoulders and say, "Let the Senate do it."

#### THE USE OF SACB TO ALERT THE PUBLIC

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

Mr. ASHBROOK. Mr. Speaker, this afternoon the wire services have been reporting on an outbreak of violence which has taken place at Kent State University at Kent, Ohio, in which several students have reportedly been killed. It is too early to report on the circumstances and details of the disruption or what persons or organizations might possibly have been involved. However, Kent State was the scene during the 1968-69 academic year of four disturbances—two of them violent—involving a leading militant organization, Students for a Democratic Society—SDS—which recently was the subject of extensive hearings by the House Internal Security Committee. As previously stated, it is too early to ascertain what persons or groups were involved, and there is no intention to implicate one group or another before the facts are in concerning the present disruption.

The case of Kent State points up a glaring deficiency in campus security machinery which should be corrected in part at the Federal level. The 1969 annual report of the House Committee on Internal Security summarizes the SDS disturbances at Kent State based on the testimony of Kent officials. The report stated:

Testimony showed that SDS emerged as an organizational force on campus in the spring of 1968 when individuals who had been operating for several years under the aegis of the Kent Committee To End the War in Vietnam decided they would become "more well known" under the name of SDS.

The report went on to say that:

In response to the group's petition for approval of an "innocuous" constitution that spring, the student government employed the customary procedure in acting on such petitions by granting the Kent State chapter of SDS "provisional" status as a campus organization. This was enough to give SDS access to university facilities.

The Kent officials estimated that there were no more than 15 to 25 "hard core" members of SDS out of an enrollment of 21,000, with the Ohio regional SDS in Cleveland—some 30 miles away—supporting the Kent operation with films, pamphlets, newsletters, and directives to further the SDS program on campus. The SDS effort culminated, as stated before, in four disturbances, two of which resulted in violence.

One can appreciate the difficulties faced by college and university officials in coping with disruptive organizations which seek to foment trouble on campus. Their first difficulty is the identification of such groups based on authoritative information from appropriate State and Federal sources. In his annual appropriations testimony, J. Edgar Hoover of the FBI lists a number of such organizations under various classifications as Communist and Communist splinter groups, white hate groups, Klan-type organizations, militant black nationalist groups, and so forth. However, because of time and space limitations a full listing of such groups is not possible. Also, as the FBI is a factfinding agency which reports to the Justice Department, it is not the responsibility of the FBI to provide the public with a complete listing of sub-

versive, revolutionary, and violence-prone organizations. Nevertheless, the facilities of the FBI, the most knowledgeable Federal body dealing with subversive activities, is available to the Subversive Activities Control Board which bears cases of subversive elements referred to it by the Department of Justice. As a quasi-judicial agency the SACB provides those referred by the Justice Department for hearing the right of cross-examination and inspection of evidence. If the Board decides that a party is under Communist direction or influence, its judgment is a matter of public record and the public is forewarned.

Unfortunately, the Board is at present limited to hearing cases which are Moscow controlled or oriented, leaving other Communist splinter groups and anarchistic, revolutionary, or violent groups to go their merry way. In addition, several court decisions have effectively hamstrung the operation of the SACB, and at present there is no authoritative Federal source which the public can consult for a comprehensive listing of all subversive organizations. Some years ago the Attorney General's list, which was also crippled by court decisions, characterized the various Fascist, Communist, and other groups which were deemed to be subversive. At that time, the public was forewarned and if a certain organization was listed by the Attorney General, the group's effectiveness was usually reduced.

With the increasing outbreaks of violence, on campus and off, it is high time that the SACB be utilized to alert the public as to the nature of those organizations which are behind the present rash of violence. In conjunction with the FBI and the Justice Department, the SACB could take a giant step in identifying for the American people the troublemakers in our midst. Congressional investigative committees with their limited facilities are ill equipped to adequately do the job in contrast to the vast resources of the FBI.

Measures are now underway to use to the fullest extent the services of the SACB. There are, however, those who would eliminate the Board entirely, although falling to offer alternatives as to how the American public can be alerted regarding this vital information. Perhaps the critics of the SACB, to help forestall future violent situations, would like to provide the necessary information on such groups as the CPUSA, PFLP, SWP, YSA, NOI, RAM, SNCC, ANP, NMC, SMC, DCA, and a host of others for the use of their readers and constituents.

I include at this point the excerpts "SDS Activities at Kent State University, Kent, Ohio," extracted from the 1969 annual report of the House Committee on Internal Security:

**SDS ACTIVITIES AT KENT STATE UNIVERSITY, KENT, OHIO**

Students for a Democratic Society was involved in four disturbances—two of them marked by violence—on the campus of Kent State University in Kent, Ohio, during the academic year 1968-1969.

The Committee on Internal Security held public hearings June 24 and 25, 1969, to receive testimony regarding the activities and demands of SDS which culminated in attempted and actual disruptions of university

functions. The committee also heard testimony on the procedures followed by the university in response to those activities and demands.

Appearing as witnesses were: Dr. Robert I. White, president of the university, accompanied by his assistant, Richard A. Edwards, and Dr. Robert Matson, vice president for student affairs; Margaret A. Murvay, student who attended SDS functions as a reporter for the campus radio station; Lt. Jack R. Crawford of the university police department; Chester A. Williams, university director of safety and public services, accompanied by Security Officer Donald Schwartzmiller and Investigator Thomas Kelley; and Committee Investigator Neil E. Wetterman.

**ORGANIZATION OF AN SDS CHAPTER ON KENT CAMPUS**

Testimony showed that SDS emerged as an organizational force on campus in the spring of 1968 when individuals who had been operating for several years under the aegis of the Kent Committee To End the War in Vietnam decided they would become "more well known" under the name of SDS.

In response to the group's petition for approval of an "innocuous" constitution that spring, the student government employed the customary procedure in acting on such petitions by granting the Kent State chapter of SDS "provisional" status as a campus organization. This was enough to give SDS access to university facilities. (This status of temporary recognition continued until the university suspended the SDS charter on April 8, 1969.)

Although its constitution provided for a roster of officers and a membership based on payment of dues, there were no known officers and no dues payments. Local SDS'ers could pay \$5 to the national office for a "national" membership and subscription to the official newspaper, *New Left Notes*. They might also receive a membership card from the national organization, as one Kent State did. The Kent State chapter had no membership applications or membership cards.

The SDS membership locally, therefore, was described as consisting of (1) its leaders and recognized spokesmen and (2) a larger number of individuals who were sympathetic to the movement, supported SDS demands, and participated in SDS activities advocated by the leaders.

University officials estimated that the "hard core" of the Kent State SDS comprised no more than 15 to 25 members in a student enrollment of 21,000. However, this relatively minuscule group of hard-core activists could count on support from 150-200 students for meetings and for most of the incidents on campus. The number of supporters would fluctuate with the issues and the nature of the action. A seasonal fluctuation was also observed, with about 200 students likely to participate in an SDS-sponsored activity in the fall quarter and only about half the number in the spring quarter as "freshmen see that there are other activities on the campus besides SDS."

Members of the staff of the Ohio regional SDS, located in Cleveland, some 30 miles from Kent, also made frequent appearances on the Kent State campus. The staff was identified during the hearings as consisting of Corky Benedict, Lisa Meisel, Terry Robbins, Bobbi Smith, and Charlie Tabasko. This staff engaged in supplying "educational" pamphlets and films to chapters such as Kent's, as well as sending out mimeographed newsletters and directives aimed at getting local SDS members to carry out programs developed by SDS national officers and the national council.

**DORMITORY "RAPS," RALLIES, AND FILMS**

During the 1968-1969 academic year, initial SDS activity revolved around "rap" (discussion) sessions in Kent State dormitories, together with rallies and film showings.

Key attraction at a public affair for which the SDS reserved the Kent State auditorium on October 24, 1968, was Mark Rudd. Rudd as chairman of the SDS chapter at Columbia University won notoriety as a leader in the seizure of campus buildings in the spring of 1968. Rudd also returned for a Kent State SDS rally and march protesting the national elections on November 5, 1968.

At least seven films, made available from the SDS regional office in Cleveland, were offered to Kent State students by the local SDS chapter. The films were among those listed in the catalogue of "Newsreel," a film company with main offices in New York City. Newsreel is engaged through several outlets coast to coast in the acquisition, production, and distribution of films propagandizing the causes of the radical minority and New Left movements. A witness who viewed two of the films—one dealing with the Black Panther Party and another simply titled "Weapons"—testified both reflected unfavorably on law enforcement officers.

**SIT-IN ON NOVEMBER 13, 1968**

The Black Panther film was effectively utilized prior to a sit-in on November 13, 1968, by the combined forces of the SDS and another campus organization, Black United Students.

In the course of several days of propagandizing, SDS had achieved an alliance with the BUS for the purpose of preventing recruiters from the Oakland, Calif., Police Department from conducting interviews on campus on November 13. On the eve of the scheduled appearance of the recruiters, SDS sponsored a meeting in the campus education building attended by members of BUS. A film on the Oakland-based Black Panther Party was shown. The presentation was highly emotional and "geared to make the police look bad," according to an eyewitness.

Oakland police officers portrayed in the film were berated as "racists" by a speaker at the SDS meeting. The speaker further exhorted the audience to action on the following day to insure that no campus recruiting would be conducted by that law enforcement agency.

On the afternoon of November 13, approximately 150 SDS supporters joined with some 200 members of BUS in occupying the student activities center. While nonviolent, the 5-hour sit-in nevertheless forced postponement of some interviews of potential recruits by the Oakland Police Department. The three demands of SDS on this occasion were: a ban on campus recruitment by the Oakland Police Department; the disarming of campus police; and administration agreement not to "infiltrate" organizations in order to keep an eye on them.

**UNIVERSITY RESPONSE TO SDS "DEMANDS"**

The university administration had made an unsuccessful attempt, prior to the sit-in, to establish an on-going communication with the local SDS chapter. Dr. Matson testified that the SDS leadership refused an invitation to meet in his office and demanded instead that he journey to the SDS meeting place. When the official agreed, he found that the SDS leaders had no specific concerns to discuss with him, although their sit-in occurred only 4 days later. One SDS member at the meeting, in fact, derided the official for expecting the organization to keep the administration informed of its plans.

The sit-in failed to accomplish a single SDS demand. It did, however, impel the administration to plunge "into the task of adjusting our student personnel and administrative staff assignments, procedures, and policies in dealing with major student disruptions and disorders," according to Dr. White.

Throughout the winter quarter, the president recalled, meetings were held involving the president's cabinet, the student affairs staff, and the safety and public service division, as well as outside law enforcement

agencies on city, county, and State levels. The combined efforts led to the formation of "confidential emergency procedural guides" which set forth "who does what" in the event of further attempts to start campus disruptions.

Concurrently, the administration consulted with the faculty and sought to improve communication with the rest of the student body. University policy, as described by its president, was to protect dissent while rejecting coercive or violent actions and to institute change to meet legitimate student grievances. Cited by the administration in this connection was the fact that the Black United Student ended their alliance with SDS after the November 13 incident and thereafter worked with administration representatives through the normal process of consultation. The BUS has obtained administrative support for developing educational programs with particular relevance for black students.

#### SDS "SPRING OFFENSIVE" AT KENT STATE

Kent State officials were alerted during the winter quarter to expect planned disruptions during the spring quarter, which would begin officially on March 30. "The signals coming from the SDS," the president explained, "were so clear that tensions and concerns were evident throughout the entire campus, even to the most casual observer." One of the clearest signals was a 10-page, mimeographed *Organizers' Manual for the Spring Offensive*, copies of which were piled on a table at a campus lecture sponsored by the local SDS chapter.

The manual, which was introduced as an exhibit during the committee's hearings, was an avowed attempt by the SDS regional office in Cleveland to help local chapters implement a spring program to "Smash the Military in the schools." The Ohio region of SDS claimed that its inspiration was a two-part program of the same name adopted early in February at a regional SDS conference at Princeton, N.J., with SDS National Secretary Michael Klonsky serving as one of the authors.

The manual, written by Ohio regional staffer Terry Robbins with assistance from activists in the Kent State SDS chapter, proposed issues and called for a series of escalating actions in their behalf on the campus and in the community. Proposed demands included (1) immediate withdrawal of American military forces from Vietnam and support for the Vietnamese Communist forces; (2) an end to ROTC; (3) an end to counterinsurgency and police training on campus; (4) an end to draft assemblies and tracking in high schools; and (5) open admissions for so-called Third World, black and white "working-class" people.

Demands were to be pursued through a series of "escalating actions" described in the manual as follows:

"During the course of the struggle it will probably be necessary and helpful to carry out a series of escalating "mini" actions to help build consciousness and dramatize the issue. Beginning with guerrilla theater actions in dorms we can escalate to disrupting classes, street marches, quick assaults on buildings, etc., before moving to the major confrontation of the struggle."

The objective of such actions was also spelled out in the manual. SDS did not seek reforms but creation of a so-called revolutionary class consciousness among students which would enable them to identify with struggles in Vietnam and Cuba while struggling against "capitalism" and "imperialism" at home. SDS members were expected to hold themselves ready "to move to desanctify, to confront, to escalate, and ultimately to defeat the system we live under."

University officials sought to counteract the proposed SDS "spring offensive" in a

number of ways. In addition to the previously described confidential guidelines for procedures in the event of campus disruptions, the university administration on March 7, 1969, issued a statement of policy which warned students, among other things, that (1) the university would not respond to proposals for change advanced by force or threats of violence; and (2) the university would not tolerate disruptions of university activity.

During a recess at the end of the winter quarter (March 22-26) the administration conferred with State and local legal authorities and set in motion the machinery for issuance of temporary restraining orders when needed.

When students returned to class for the spring quarter on March 30, they were also informed that a new system of immediate suspensions might be applied to those who attempted to disrupt university processes. Before the spring quarter was ended, the university would have an opportunity to test the efficacy of its newly adopted procedures.

#### DISTURBANCE OF APRIL 8, 1969

Witnesses supplied a detailed account of three disruptions of Kent State University operations planned by SDS and executed with varying effect during the spring quarter.

The first attempted disruption occurred on April 8, 1969, in behalf of demands raised only a day or two prior to the actual demonstration. The demands reflected all of the campus issues proposed in the aforementioned *Organizers' Manual for the Spring Offensive*, with the exception of the manual recommendation on "Open Admissions."

Recommendations in the manual on the subject of the Vietnam war, ROTC, and counterinsurgency and police training on campus were reworded, and the following local SDS demands were then mimeographed in leaflet form and circulated on campus:

- (1) abolish ROTC because it supplies leaders for an alleged "imperialist" American action in Vietnam.
- (2) abolish the Liquid Crystals Institute. (Engaged in cancer research, the university institute also held a research grant from the U.S. Defense Department, which led SDS to charge it with involvement in a Government counterinsurgency program.)
- (3) abolish the Northeast Ohio Crime Lab (an agency of the State of Ohio assigned space on campus).
- (4) abolish the Law Enforcement School (a university curriculum which produces professionally trained law enforcement officers).

Events of April 8 began with a rally called by the SDS chapter to advertise the four demands. A spokesman for the university administration offered to meet with three SDS representatives to discuss their complaints, but the offer was rejected. SDS reportedly viewed its demands as nonnegotiable. Its announced intention on April 8 was to organize support for a mass march on the Administration Building for a symbolic nailing of the demands on the door to the meeting room of the board of trustees.

Following the speechmaking in front of the Student Union, 35 to 40 SDS supporters marched through various campus buildings to the chant of "Ho, Ho, Ho, Ho Chi Minh." They disrupted some class sessions as they handed to other students literature spelling out SDS demands. The demonstrators (numbering about 50) continued on to the Administration Building in an attempt to tack their demands to a door. Efforts by the demonstrators to force their way into the building were thwarted by the university police. Police officers, however, were struck by demonstrators. The 15-minute confrontation ended only after SDS leader Howard Emmer ordered the students to "quit for now." The coordinated action of the law enforcement agencies in the area thus foiled

SDS's first attempted disruption in its "spring offensive."

The university reacted quickly and firmly. First, it suspended the SDS chapter, pressed assault and battery charges against six demonstrators for attacking police officers,<sup>1</sup> and imposed immediate suspension upon a number of students involved. It also obtained temporary restraining orders barring from the campus five demonstrators whom the administration viewed as leaders of SDS activity. They were students, Howard Emmer, Colin Nelburger, and Edward Erickson, and nonstudents, Jeffrey Powell and George Gibbeaut.

One of the nonstudents identified as being present on campus April 8 was Terry Robbins of the Ohio regional SDS in Cleveland. This marked the first of several appearances by Robbins during the "spring offensive" at Kent State. He was later joined by other regional staffers. The liaison maintained between the local and regional SDS was also illustrated by the record of telephone toll calls between the Cleveland office and the Kent residence of Edward Erickson. Erickson was identified as a Kent State student, eventually suspended for participation in the campus disorders, whose Kent home had been the base for most of the SDS activity off campus. Toll charges showed a total of 36 phone calls had been made from his residence to the Cleveland regional SDS between February 21 and April 24, 1969.

#### DISTURBANCE OF APRIL 16, 1969

A university disciplinary proceeding on April 16, involving two students suspended after their participation in the attempted disruption of April 8, provided the issue for another, more violent SDS demonstration.

SDS had sponsored a series of rallies after the April 8 incident and engaged in dormitory "raps" in an acknowledged effort to violate "as much as possible" the administration's ban on SDS's use of university facilities. When the university set the date for its closed disciplinary hearings stemming from the April 8 affair, the SDS chapter added a fifth demand to its original four—"open and collective hearings for all those suspended"—and promised to "open up" the hearing on April 16.

Mimeographed leaflets, headed "Open It Up, or Shut It Down!" were distributed by the Kent State SDS to explain the organization's expanded demands and to solicit supporters for an SDS rally and march on campus April 16. "Open the Hearings!" and "Free All Political Prisoners!" were the slogans for the rally and march.

By the time the SDS rally had concluded, the organization had garnered some 100 supporters for its march on the music and speech building where the disciplinary hearing was underway before the student judicial council. The demonstrators stormed through two sets of locked and chained doors with the aid of such improvised instruments as a 7-foot iron bar from a dismantled coatrack. When SDS supporters reached a third-floor corridor, they were confronted by university police and sheriff's deputies who forestalled any entry into the actual hearing room. The accompanying din nevertheless served the purpose of disrupting the disciplinary proceeding.

In accordance with prearranged procedural guides, Ohio State police were summoned to the campus, at which time 58 demonstrators were arrested. Charges filed against them on the same day, which were still pending at the time of the committee's hearings, in-

<sup>1</sup> All of the charges were still pending at the time of the committee's hearings, with exceptions of those against Alan DiMarco, who entered a plea of *nolo contendere* and received a fine and jail sentence.

cluded trespass, inciting to riot, participating in riot, and malicious destruction of property. Temporary restraining orders had been lifted to permit the five SDS activists barred from campus to appear as witnesses at the disciplinary hearings. As a result of their behavior during the demonstration, they were subsequently found guilty of contempt of court and sentenced to fines and jail sentences, which were being appealed at the time of the committee hearings.

The confrontation between demonstrators and police and the ensuing mass arrests involved no injury to SDS activists, their supporters, or the police. A representative of the Kent State police testified that, in addition to breaking through the barricaded doors, there were oral threats to "kill" directed at the police by SDS members during the confrontation in the third-floor corridor.

The Ohio regional SDS was represented in the April 16 events by Lisa Meisel, who joined in the march on the music and speech building. During scuffles between the demonstrators and some of the approximately 200 students who opposed the SDS march at the door to the building, Lisa Meisel was observed to grab a student by the back of the shirt. Another outsider on campus that day was Jim Mellen, a guest speaker at the rally preceding the march on the disciplinary hearing. Mellen was introduced as a representative of the Radical Education Project at Ann Arbor, Mich., a New Left research and propaganda organization. University officials also discovered that 10 of the 58 demonstrators arrested on April 16 were not actually enrolled at the school.

#### SDS EFFORTS TO PROVOKE ADDITIONAL "ACTIONS"

Subsequently, regional and national SDS officials and other outsiders put in appearances on the Kent State campus during a series of rallies and other public events avowedly aimed at drumming up support for additional militant SDS actions on the campus.

The organization's strategy was outlined in a pamphlet, "The War Is on at Kent State," which was circulated during campus speechmaking by SDS officials, defining the organization's strategy.

The pamphlet, coauthored by Terry Robbins and Lisa Meisel of Ohio regional SDS, explained that SDS at Kent State had shown tactical flexibility by using rallies, dorm "raps," etc., geared to "increasing the possibility" of struggle. It announced that SDS was working on more elaborate explanations of its demands because the struggle would continue despite the mass arrests of April 16.

Robbins and Mellen were on hand for an SDS rally held in a campus park the day after the mass arrests. The theme of their speeches on April 17 was the immediate need for some kind of militant action to show the university that the SDS was "strong" and was not going to be stopped by "racism," "imperialism," or "political repression." Of the 200 persons attracted to this rally, at least one half were classified as merely curious onlookers.

Another outdoor rally and march on April 20 involved use of the services of Ohio regional staffer Corky Benedict. Benedict returned to join three national and local SDS representatives in a speechfest in Williams Hall on campus on April 28. Handbills gave top billing to Bernadine Dohrn, the organization's national interorganizational secretary, who was to discuss "repression" and SDS demands. Speakers for the banned organization obtained use of a university facility by appearing under the sponsorship of a local Yippie group.

According to testimony from a committee investigator who attended the session Miss Dohrn told the 125 individuals attracted to the meeting that SDS recognized a necessity for an organized revolution to destroy a

power structure by which a wealthy few repressed the majority in America. Miss Dohrn justified violence directed at police officers and forecast that both blacks and whites fighting "oppression" would have to carry weapons for the purpose of self-defense.

Speeches by Corky Benedict and SDS member Rick Skirvin, a former student at Kent State, emphasized that they expected power to be wrested from the "ruling class" in America only through the application of force and that an element of revenge would enter into revolutionary violence.

Although the April 28 meeting marked the only known appearance of a current national SDS official on the Kent State campus, local activists maintained telephone contact with the national office in Chicago, according to an examination of toll charges from the Kent residence of the previously mentioned SDS activist, Edward Erickson. Eleven phone calls were made from the Erickson residence to the SDS national office in the period February 21 to April 24, 1969.

Also at the meeting April 28 was Joyce Cecora, local SDS activist and former Kent State student, who spoke on Kent State SDS demands. Her militant observations at another rally May 6 were publicized in the campus newspaper. This rally was sponsored by a campus committee that had been organized to protest the earlier arrests of SDS demonstrators. An eyewitness testified that the following account in the *Kent Stater* was an accurate rendition of Miss Cecora's position:

"Earlier, a Students for a Democratic Society (SDS) spokeswoman called for armed rebellion on the Kent State campus \* \* \*.

"Joyce Cecora, SDS member, speaking to approximately the 200 persons sitting under the searing post-noon sun called for the use of arms to end what she called the 'repressive actions of the administration.' 'Sitting on the grass in front of the Administration Building is not fighting!' she emphasized. As she spoke, several of her male counterparts stood beside her [sic] holding two red SDS banners aloft.

"They used guns at Cornell, and they got what they wanted," she said, 'It will come to that here!'"

A similarly aggressive position was taken by Joyce Cecora in a talk at a Kent State dormitory the previous February 27, witnesses informed the committee. Aroused over the arrest of an SDS activist for distributing literature on campus in violation of State obscenity statutes, Miss Cecora reportedly declared that the SDS would burn and level the campus if the university did not discontinue "politically repressing" the organization.

#### DISTURBANCE OF MAY 22, 1969

The strident tone of SDS speakers continued up to May 22, when another SDS rally set the stage for what was to be the final "action" in the spring offensive at Kent State.

A witness testified that speechmaking in front of the Student Union included a declaration by SDS member Rick Skirvin that: "We'll start blowing up buildings, we'll start buying guns, we'll do anything to bring this—[obscenity for school]—down."

SDS was able to muster only about 15 persons, however, for the ensuing march aimed at disrupting an ROTC Review Day ceremony on the campus. The demonstrators invaded a chalked-off area on a field where the ROTC cadets awaiting review were standing at attention. Chanting slogans, they pushed their way through the cadet ranks. A university official warned the demonstrators over a public address system that they had entered the equivalent of a classroom area and were subject to university discipline as well as civil arrest. SDS supporters continued

demonstrating for another 10 minutes without arousing retaliatory action on the part of the cadets and finally marched off the field.

Warrants were subsequently issued for the arrest of 15 individuals on a charge of disturbing a lawful assemblage.

The demonstration was cited as an example of the special problem which the university administration faced as a result of an influx of organizers and other outsiders. Of the group of 15 individuals who unsuccessfully sought to disrupt the ROTC review on May 22, the university president testified, five had been identified as students, five had definitely been established to be nonstudents, and the others had yet to be identified.

#### EFFECTS OF UNIVERSITY POLICY ON CAMPUS DISORDERS

The university administration came to view Students for a Democratic Society—in the words of President White—as "an enemy of democratic procedure, of academic freedom, and of the essential university characteristics of study, discussion, and resolution." At the same time, SDS was classed as only one part of the problem of student unrest.

The dual approach of (1) being prepared to resist proposals for change advanced by force while (2) remaining responsive to change pursued through legitimate procedures had the following positive results, according to witnesses representing the university administration:

(a) Incidents provoked by SDS actually "de-escalated" and campus support waned in spite of an SDS program for a series of "escalating actions."

(b) Faculty, students, and citizens of the Kent community expressed spontaneous support for university policy, and all major parts of the campus commended the performance of the university's police force.

(c) Personal injury and major destruction of university property were avoided.

(d) The university completed the academic year "free and unfettered with no shameful compromise and with increased mutual respect among the parts of the campus."

Testifying on the basis of her personal observations at SDS meetings and demonstrations, Student Margaret Murvay stated that the arrests and immediate suspensions of SDS supporters on April 8 and April 16 weakened and, in fact, crippled the Kent State SDS chapter. Many supporters dropped out of SDS activity thereafter in fear of future arrest or the possibility that their parents would learn of their activity. Many other SDS members were deflected from other action by the necessity to raise bail, Miss Murvay reported.

SDS confirmed the findings of Miss Murvay. The previously cited pamphlet, circulated on campus after the mass arrests of April 16, and bearing the title "The War Is on at Kent State," acknowledged that—"the repression has clearly hurt us: over sixty of our people have been banned from the campus, at least 11 face heavy charges, with total bail exceeding \$120,000, and the Administration has succeeded to some extent in scaring a lot of people and obfuscating our original demands \* \* \*."

#### TO AUTHORIZE THE DISTRICT OF COLUMBIA TO ENTER INTO INTERSTATE AGREEMENT ON QUALIFICATIONS OF EDUCATIONAL PERSONNEL

(Mr. BROYHILL of Virginia asked and was given permission to extend his remarks at this point in the Record.)



Mr. BROYHILL of Virginia. Mr. Speaker, I have introduced today a bill "To authorize the District of Columbia to enter into the Interstate Agreement on Qualification of Educational Personnel." As noted in the bill, it is legislation designed to provide an efficient means of bridging differences in substantive and procedural arrangements for qualifications of teachers and other educators, without affecting the autonomy of the individual State—and in this case, the District of Columbia—educational systems.

The District of Columbia government is on record as favoring this legislation and I believe that if enacted it may result in some, if not substantial, savings in the recruitment of personnel by the District of Columbia School Board.

I introduced this bill on behalf of myself and Congressmen NELSEN, GUDE, and HOGAN. Certainly we hope that this legislation can be enacted during this session of Congress.

A general explanation of the bill and what it proposes to do is as follows:

Each State and the District of Columbia now has its own system of law and administrative practice governing the process of licensing or certifying teachers. In varying degrees, the systems are based on detailed descriptions of course requirements attached to teacher-training programs and a miscellaneous list of other statutory and administrative requirements. While many of these requirements vary there is a large body of generally agreed upon principles utilized in determining satisfactory teacher certification. In brief, with only very rare and limited exceptions, a person who is well prepared as a teacher or other school professional in one State can also function well in other States.

The enactment of this legislation will allow the District to enter into contracts which should reduce or eliminate duplication of administrative effort in checking teacher records already evaluated by competent authorities in the States. This should result in faster processing of teacher applications, improve teacher morale, permit rapid identification of qualified teachers, and increase the supply of qualified educational personnel. As many of the District's educational personnel come from without the District, the bill will facilitate the certification process and thereby improve recruitment procedures.

This legislation is in the nature of an enabling act. It provides the necessary legal authority whereby the board of education of the District may institute procedures to permit the recognition of decisions on teacher qualifications already made in party States. At the same time safeguards are provided to assure each participating State that such procedures will not produce interstate acceptance of substandard educational personnel. This legislation requires no new administrative body and requires no appropriations to become effective.

The heart of the interstate agreement is in its provisions authorizing the making of contracts by designated State edu-

cational officials. These contracts would have the force of law and would prescribe the methods under which teacher qualifications of a signatory State could be accepted by party States without the necessity for reexamination of such qualifications. The agreement specifies the minimum contents of such contracts in such a way as to assure the contracting States that standards employed for passing on qualifications will remain at a high professional level.

The interstate agreement has received national recognition as a means of overcoming the problem of reciprocity in the certification of educational personnel. At present the legislatures of 27 States have adopted the Interstate Agreement on Qualification of Educational Personnel, and this legislation would authorize the District to do likewise. Maryland is among the States who have already adopted these agreements and the Commonwealth of Virginia becomes a party on July 1 of this year.

The government of the District of Columbia believes that the enactment of this legislation will contribute to the advancement of education in the District, and also bring the District further in line with the prevailing policy of interstate coordination and cooperation.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. YATRON (at the request of Mr. ALBERT) from May 4 to May 8, on account of illness.

Mr. SAYLOR (at the request of Mr. GERALD R. FORD), for May 4 and 5, on account of official business.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. GUDE, for 60 minutes, on May 5, 1970, and to revise and extend his remarks and include extraneous matter.

Mr. MONAGAN, for 60 minutes, Tuesday, May 12.

Mr. RANDALL, for 60 minutes, Thursday, May 7.

Mr. RANDALL, for 15 minutes, today.

Mr. PUCINSKI, for 60 minutes, today.

(The following Members (at the request of Mr. STEIGER of Wisconsin) to address the House and to revise and extend their remarks and include extraneous matter:)

Mr. POFF, for 10 minutes, today.

Mr. WHALEN, for 10 minutes, today.

Mr. FISH, for 20 minutes, on Tuesday, May 5.

(The following Members (at the request of Mr. JONES of Tennessee) to address the House and to revise and extend their remarks and include extraneous matter:)

Mr. HAMILTON, for 10 minutes, today.

Mr. RYAN, for 60 minutes, on May 5.

Mr. WAGGONER, for 15 minutes, on May 5.

#### EXTENSION OF REMARKS

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

Mr. AYRES, on the veterans' legislation bills brought up by Mr. TEAGUE of Texas today.

Mr. FULTON of Pennsylvania (at the request of Mr. THOMPSON of New Jersey), immediately following the remarks of Mr. THOMPSON of New Jersey on Senate Joint Resolution 193 today.

Mr. PRICE of Illinois, and to include extraneous material.

Mr. EDMONDSON, in three instances, and to include extraneous material.

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

Mr. GROSS.

Mr. STEIGER of Wisconsin.

Mr. BUSH.

Mr. ASHBROOK in two instances.

Mr. KLEPPE.

Mr. WHALEN.

Mr. BRAY in three instances.

Mr. WYATT.

Mr. GUBSER in three instances.

Mr. SCHERLE in two instances.

Mr. DEL CLAWSON.

Mr. WYMAN in two instances.

Mr. MYERS.

Mr. WHITEHURST.

Mr. WIDNALL.

Mr. CONTE.

Mr. QUILLEN in five instances.

Mr. ARENDS.

Mr. NELSEN.

Mr. GOLDWATER.

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

Mr. GALLAGHER.

Mr. COHELAN in six instances.

Mrs. GRIFFITHS in two instances.

Mr. CORMAN in five instances.

Mr. DE LA GARZA in six instances.

Mr. BOLLING.

Mr. MAHON in two instances.

Mr. ADDABBO.

Mr. REES in two instances.

Mr. FRIEDEL in two instances.

Mr. RARICK in three instances.

Mr. ANDERSON of Tennessee in two instances.

Mr. POWELL in two instances.

Mr. ANDERSON of California.

Mr. ELBERG.

Mr. DADDARIO in five instances.

Mr. ICHORD in two instances.

Mr. GONZALEZ in two instances.

Mr. FOUNTAIN in two instances.

Mr. KLUCZYNSKI.

Mr. RODINO in two instances.

Mr. MOLLOHAN in three instances.

Mr. BRASCO.

Mr. NICHOLS.

Mr. WILLIAM D. FORD in two instances.

Mr. SIKES in five instances.

Mr. MINISH.

#### SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1461. An act to amend section 3006A of title 18, United States Code, relating to rep-

resentation of defendants who are financially unable to obtain an adequate defense in criminal cases in the courts of the United States; to the Committee on the Judiciary.

S. 1751. An act to declare that certain federally owned land is held by the United States in trust for the Lac du Flambeau Band of Lake Superior Chippewa Indians; to the Committee on Interior and Insular Affairs.

S. 2362. An act to amend certain Federal laws relating to the State of Oklahoma; to the Committee on Interior and Insular Affairs.

#### ENROLLED BILLS SIGNED

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

H.R. 515. An act to amend the National School Lunch Act and the Child Nutrition Act of 1966 to clarify responsibilities related to providing free and reduced-price meals and preventing discrimination against children, to revise program matching requirements, to strengthen the nutrition training and education benefits of the programs, and otherwise to strengthen the food service programs for children in schools and service;

H.R. 1049. An act to amend the Anadromous Fish Conservation Act of October 30, 1965, relating to the conservation and enhancement of the Nation's anadromous fishing resources, to encourage certain joint research and development projects, and for other purposes;

H.R. 1187. An act to amend the act of August 7, 1961, providing for the establishment of Cape Cod National Seashore;

H.R. 1706. An act to provide for the conveyance of certain mineral rights in and under lands in Pike County, Ga.; and

H.R. 12605. An act to amend section 613 of the Merchant Marine Act, 1936, as amended.

#### THE LATE HONORABLE WILLIAM L. ST. ONGE

Mr. MONAGAN. Mr. Speaker, I offer a resolution.

The Clerk read the resolution as follows:

H. RES. 966

*Resolved*, That the House has heard with profound sorrow of the death of the Honorable William L. St. Onge, a Representative from the State of Connecticut.

*Resolved*, That a committee of fifteen Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

*Resolved*, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

*Resolved*, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolutions were agreed to.

The SPEAKER. The Chair appoints as members of the funeral committee the following Members on the part of the House: Mr. MONAGAN, Mr. DADDARIO, Mr. GAIAMO, Mr. MESKILL, Mr. WEICKER, Mr. DONOHUE, Mr. GARMATZ, Mr. CLARK, Mr. ROSTENKOWSKI, Mr. CAREY, Mr. ST GERMAIN, Mr. EDWARDS of California, Mr. HUNGATE, Mr. TIERNAN, and Mr. BIAGGI.

The Clerk will report the remaining resolution.

The Clerk read as follows:

*Resolved*, That as a further mark of respect the House do now adjourn.

The resolution was agreed to.

#### ADJOURNMENT

Accordingly (at 2 o'clock and 59 minutes p.m.), the House adjourned until tomorrow, Tuesday, May 5, 1970, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2003. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 30, 1969, submitting a report, together with accompanying papers and an illustration, on Blue River, vicinity of Kansas City, Mo. and Kans., requested by resolutions of the Committees on Public Works, U.S. Senate and House of Representatives, adopted September 20, 1961 and May 10, 1962 (H. Doc. No. 91-332); to the Committee on Public Works and ordered to be printed, with an illustration.

2004. A letter from the Adjutant General, United Spanish War Veterans, transmitting a report of the proceedings of the convention of the national encampment held in San Diego, Calif., September 7-11, 1969, pursuant to Public Law 249, 77th Congress (H. Doc. No. 91-331); to the Committee on Veterans' Affairs and ordered to be printed, with illustrations.

2005. A letter from the Secretary of the Army, transmitting reports of the number of officers on duty with Headquarters, Department of the Army and detailed to the Army General Staff on March 31, 1970, pursuant to section 3031(c) of title 10, United States Code; to the Committee on Armed Services.

2006. A letter from the Chairman, Indian Claims Commission, transmitting a report that proceedings have been finally concluded with respect to docket No. 179, relating to the Joseph Band of the Nez Perce Tribe, pursuant to 60 Stat. 1055, 25 U.S.C. 70t, section 21; to the Committee on Interior and Insular Affairs.

2007. A letter from the Assistant Secretary of the Air Force, transmitting a draft of proposed legislation to amend section 2735 of title 10, United States Code, to provide for the finality of settlement effected under section 2733, 2734, 2734a, 2734b, or 2737; to the Committee on the Judiciary.

2008. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved according certain beneficiaries third and sixth preference classification, pursuant to the provisions of section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

2009. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in the case of certain aliens found admissible to the United States, pursuant to section 212(a)(28)(I)(ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

2010. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in cases in which the authority contained in section 212(d)(3) of the

Immigration and Nationality Act was exercised in behalf of certain aliens, together with a list of the persons involved, pursuant to section 212(d)(6) of the act; to the Committee on the Judiciary.

2011. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation, together with a list of the persons involved, pursuant to the provisions of section 244(a)(1) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

2012. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation, together with a list of the persons involved, pursuant to the provisions of section 244(a)(2) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

2013. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a copy of an order entered under the authority contained in section 13(b) of the act of September 11, 1957, pursuant to section 13(c) of the act; to the Committee on the Judiciary.

2014. A letter from the Chief Commissioner, U.S. Court of Claims, transmitting certified copies of the opinion and findings of fact, *Re: Sherman Webb, et al v. The United States*—Cong. Ref. No. 1-68, pursuant to sections 1492 and 2509 of title 28 United States Code; to the Committee on the Judiciary.

2015. A letter from the Commandant, U.S. Coast Guard, Department of Transportation, transmitting a report on boating statistics for 1969, pursuant to section 10, Public Law 85-911; to the Committee on Merchant Marine and Fisheries.

2016. A letter from the Director, Office of Emergency Preparedness Executive Office of the President, transmitting a draft of proposed legislation to amend existing Federal disaster assistance legislation, and for other purposes; to the Committee on Public Works.

2017. A letter from the Administrator, General Services Administration, transmitting a prospectus revising the post office, courthouse, and Federal office building project authorized at Williamsport, Pa., pursuant to section 7(a) of the Public Buildings Act of 1959; to the Committee on Public Works.

#### 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. HALEY: Committee on Interior and Insular Affairs. H.R. 380. A bill to repeal section 7 of the act of August 9, 1946 (60 Stat. 968) (Rept. No. 91-1034). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 15961. A bill to amend section 351 of the Public Health Service Act so as to clarify the intent to include vaccines, blood, blood components, and allergenic products among the biological products which must meet the licensing requirements of this section (Rept. No. 91-1035). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOLFELD: Joint Committee on Atomic Energy. H.R. 17405. A bill to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes (Rept. No. 91-1036). Referred to the Committee of the Whole House on the State of the Union.

## PUBLIC BILLS AND RESOLUTIONS

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

By Mr. HOLIFIELD (for himself, Mr. PRICE of Illinois, and Mr. HOSMER):

H.R. 17405. A bill to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. ANNUNZIO:

H.R. 17406. A bill to amend the Internal Revenue Code of 1954 to encourage the construction of, and investment in, housing; to the Committee on Ways and Means.

By Mr. ASPINALL:

H.R. 17407. A bill to increase certain acreage limitations in the Mineral Leasing Act; to the Committee on Interior and Insular Affairs.

By Mr. BROYHILL of Virginia (for himself, Mr. NELSEN, Mr. GUDE, and Mr. HOGAN):

H.R. 17408. A bill to authorize the District of Columbia to enter into the Interstate Agreement on Qualification of Educational Personnel; to the Committee on District of Columbia.

By Mr. DON H. CLAUSEN:

H.R. 17409. A bill to amend the Public Works and Economic Development Act of 1965 to extend the authorizations for titles I through IV through fiscal year 1971; to the Committee on Public Works.

By Mr. WILLIAM D. FORD:

H.R. 17410. A bill; Welfare and Pension Plans Act; to the Committee on Education and Labor.

H.R. 17411. A bill to provide additional protection for the rights of participants in private pension plans, to establish minimum standards for vesting and funding of private pension plans, to provide an insurance program guaranteeing plan termination protection, and for other purposes; to the Committee on Education and Labor.

H.R. 17412. A bill to provide for orderly trade in textile articles and articles of leather footwear, and for other purposes; to the Committee on Ways and Means.

By Mr. GAYDOS:

H.R. 17413. A bill to provide for orderly trade in textile articles and articles of leather footwear, and for other purposes; to the Committee on Ways and Means.

By Mr. HARVEY:

H.R. 17414. A bill to amend the Federal Trade Commission Act to provide increased protection for consumers, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mrs. HECKLER of Massachusetts:

H.R. 17415. A bill to provide for orderly trade in textile articles and articles of leather footwear, and for other purposes; to the Committee on Ways and Means.

By Mr. HICKS:

H.R. 17416. A bill to amend title 5, United States Code, to include as preference eligibles the wives of disabled veterans having total and permanent disabilities which are not service connected; to the Committee on Post Office and Civil Service.

By Mr. HUNGATE (for himself, Mrs. SULLIVAN, Mr. SYMINGTON, Mr. CLAY, and Mr. ICHORD):

H.R. 17417. A bill to establish a structure that will provide integrated knowledge and understanding of the ecological, social, and technological problems associated with air pollution, water pollution, solid waste disposal, general pollution, and degradation of the environment, and other related problems;

to the Committee on Science and Astronautics.

By Mr. MINSHALL:

H.R. 17418. A bill to amend the act requiring evidence of certain financial responsibility and establishing minimum standards for certain passenger vessels in order to exempt certain vessels operating on inland rivers; to the Committee on Merchant Marine and Fisheries.

By Mr. MORGAN:

H.R. 17419. A bill to provide for orderly trade in textile articles and articles of leather footwear, and for other purposes; to the Committee on Ways and Means.

By Mr. O'HARA:

H.R. 17420. A bill to allow States to apply more stringent marking, labeling, packaging or ingredient requirements than those set under the Federal Meat Inspection Act; to the Committee on Agriculture.

By Mr. RUPPE:

H.R. 17421. A bill to authorize the acquisition of certain lands for addition to Isle Royale National Park and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 17422. A bill to provide for orderly trade in textile articles and articles of leather footwear, and for other purposes; to the Committee on Ways and Means.

H.R. 17423. A bill to amend the Tariff Schedules of the United States to increase the rate of duty on mink fur skins; to the Committee on Ways and Means.

By Mr. SCHNEEBELI:

H.R. 17424. A bill to amend the Internal Revenue Code of 1954 to provide for the amortization of facilities used for the recycling, processing, or reclamation of ferrous metal; to the Committee on Ways and Means.

By Mr. VANIK:

H.R. 17425. A bill to amend section 13 of title 17, United States Code; to the Committee on the Judiciary.

By Mr. DON H. CLAUSEN:

H.R. 17426. A bill to establish a contiguous fishery zone (200-mile limit) beyond the territorial sea of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. WILLIAM D. FORD:

H.R. 17427. A bill to amend the Department of Defense Overseas Teachers Pay and Personnel Practices Act with respect to the giving of credit to new teachers for prior experience; to the Committee on Post Office and Civil Service.

By Mr. TIERNAN:

H.R. 17428. A bill to designate a national rail passenger system, to establish rail passenger corporations, to provide financial assistance therefor, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BOLAND:

H.J. Res. 1206. Joint resolution to repeal legislation relating to the use of the Armed Forces of the United States in certain areas outside the United States and to express the sense of the Congress on certain matters relating to the war in Vietnam, and for other purposes; to the Committee on Foreign Affairs.

By Mr. FASCELL (for himself, Mr. BROWN of Michigan, and Mr. McKNEALLY):

H.J. Res. 1207. Joint resolution designating the third Wednesday of April of each year as "Earth Day"; to the Committee on the Judiciary.

By Mr. HALL:

H.J. Res. 1208. Joint resolution designating the week of May 3 through 9, 1970, as Harry S. Truman Week, and for other purposes; to the Committee on the Judiciary.

By Mr. McKNEALLY:

H.J. Res. 1209. Joint resolution designating the third Wednesday of April of each year as

"Earth Day"; to the Committee on the Judiciary.

By Mr. ROONEY of New York:

H. Con. Res. 592. Concurrent resolution expressing the sense of the Congress with respect to the participation of United Nations agencies and functionaries in the celebration of the 100th anniversary of the birth of Vladimir Ulyanov (also known as Vladimir Lenin); to the Committee on Foreign Affairs.

By Mr. BROTZMAN (for himself and Mr. EILBERG):

H. Res. 967. Resolution to amend the Rules of the House of Representatives to create a standing committee to be known as the Committee on the Environment; to the Committee on Rules.

By Mr. BUSH:

H. Res. 968. Resolution; financial disclosure; to the Committee on Standards of Official Conduct.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DULSKI:

H.R. 17429. A bill for the relief of Han Choon Kee; to the Committee on the Judiciary.

By Mr. MACDONALD of Massachusetts:

H.R. 17430. A bill for the relief of Anna E. Barrett; to the Committee on the Judiciary.

By Mr. STANTON:

H.R. 17431. A bill for the relief of Jacqueline and Barbara Andrews; to the Committee on the Judiciary.

## MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

375. By the SPEAKER: A memorial of the Legislature of the State of Hawaii, relative to obtaining Federal assistance in developing a deep water harbor at Barber's Point, Oahu; to the Committee on Appropriations.

376. Also, a memorial of the Legislature of the State of Hawaii, relative to limiting the use of the draft law to legally declared wars; to the Committee on Armed Services.

## PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

467. By the SPEAKER: Petition of Henry Stoner, York, Pa., relative to Federal control of banks; to the Committee on Banking and Currency.

468. Also, petition of the Board of Commissioners, Sarasota County, Fla., relative to designating Cape Kennedy as the operational base for the space shuttle system; to the Committee on Science and Astronautics.

469. Also, petition of the Commission of the City of Miami, Fla., relative to designating Cape Kennedy as the operational base of the space shuttle system; to the Committee on Science and Astronautics.

470. Also petition of the mayor, city of Palm Beach Gardens, Fla., relative to designating Cape Kennedy as the operational base for the space shuttle system; to the Committee on Science and Astronautics.

471. Also, petition of the Board of Commissioners, Oakland County, Pontiac, Mich., relative to revenue sharing; to the Committee on Ways and Means.