

though we were obliged to strenuously oppose the first amendment he offered. I refer, of course, to the able Senator from West Virginia (Mr. BYRD). No Senator, in my judgment, offered a more lucid analysis of the constitutional implications of the Cooper-Church amendment, throughout the whole course of the debate. Furthermore, when the stakes were high and the argument fiercely joined, Senator BYRD never lost his civility nor engaged in the use of a single extravagant phrase to distort the issue he raised. I regard his conduct as an exercise of self-discipline that all of us would do well to emulate.

Many other Senators should be singled out, including the leaders of the opposition, such as Senators GRIFFIN and DOLE. They were formidable, tenacious adversaries and I salute them.

Finally, Mr. President, I pay special tribute to those particular Senators whose vote for the Cooper-Church amendment required them to assume burdensome political risks. If I named them here, I would do them no service, but they played out their role in the best tradition of U.S. Senators.

Mr. BYRD of West Virginia. Mr. President, the able Senator from Idaho is most gracious, as always. This is typical of him, and I think that the roll of those who played such a prominent part here in the Senate in the adoption of this historic legislation very clearly includes the able cosponsor of the amendment, and I speak now of the Senator from Idaho (Mr. CHURCH). Like Abou Ben Adhem, his name leads all the rest. I think it was his equanimity, his courtesy toward all, his patience and willingness to listen to the arguments of other Senators, his desire to cooperate with them in accommodating their views, and his overall generalship in the handling of the legislation, including the floor work and the management of it, which contributed perhaps most of all, if any one Senator could be singled out for praise with respect to the action of the Senate on the legislation to which he refers today.

I wish to share the Senator's viewpoint with respect to all of the other Senators who played a role, and to join with him particularly in his tribute to his able cosponsor, the Senator and af-

fable gentleman from Kentucky (Mr. COOPER). Mr. President, not only I, but all other Senators, salute the able Senator from Idaho. He has done an extremely fine piece of work, and I think that, in the long run, it will benefit the Nation greatly.

Mr. CHURCH. I thank the Senator.

Mr. MATHIAS. Mr. President, I deeply regret that the Senate conferees on H.R. 17868 were unable to persuade the other body to accept the Senate recommendation of \$34,768,000 for construction of the Metro system.

Above all, I regret that the Metro system is again being held hostage to the long-debated, long-delayed District of Columbia freeway system.

Like many others, I am an advocate of a balanced transportation system for the Washington metropolitan area. But to me this does not mean that delays in freeway construction must be balanced by delays in building the Metro. It does not mean that the subway system—which has received unprecedented regional and congressional support—should be subject to all the fits and starts, or fits and stops, which highway planning here unfortunately involves.

As I stated on Monday, the Metro system will be in a very real sense the life-line not only of the central city of Washington, but of the entire metropolitan area as well. It has been the beneficiary of substantial financial commitments by all of the suburban jurisdictions which will benefit from it. Now that construction has begun, we should exert all of our efforts to keep it on schedule, so that financing arrangements—in a very tight bond market—will not be jeopardized in any way.

I know that the Senator from Wisconsin (Mr. PROXMIER) and the other Senate conferees tried as hard as they could to convince the other body to approve the \$34,768,000 which the Senate had endorsed for the Metro. The conferees did agree on several other important items, including \$15.6 million for improvements at Blue Plains and sufficient funds for the District of Columbia narcotics control and treatment program. It would therefore gain us nothing—and would only delay the bill—to seek to return it to conference for another try.

Rather than to reject the conference report, therefore, I feel it is more constructive to go on record, again, that we reject the concept that the Metro can be kidnaped and held hostage to any particular freeway. In forthcoming legislation, I hope we can make our commitment to sustained Metro construction so clear that this situation will not develop again.

PRO FORMA SESSION TOMORROW

Mr. BYRD of West Virginia. Mr. President, tomorrow the Senate will convene at 9 a.m. for a pro forma session only, and it will then adjourn, under the previous order, until 12 o'clock noon on Monday next.

ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 9 o'clock tomorrow morning.

The motion was agreed to; and (at 5 o'clock and 50 minutes p.m.) the Senate adjourned until tomorrow, Thursday, July 2, 1970, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate July 1, 1970:

ATOMIC ENERGY COMMISSION

Glenn T. Seaborg, of California, to be a Member of the Atomic Energy Commission for a term of 5 years expiring June 30, 1975. (Reappointment).

CONFIRMATIONS

Executive nominations confirmed by the Senate July 1, 1970:

U.S. COAST GUARD

The following-named officers of the Coast Guard for promotion to the grade of rear admiral:

Austin C. Wagner
William A. Jenkins

DEPARTMENT OF JUSTICE

William J. Bauer, of Illinois, to be U.S. attorney for the northern district of Illinois for the term of 4 years.

HOUSE OF REPRESENTATIVES—Wednesday, July 1, 1970

The House met at 12 o'clock noon. The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Behold, how good and how pleasant it is for brethren to dwell together in unity.—Psalm 133:1.

God of our fathers, as we draw near the day when we celebrate the birthday of our independence as a nation, we pause to acknowledge our dependence upon Thee, to thank Thee for Thy guiding spirit in the past, and to pray that the power of Thy presence may fit us fully for the future. Without Thee we can do nothing, but with Thee all good and great things are possible.

We remember with affection and honor those who have given and are giving their lives on behalf of our country and in the service of noble causes. By the power of every life usefully lived, by the spirit of every person worthily engaged, may we make our Nation great in moral character, great in religious faith, great in justice and in the brotherhood of man.

May the words of our mouths, the worship of our hearts, and the works of our hands be useful in ushering in the day when men and nations shall learn to live together peacefully, in freedom and with good will toward all. In the spirit of Christ we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday 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 a concurrent resolution of the House of the following title:

H. Con. Res. 671.—Concurrent resolution providing for adjournment of the House from Wednesday, July 1, to Monday, July 6, 1970.

The message also announced that the

Senate having proceeded to reconsider the bill (H.R. 11102) entitled "An act to amend the Public Health Service Act to revise, extend, and improve the program established by title VI of such act, and for other purposes," returned by the President of the United States with his objections, to the House of Representatives, in which it originated, it was

Resolved, That the said bill pass, two-thirds of the Senators present having voted in the affirmative.

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. 15628. An act to amend the Foreign Military Sales Act.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 15328) entitled "An act to amend the Foreign Military Sales Act," disagreed to by the House; requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. FULBRIGHT, Mr. SPARKMAN, Mr. MANSFIELD, Mr. CHURCH, Mr. AIKEN, Mr. CASE, and Mr. COOPER to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 3685) entitled "An act to increase the availability of mortgage credit for the financing of urgently needed housing, and for other purposes," agreed to a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. SPARKMAN, Mr. PROXMIER, Mr. WILLIAMS of New Jersey, Mr. BENNETT, and Mr. TOWER, to be the conferees on the part of the Senate.

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

S. 703. An act for the relief of Arthur Jerome Olinger, a minor, by his next friend, his father, George Henry Olinger, and George Henry Olinger, individually.

HON. JOHN G. SCHMITZ

Mr. SMITH of California. Mr. Speaker, I ask unanimous consent that the gentleman from California, Mr. JOHN G. SCHMITZ, be permitted to take the oath of office today. His certificate of election has not arrived, but there is no contest and no question has been raised with respect to his election.

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

There was no objection.

Mr. SCHMITZ appeared at the bar of the House and took the oath of office.

CAMBODIA—ANOTHER SUCH VICTORY AND WE ARE UNDONE

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

Mr. EDWARDS of California. Mr. Speaker, when the President announced

the Cambodian invasion on April 30, the only justification he gave was the saving of American lives. Yesterday he made it clear that another objective was to save the Lon Nol government, a new military dictatorship in Indochina. The venture has cost 339 American lives, \$5 million in arms aid to the Lon Nol government, and a commitment for continued arms aid and air strikes. The President says he will also "encourage and support" other countries wishing to send arms or troops to the rescue of the Lon Nol government, raising the specter of American-paid mercenaries. His protestations of success are unconvincing in view of the facts that the Communists now control more of Cambodia than they did before April 30, they have secured new supply routes to feed the war in Vietnam, and they have been unified in their opposition and have gained pledges of increased support from Moscow and Peking. It would appear that we can say, with Pyrrhus, "Another such victory and we are undone." There being no objection, I would like to extend my remarks in the RECORD with editorials in this vein from the Washington Post and the New York Times:

[From the Washington Post, July 1, 1970]

CAMBODIA: THE PRESIDENT'S REPORT

Although there remains disagreement about its long-term significance, about the cost to our society of having taken this action, there can be little disagreement now over the immediate military success that has been achieved.—President Nixon, in his report yesterday on Cambodia.

This single sentence, from the President's long, final report on the Cambodian operation, just about sums it up, as far as we are concerned. That is to say, we agree that the venture has achieved some immediate military successes, as measured in captured weapons and supplies and killed enemy soldiers and smashed sanctuaries, as we have noted all along, it could not fail in these terms. And these were the terms laid down by the President in his announcement of the operation on April 30. "Our purpose is not to occupy the areas," the President said. "Once enemy forces are driven out of these sanctuaries and their military supplies destroyed, we will withdraw."

So it was to be search and destroy, all very familiar and rather routine within South Vietnam for a good many years, the only difference being that this was a sweep into Cambodia up to a limit of 21 miles. As a one-shot, time-buying affair it was even appealing, as long as that was really what it was. The trouble about it, however, was that officials did not leave it at that; in quiet background briefings for the press, a second mission was suggested—that of easing the Communist pressure on the Cambodian government, in hopes of delaying, if not actually preventing a Communist conquest of the entire country. Nobody wanted to say so out loud, because that would have tied us tightly into a situation we could not hope to control without a far larger effort than the American public would put up with. So the administration merely hinted at this secondary mission, as a fallback, you might say, for those who were not entirely satisfied with the stated primary mission.

Well, now we know. Now the President is saying out loud, as American troops are pulling out, what he wouldn't say out loud as American troops were moving in—that we were trying to influence the outcome of the developing struggle for Cambodia for the obvious reason that it made no sense to clean out isolated sanctuaries if Cambodia, in the

President's words, was to become "virtually one large base area." By way of strengthening his rationale for going into Cambodia in the first place he is even citing evidence from documents which were captured after we went in and the decision was made. He is saying, in so many words, that "in March and April of this year, Communist troops used their long held bases in Cambodia to move against the government of Cambodia..."

So it wasn't, after all, just the immediate, direct threat to our troops in Vietnam posed by the enemy sanctuaries in Cambodia. It was also the long-term threat posed by the possibility of the Lon Nol government falling to the Communists. The pattern of Communist activity prior to his decision, the President said, "makes it clear the enemy was intent both on expanding and strengthening its military position along the Cambodian border and overthrowing the Cambodian government."

If that is in fact the enemy intent, with all that this would mean, by the President's own admission, for Vietnamization and the safety of our troops, then it seems to us it is a bit early for throwing hats in the air and hailing the greatest American victory since Inchon, as the Vice President has done. This is not to question the "immediate military success," although there are a lot of authorities who do—who note the vast quantities of weapons and supplies that were not discovered and destroyed and wonder just how long the effects of the operation will last.

But even supposing that a really serious crimp has been put in Communist capabilities in the coming months, it obviously becomes necessary, from Mr. Nixon's own analyses, to apply another test of his Cambodian venture, over a longer term. It becomes necessary to await the fate of the Lon Nol government in Phnom Penh. In this connection, it is odd, to say the least, that the President, while including the now familiar checklist of captured booty in his final report, had nothing of significance to say about the course of the Other Cambodian War; nothing to say about fighting around Phnom Penh; nothing to say about the apparent concession by the Lon Nol government of a huge northern chunk of Cambodia to Communist control. He had nothing, in short, to report about what this means in terms of that other mission of preventing Cambodia from becoming one big sanctuary. All of which is another way of saying that he had very little of "long-term significance"—in his words—to report.

[From the New York Times, July 1, 1970]

FRUITS OF CAMBODIA

The most important result of the American "incurSION" into Cambodia which ended yesterday is not the dubious military achievement claimed by the President in his lengthy report from San Clemente but the political reaction on Capitol Hill as reflected in Senate passage of the Cooper-Church amendment.

By adopting this amendment restricting future United States operations in Cambodia, the Senate moved at last to reassert the constitutional role of Congress in committing American forces to overseas military action. The Senate vote gives dramatic voice to widespread Congressional and public doubts about the wisdom of the Cambodian escalation which the President once again has defended with unconvincing rhetoric.

Mr. Nixon asserts that the two-month operation in the border sanctuaries, which cost 339 American lives, has inflicted heavy losses in manpower and material on the enemy; has eliminated "an immediate threat" to allied forces; has diminished the enemy's capacity for offensive operations in southern South Vietnam, and will save American lives and assure the scheduled withdrawal of American troops from Vietnam. These claims may largely be justified, although the ac-

curacy of most of them remains to be demonstrated.

Of greater significance are the dismal facts that the Communists now control far more of Cambodia than they did when the allied thrusts began; that the Lon Nol Government in Phnompenh is in a more precarious position than ever; that the Communists have secured new supply routes through which to infiltrate men and the additional supplies that have been promised by their friends in Moscow and Peking; that the American move has driven Indochinese Communists closer together and closer to Peking.

American forces, in short, are leaving Cambodia in far worse shape than it was when they entered. Mr. Nixon indicated he will try to meet this new situation by giving "encouragement and support" to intervention by Thai and South Vietnamese troops—traditional foes of the Cambodians—on behalf of the threatened Lon Nol regime. The Senate has prudently sought to foreclose this perilously unpromising gambit by retaining in the Cooper-Church amendment a ban on financial support for foreign troops in Cambodia. Even if the House fails to uphold the Senate action, as seems probable, the Administration is on notice that it faces powerful opposition to any such move.

The President came closer to the mood of Congress and of the country in those passages of his report in which he disavowed any faith in a military solution to the Indochinese conflict and promised renewed efforts to seek a negotiated settlement for the entire region. If he follows up these promising words with deeds—such as the prompt designation of a new top-level negotiator in Paris—he will find the new mood in Congress, which he has so stubbornly resisted, is really an asset that can help him and the nation out of an increasingly difficult predicament.

LEGISLATION TO ELIMINATE A PATENT ABSURDITY IN AVIATION FACILITIES EXPANSION ACT

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

Mr. VAN DEERLIN. Mr. Speaker, I am today introducing legislation to eliminate what I regard as a patent absurdity in Public Law 91-258, the Aviation Facilities Expansion Act.

Under terms of this otherwise admirable law, airlines and their ticket agents are required, effective today, to conceal from passengers just how much tax they are paying for what. The prohibition applies to advertisements as well as ticket forms—meaning that customers are to be left completely in the dark unless agents are willing to risk stiff fines by giving them a verbal breakdown of the fare and tax.

This restriction makes a mockery of the public's right to know what their Government is doing for and to them. It is also retrogressive in the sense that it reverses the recent congressional emphasis on disclosure measures such as truth-in-packaging and truth-in-lending.

My attention was first drawn to this matter by a Time-Life broadcaster, the able Carl Coleman.

The San Diego Evening Tribune, in a June 25 column by Neil Morgan and a page 1 story the following day by Don Learned, has also laid bare this injustice. As Mr. Morgan, one of the most widely read and respected writers in Califor-

nia, points out: the new secret tax coupled with a recent Civil Aeronautics Board decision permitting airlines to round off fares to the next highest dollar amounts to "twisting the inflation knife."

And both articles make clear that travel agents in the San Diego area have been thoroughly intimidated, as well as infuriated, by this enforced secrecy; they are literally afraid to speak out, lest Big Brother crack down on them.

I am completely unable to accept the rationale used by the Senate Finance Committee in initiating the requirement. The argument that withholding of the information will save time that ticket clerks have spent in calculating the tax pales to insignificance when matched against the threat to the historic right of the American people to full knowledge of the taxes levied against them by their Government.

I am not a lawyer, but the possible constitutional implications seem so obvious to me that I believe grounds exist for a court test of this secrecy clause.

I would, therefore, urge airlines and other directly affected parties to consider an appropriate suit pending action on my bill, which would simply strike the offending language from Public Law 91-258 to permit, once again, disclosure of taxes and fares, as well as the full amount of ticket costs, in both tickets and advertising.

The articles by Mr. Morgan and Mr. Learned follow:

[From the San Diego Tribune, June 25, 1970]

TAX ON AIRLINE TICKETS

(By Neil Morgan)

Is Uncle Sam trying to hush up the fact that he is raising tax on domestic airline tickets next Wednesday from 5 to 8 per cent? It seems that way to travel agents and airline ticket agents here. All of them have written instructions not to show the increase as a tax increase when writing the ticket. They are warned in fact, not to itemize the tax separately any longer, on penalty of a \$100 fine as provided by the new tax law (and presumably to be levied by the Civil Aeronautics Board against the airline).

On domestic tickets after July 1, only the total ticket cost is to be shown; lines for fare and tax are to be left blank. "If a passenger asks explanation for the fare increase," the Air Traffic Conference has notified travel agents, "give it verbally." No written notations are to be made by the ticket agent.

Says travel agent Kay Stewart: "We can't show tax as tax any longer without breaking a federal law and getting fined."

Under the change, airlines will round off all fares to the next highest dollar (striking a preliminary blow for inflation) and then levy the higher tax on the higher fare, twisting the inflation knife.)

"It's all so creepy," says an airline ticket clerk here. "Nobody has ever warned us before not even to talk about something like this with our customers."

Says the district sales manager of another airline: "I almost hate to discuss it with you. For God's sake don't use my name. The whole thing has been treated like a deadly secret. It sounds like Big Brother."

[From the San Diego Tribune, June 26, 1970]

AIRLINE TICKET LEVY SECRET BY LAW: "PSST—HOW MUCH OF THIS IS TAX?"

(By Don Learned)

An increase in taxes on domestic airline tickets starts Wednesday but don't ask ticket agents to write just how much it amounts to.

A new federal law makes it illegal for them to do so.

Federal instructions tell agents to leave blank the spaces on the ticket designed to show "fare" and "tax." Agents can fill in the only the "total" space.

The tax increase—from 5 to 8 per cent on domestic tickets—is part of the Airport Airways Act. Signed into law last month, it's designed to raise more than \$16 billion in the next 10 years for airport improvements.

A provision of the law, however, requires that the fare and tax be stated as a total amount only—in effect hiding the tax from the public.

A spokesman for the Internal Revenue Service in Washington, said the law specifically prohibits ticket agents from listing how much the fare is and how much the tax is.

If the ticket agent broke down the two charges he would be guilty of a misdemeanor and subject to a fine of up to \$100, he said.

"It's ridiculous," said one ticket agent. "We have truth-in-lending, truth-in-packaging but if you want to know how much your taxes are, we can't itemize it."

The provision was uncovered by columnist Neil Morgan in checks with local ticket agents and was reported in his column yesterday in the Evening Tribune.

A Senate Finance Committee report in February said the purpose of the new procedure is to eliminate delays in ticket price computation. Another aim is to avoid misconceptions in advertising by giving customers one total price, the report said.

Travel agents in San Diego, however, said that the new rules have caused confusion and delays.

"People are complaining about it," said Kay Stewart, office manager of Continental Trailways. "They don't understand why we can't put the tax down."

She said it means "considerable more work" because the amount of fare on which agents figure commissions is not stated. They have to first deduct the 8 per cent tax to find out what the fare is.

"It's a pretty rotten deal," added Jim Pyka, assistant manager of the Allied Travel Agency. "They just snapped it on us."

The act was signed into law May 21 and goes into effect July 1.

The Federal Aviation Agency estimates that the tax package will generate \$665.8 million during the next fiscal year. The bulk of it, some \$526.2 million, will be paid by the domestic traveler. International travelers are to contribute another \$28.4 million.

One of the problems created is that travelers who have already purchased tickets for travel after July 1 will have to pay the amount of the additional tax—amounting to 3 per cent of fare.

Pyka predicted that a numbers of travelers will be unaware of the new tax and will walk into airports thinking they have a fully-paid ticket.

"It's going to create havoc," he said. "The ticket agents at the counter, they're busy enough as it is. Now they're supposed to go and figure out 3 per cent of the fare."

Under the law, the 8 per cent tax would cover flights from San Diego to any other city in the 48 continental states.

Flights from San Diego to Hawaii and Alaska will be covered by another new tax on international trips. The airways bill provides a new \$3-per-person tax on travelers going outside the continental United States.

Instructions issued to travel agencies by the Air Traffic Conference of America, a government bureau which oversees travel agency operations, states:

"When quoting fare to passengers you must give only the total price (tax plus fare). However, there is no problem in telling the passenger that the quoted price includes an 8 per cent federal transportation tax.

"If the passenger specifically requests a breakdown of the total fare, it may be given to him verbally."

HOUSING NEEDS REQUIRE HOUSE AGREEMENT TO H.R. 15845

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

Mr. RYAN. Mr. Speaker, last week the House passed the Emergency Home Finance Act of 1970—H.R. 17495. While this bill has some merit, it really does not adequately address the massive housing problem which today exists, and which will, if the administration's monetary and fiscal policies are not changed, continue to exist.

Previously, the Senate version of this bill was passed on April 16. Yesterday, the Senate voted to disagree with the House version of the Emergency Home Finance Act, and Senate conferees were appointed.

One provision of the Senate version which was not embodied in the House version, and which the House and Senate conferees will now have before them as a matter for consideration, is my bill, H.R. 15845. The language of this bill was embodied in section 402 of the Senate version, which reads:

SEC. 402. The second sentence of section 302(b) (1) of the National Housing Act (as redesignated by section 201 of this Act) is amended by inserting after "(1)" the following: "is insured under section 236 or."

This is, in effect, the language of H.R. 15845, and of S. 3239, which was introduced in the other body by the senior Senator from New York (Mr. JAVITS).

H.R. 15845 provides a significant and necessary change in the present law by permitting the Government National Mortgage Association—GNMA—to purchase section 236 mortgages which reflect the effect of local tax abatement programs, even though they are in excess of the Association's statutory limits.

Construction costs are so high in New York City and other high cost areas that the present \$22,000 per unit limit effectively bars GNMA from purchasing section 236 mortgages there. While under present law low and moderate income housing constructed under the section 221(d) (3) program can exceed the \$22,000 limit if the project is receiving tax abatement and the resulting rents are comparable to those in projects whose per unit cost is less than \$22,000, there is no comparable flexibility for section 236. Yet, section 221(d) (3) is being phased out and replaced by section 236.

It is essential that GNMA be given this flexibility. In its absence, the financing and construction of section 236 projects in high cost areas where tax abatement programs are established, are seriously inhibited. H.R. 15845 is the solution.

The tremendous interest rates which now prevail make the section 236 program of prime importance, since it enables Federal subsidization of interest payments. Consequently, any measure to make section 236 more effective is of prime importance. H.R. 15845, embodied in the Senate version of the Emergency Home Finance Act, is a measure which directly goes to this end. Thus, I strenuously urge the House conferees on this

act to agree to the Senate's version embodying H.R. 15845.

HANDICAPPED NEED INFORMATION CENTER

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

Mr. BENNETT. Mr. Speaker, the 42 million handicapped persons and their families in America today face not only the burdens that their handicaps present, but also a worse fate—little knowledge of how they can help themselves.

As a handicapped person myself, I know of the problems faced by people who become disabled. The lack of readily available information on how they can develop and live normal lives is a detriment to them as they go about their daily tasks.

While we have many public and non-public organizations and agencies involved in helping the handicapped, there is no real centralized and consolidated center to help the handicapped in their problems of employment, education, transportation, recreation, and other activities.

Today, I am introducing a bill to provide for a National Information and Resource Center for the Handicapped in the Department of Health, Education, and Welfare. I join Senator ROBERT DOLE, of Kansas, in the introduction of this legislation, which I believe will go a long way in helping the handicapped to help themselves.

Over the last two decades I have sponsored and supported bills to assist the handicapped of America. In the last Congress, a bill sponsored by myself and the late Senator from Alaska, E. L. Bartlett, was enacted into law, and it provides that public buildings shall be constructed to be accessible to handicapped persons. In this Congress, I have sponsored bills enacted into law which provide for a National Center on Educational Media and Materials for the Handicapped and to insure that the proposed Washington metro system is designed and constructed to be accessible to the physically handicapped.

Mr. Speaker, the bill I am cosponsoring with Senator DOLE, a leader in the effort to help the 42 million handicapped persons and their families, would provide a broad program of information and data to the handicapped and to those private and public agencies and individuals who are helping the handicapped.

I am hopeful for favorable departmental reports and early hearings on this legislation. The Congress can legislate properly to provide an atmosphere in which the handicapped can achieve a useful and productive life. A copy of the bill follows:

H.R. 18286

A bill to provide for the establishment, within the Department of Health, Education, and Welfare, of a National Information and Resource Center for the Handicapped

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 "National Information and Resource Center for the Handicapped Act".

SEC. 2. (a) There is hereby established, within the Department of Health, Education, and Welfare, a National Information and Resource Center for the Handicapped (hereinafter referred to as the "Center").

(b) The Center shall have a Director and such other personnel as may be necessary to enable the Center to carry out its duties and functions under this Act.

SEC. 3. (a) It shall be the duty and function of the Center to collect, review, organize, publish, and disseminate (through publications, conferences, workshops or technical consultation) information and data related to the particular problems caused by handicapping conditions, including information describing measures which are or may be employed for meeting or overcoming such problems, with a view to assisting individuals who are handicapped, and organizations and persons interested in the welfare of the handicapped, in meeting problems which are peculiar to, or are made more difficult for, individuals who are handicapped.

(b) The information and data with respect to which the Center shall carry out its duties and functions under subsection (a) shall include (but not be limited to) information and data with respect to the following—

- (1) medical and rehabilitation facilities and services;
- (2) day care and other programs for young children;
- (3) education;
- (4) vocational training;
- (5) employment;
- (6) transportation;
- (7) architecture and housing (including household appliances and equipment);
- (8) recreation; and
- (9) public or private programs established for, or which may be used in, solving problems of the handicapped.

SEC. 4. (a) The Secretary shall make available to the Center all information and data, within the Department of Health, Education, and Welfare, which may be useful in carrying out the duties and functions of the Center.

(b) Each other Department or agency of the Federal Government is authorized to make available to the Secretary, for use by the Center, any information or data which the Secretary may request for such use.

(c) The Secretary of Health, Education, and Welfare shall to the maximum extent feasible enter into arrangements whereby State and other public and private agencies and institutions having information or data which is useful to the Center in carrying out its duties and functions will make such information and data available for use by the Center.

SEC. 5. There is authorized to be appropriated for carrying out the purposes of this Act for the fiscal year ending June 30, 1971, the sum of \$300,000, and for each fiscal year thereafter such sums as may be necessary.

BUREAU OF CUSTOMS INVESTIGATING DUMPING OF POWER TRANSFORMERS

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

Mr. VIGORITO. Mr. Speaker, on June 15, the Bureau of Customs announced that it is investigating the dumping of large power transformers by manufacturers in France, Italy, Japan, Sweden, Switzerland, and the United Kingdom. This investigation is directed at unfair

pricing on the part of manufacturers in these countries which poses a serious threat to the continued health of the U.S. large power transformer industry.

My district has a particular interest in this antidumping proceeding because a Westinghouse large power transformer facility is located at Sharon, Pa., and employs more than 4,000 workers in the production of large power transformers. Consequently, I have sent the following letter to Mr. Myles J. Ambrose, the Commissioner of Customs:

It has come to my attention that the Bureau of Customs is presently investigating the dumping of large power transformers by manufacturers in England, France, Italy, Japan, Sweden, and Switzerland.

This matter is of particular concern to me because of the location within my District of the Westinghouse power transformer facility at Sharon, Pennsylvania. That facility employs more than 4,000 workers, who are vitally interested in protecting the U.S. large power transformer industry against unfair pricing by foreign manufacturers.

It seems clear that the American industry urgently needs the protection against unfair pricing which Congress has provided in the Antidumping Act. I am informed that foreign firms have already captured a significant portion of the U.S. market, including substantially all U.S. Government business, that some U.S. companies have already laid off workers, that a worsening of this situation can be expected unless some action is taken against unfair foreign competition.

I feel that it is essential that American industry and labor receive promptly the full protection afforded by U.S. law. In the past, prompt relief from dumping has sometimes been delayed by the tendency of antidumping proceedings to be lengthy affairs. I am therefore especially encouraged by your apparent intention to expedite the present antidumping investigation to the fullest extent possible. I would very much appreciate being kept informed as to its progress.

I regard the investigation now being pursued by the Bureau of Customs as a particularly significant step in the protection of American industry against unfair competition from abroad. The dumping activities which are the subject of this proceeding are made possible by the fact that manufacturers in Europe and Japan enjoy a privileged position in their home markets, totally unlike the free competition which prevails in the United States. Typically, these manufacturers make substantially all of their home market sales to government-controlled purchasing bodies which buy exclusively from domestic manufacturers. In fact, American firms have been unable to sell large power transformers in any of the six countries named in the Bureau's notice of investigation. Therefore, free from foreign competition, the overseas manufacturers can and do maintain high home market price levels and sell their excess capacity abroad—principally in the United States at sharply reduced prices.

Moreover, foreign large power transformer firms receive considerable export incentives from their governments. These include rebates of value-added taxes, accelerated depreciation allowances and other income tax advantages, and rebates of duties on previously imported components and materials. In some cases, manufacturers have even received direct export subsidies.

Thus protected from foreign competi-

tion and artificially encouraged to increase exports, foreign firms have sold in the United States at prices far lower than their home market price levels. Exports to the United States have been priced as low as 22 percent of prevailing home market levels. This means that the foreign companies are charging their domestic customers as much as four times the prices charged to United States purchasers.

These sales in the United States at prices drastically below those charged to home market purchasers constitute a clear example of dumping. Such international price discrimination has been condemned by every major international trading nation and is specifically denounced in article VI of the General Agreement on Tariffs and Trade. Congress has dealt specifically with such problems by providing for the imposition of special dumping duties under the Antidumping Act of 1921. The imposition of such duties on imports of large power transformers is urgently needed to protect American industry and labor engaged in the production of such equipment. Moreover, the present proceeding represents a significant step toward achieving meaningful enforcement of the Antidumping Act of 1921.

UKRAINIAN STRUGGLE FOR INDEPENDENCE

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

Mr. KLEPPE. Mr. Speaker, each year on January 22, we take time to give moral support to Ukrainians for their gallant struggle for independence and against Communist aggression.

Each year Governors and mayors throughout the country proclaim January 22 as "Ukrainian Independence Day." The year 1970 marked the 52d anniversary of Proclamation of Independence of Ukrainian National Republic and the 51st anniversary of the Act of Union, whereby all Ukrainian lands were united into one independent and sovereign Nation.

It was over 75 years ago that Ukrainians came to my State of North Dakota and contributed to its development. On behalf of them and Ukrainians throughout the United States, I am today introducing a resolution calling for official recognition of January 22 as "Ukrainian Independence Day" and authorizing the President to issue a Presidential proclamation each year designating January 22 as "Ukrainian Day."

I would urge my colleagues to join with me in sponsoring similar resolutions. Such action would provide tremendous moral support and would represent a positive demonstration of this country's desire to speak out against repressions sweeping the Ukraine.

UMWA FISH FRY

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

Mr. WAMPLER. Mr. Speaker, I was honored to participate in the United Mine Workers of America fish fry at Bullitt Park in Big Stone Gap, Va., Saturday, June 20, 1970. It was sponsored by the local unions in Wise and Lee Counties of District 28, which is in my Ninth Congressional District of Virginia. Carson Hibbits is the president of District 28.

W. A. "Tony" Boyle, international president of the UMWA, attended the fish fry, as did Edward L. Carey, chief counsel for the UMWA. I would like to insert in the CONGRESSIONAL RECORD the remarks of Tony Boyle:

Fellow coal miners, your families and friends—I would like to greet some of our friends who are here today.

First let me call to your attention that a man sitting on this platform—Congressman Wampler—has worked diligently for coal miners throughout all the time we were trying to enact the Federal Coal Mine Health and Safety Act. Others get to the newspapers and let it be known they are working on behalf of you. But this man, let me assure you, is always ready, willing and competent to do the things the United Mine Workers of America called upon him to do. He never let us down. Thank you, Congressman Wampler.

General Counsel Carey, I am glad you could come down from Washington.

President Hibbits and your committees who worked so hard to make this celebration a success, and all of my fellow officers and friends, thank you for coming.

I am deeply grateful for your kind invitation to be with you today. The locals in District 28 banded together to make this fish fry a wonderful success. This is a sign of our unbreakable unity because when folks get together to have fun, they are united in the more serious business of keeping our union together.

Needless to say, the kind words that accompanied your invitation were appreciated. Those words gave me credit for achieving new benefits for miners. Being human, I like to feel that I have earned some of that credit, but most of the credit must go to all of you here and the thousands and thousands of other mine workers who make up our union.

We have made progress only because we have remained united. It was mine worker unity and determination that built our union. It was mine worker determination and unity that lifted us from the industrial serfdom that once marked our industry. It has been mine worker unity and determination which kept our union strong and permitted us to achieve the standards we have won.

This past week we commemorated the 46th anniversary of the infamous Ludlow massacre where mine workers and their families were slaughtered by the State militia and the National Guard and the company thugs of that day. There are still some among us who remember Ludlow and other bloody events that have marked our union's history. What we have won, we have won with the blood, guts, and spirit of mine workers and mine worker families. Let us never forget it; let us remember that our strength lies in ourselves, not in self-proclaimed saviors who promise to save us from ourselves.

We have come through a trying period during the last year. We have seen our union attacked from within and from without. Outsiders have joined with some inside our house to attack the good name of the United Mine Workers of America, and to divide mine worker against mine worker, pension member against working member, and brother against brother.

Despite the attacks upon us, our union remains strong and intact. Following the election last year, I pledged to work to reunite

miners and to heal the wounds within our union. This remains my major goal. Despite continuing attacks upon the UMW and upon me personally, we have made significant progress in that direction.

I serve notice upon the entire nation here today that our union remains unbreakable in spirit, and that in the years immediately ahead, we will achieve far greater gains than ever before.

I serve notice upon the coal operators who have hoped that we would be shaken apart that we will meet them in negotiations next year backed by the greatest solidarity in our history.

I serve notice to those within our ranks, who still refuse to accept the will of the majority and who would divide us against ourselves, that their propaganda will fall upon deaf ears.

I serve notice upon all Federal agencies who would interfere in our affairs that they will not break the unity of the United Mine Workers of America.

I serve notice upon those outsiders who have sought to take us over that we will remain masters in our own house.

Only recently in Philadelphia, a leading spokesman for certain outsiders called upon the Federal Government to move against our union. He libeled the UNW as an "island of tyranny." In so doing, this self-proclaimed savior sought to incite violence in our ranks by warning that blood would flow unless the Federal Government moved against us.

As the Ludlow massacre reminds us, Government intervention in our internal union against the welfare of the mine worker. As we remember our members who have shed blood in strikes to better the lot of the miner and as we remember our members who have died in the dark of the mine, let us remember that our salvation lies in our mutual bonds alone.

We are here today to enjoy ourselves and I, too, want to join in the fun. Nevertheless, let us take time here and now to give a resounding "no" to all who call upon the Government or any other outside group to dictate how we shall run our union.

There is already far too much violence in this Nation and in the world. If there is violence in the coal fields, it is not we who will provoke it. We seek no civil wars among ourselves. We seek only to unite miners and to make certain that the will of the majority shall prevail.

We have been maligned and libeled and subjected to ugly name-calling and to outright lies. Some people claiming to be friends of labor have brought down upon us and the entire house of labor a vicious attack and proposed anti-labor laws that, if enacted, would set this Nation back 100 years.

We of the United Mine Workers of America need no such friends. We reject them. We have met their challenge in a free and open election. And we won.

Now, finally, the truth has begun to emerge into the light of day. As the truth emerges, it becomes clear that your union and its leadership have been falsely accused. Unfortunately, the same press which took such delight in trying to blacken our name has done little to make amends.

The truth began to emerge recently before a body of the United States Senate. When this investigating subcommittee was formed, there were cheers from those who have hurled charges against us. To clear our name, I requested and received an opportunity to appear and to answer our tormentors.

We welcomed those hearings because we had nothing to fear and because they gave me an opportunity to refute the false charges made against us. We had nothing to hide, and the truth began to surface. As one reporter commented, "they didn't lay a glove on him," meaning me. On the other hand, the public began to notice certain contra-

ditions and inconsistencies in the hysterical testimony of our accusers.

The truth emerged further when George Shultz, formerly Secretary of Labor, testified before the same committee. The Secretary testified that his Department and the Department of Justice had made a painstaking investigation of the charges against the UMW and its leadership. The Secretary testified they talked to representatives of 882 local unions during the course of the investigation.

Secretary Shultz testified.

That the Department of Labor and the Federal Bureau of Investigation found no evidence that the UMW leadership had instigated violence in last year's election;

That the National Bank of Washington did not lend money to finance the campaign of the Boyle-Tittler-Owens ticket;

That my opponent had been punched in the jaw by a UMW member whom he made angry and that the UMW leadership had nothing to do with this fight or any other violence.

The secretary testified that there was no karate chop, although outsiders and the press had played this up. This was just one sample of the "big lie" and the press has done nothing to promote the truth about it.

The secretary said during his testimony and I quote "our investigation did not disclose a sufficient basis for alleging that violence during the election period affected the outcome of the election."

The charges hurled at us were false. Members of the UMW went to the polls and registered their choice of officers in a democratic election.

Immediately after the death of the late beloved John L. Lewis, the UMW international executive board designated me as the UMW trustee of our welfare and retirement fund. For quite some time I had been examining the fund's financial position and had concluded that it was sound. I was deeply troubled because the \$115 monthly pension payment was so inadequate. I met with the operator's trustee and obtained his consent to increase the pension to \$150 monthly.

In the eyes of some outsiders, my action to increase pensions was a crime. They have sought to make your pension a political football. It was certainly gratifying to hear the former Secretary of Labor testify that they found nothing illegal, immoral or wrong in any way in our vote to raise your pensions.

We in the UMW have always interpreted our constitution to permit locals to continue in operation as long as they have members. Although our constitution requires 10 members to charter a local, the UMW does not thereafter revoke a charter just because there are less than 10 working members remaining in the local. We have always taken the position that pensioners are entitled to hold membership in our union and that, as full fledged members, they are entitled to vote in elections for international officers.

Some outsiders charged that locals with fewer than 10 working members are "bogus" locals and on that basis they went to court to try to deny the vote to 80,000 members. They did not succeed. They did not succeed.

The Secretary of Labor found that the entire issue was bogus—not the locals. He testified that he fully agrees with our interpretation of the UMW Constitution that pension members are entitled to vote. The important thing to remember is that the very people who tried to deny almost 80,000 UMW members the right to vote are the very same people who are trying to label our union as undemocratic.

During the last year I have visited with thousands and thousands of our members in the field. I welcomed your invitation today to come to Virginia and talk with you and listen to you. We intend to carry out the

program that was laid down to you during the last year. The UMW has already begun. Some delays have been encountered because we have been forced to face our challengers and to defend our union. We have done so successfully and we intend to move ahead.

In spite of the economic problems in the American economy, the demand for coal is zooming. Coal prices are soaring and the operators are making hay. If we close ranks and present a solid front to the coal operators, we will make the greatest progress in our history. This I promise you.

We will work for a fifty dollar a day wage.

We will win higher pensions and other major gains in welfare benefits.

We will refuse to subsidize the coal industry, the utilities, the steel industry and other coal users by accepting less than a just wage, modern welfare and pension benefits and other working conditions.

It is my hope that the coal operators will see things our way because it will be to their benefit.

One of the major problems in the coal industry is the lack of trained mine workers. We can recruit and train new miners in our industry if we had a wage structure commensurate with the skills we now require and the risks we must take.

Unless the Federal Coal Mine Health and Safety Act is properly enforced, there will continue to be a shortage of trained mine workers. The UMW intends to see to it that the new law is strictly enforced. We have stated over and over that the overriding consideration in law enforcement must be the health and safety of mine workers. That is what we seek and that is what we shall obtain. We are shocked at the lawsuit brought by nonunion mine operators to prevent the enforcement of the law. We will fight them in the courts and through new organizing drives.

Last Labor Day, I said that if a lawyer or a doctor is worth \$50 per hour, a skilled coal miner is certainly worth \$50 per day. I repeat that claim. We intend to get what we are worth. But we will get what we are worth *only* if we are united. We will get what we are worth *only* if we do not weaken our union or our own personal financial capability to take on the coal operators when next year's negotiations come around, we must prepare now.

It is easy to understand the impatience of coal miners with some of the working conditions that the coal operators seek to impose upon them. I understand the reaction that says "close the mine and strike 'em dead."

But let's look at the consequences.

The coal operators want us to wear ourselves out before our next contract comes around. They want us to fight with each other. Oh yes, the operators complain about wildcat strikes, but yet they seem to incite them almost as a policy.

Let's keep our cool.

Let's use the grievance procedure to resolve our disputes. Every district is being alerted to the importance of speeding up the settlement of grievances through the dispute machinery of the contract. Let's hold on—let's remain at work—while the grievances are processed. If the grievance machinery doesn't work right, let's find out why and change it in our next contract.

We honestly think we have a good grievance procedure, one of the best in industry. We would all be better off if we would re-dedicate ourselves to making the grievance procedure work. You will have the full cooperation of the international union.

The last thing we want is to be "all struck out" when our next contract comes around. If we have weakened ourselves by unauthorized work stoppages, the operators will fight back hard. They will be far more cooperative in negotiations if we are united and in good fighting trim.

If we close ranks now, keep our cool and rally behind our union, we will have the greatest opportunity in our history to make contract progress.

What has gone before will seem only a prelude.

With unity and solidarity as our watchwords, we are going to roll this union on. Together, we will work new wonders for ourselves.

Thanks to each and every one of you for coming today. God Bless You. Thank you.

RESTORATION OF PRAYER IN SCHOOLS

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

Mr. CARTER. Mr. Speaker, for years resolutions have been introduced to permit voluntary participation in prayer in public schools. I have been approached on this subject by many ministers, priests, and interested laymen, all of whom asked for restoration of prayer in schools.

Daily this House is opened with prayer. How can we deny our children a privilege we here enjoy? Is it because one man on the Judiciary Committee blocks this resolution? Should we permit one Member, however sagacious or respected, to thwart the will of this House and the vast majority of our constituents?

Today, I ask, Mr. Speaker, that Members favoring the permission of voluntary participation in prayer in our public schools sign a discharge petition on my resolution, House Joint Resolution 337, or the resolution of any other Member allowing such prayers.

CONDOLENCES TO PARENTS OF SOLDIERS SLAIN IN VIETNAM

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

Mr. GOODLING. Mr. Speaker, a Congressman deals with people, some of whom are confronted with tragic circumstances that are truly heart rending. The remarkable thing is that these individuals are not crushed by such adversities but, instead, have the courage and will to rise above them and go on.

Just recently a tragedy fell upon the family of Mr. and Mrs. Calvin H. Miller, constituents of mine who reside at 40 Grandview Road in Hanover, Pa.

On May 11, 1970, I received a letter from Mr. Calvin H. Miller advising me that a son, Pvt. Jeffrey H. Miller, was serving on the battlefields of Vietnam with the 14th Infantry Regiment. Mr. Miller informed me that while he and his wife were deeply concerned for the safety of their son, they knew there was a difficult job to be done in Vietnam and that their son was one of those selected to get it done. The letter also indicated that son Jeff had a very positive attitude with respect to his service assignment.

The tone of this letter was so inspiring that I inserted it into the CONGRESSIONAL RECORD of May 21, 1970, hoping that a vast number of persons would have

an opportunity to read it and appreciate its meaning and sincerity.

On May 29, 1970, I received a very fine letter of appreciation from Mr. Miller for my insertion of his letter into the CONGRESSIONAL RECORD and, tragically, in the wake of that letter, the news service carried an announcement that Pvt. Jeffrey H. Miller was killed in action in Vietnam.

I wrote Mr. and Mrs. Calvin H. Miller a letter of condolence, and just recently I received a letter from Mr. and Mrs. Miller which stated as follows:

We acknowledge your kind expression of sympathy in the death of our son, Pfc. Jeffrey H. Miller. We ask you to refer to the *Congressional Record* of the 91st Congress, second session, vol. 116, page 16661. We stand firm on that letter.

Mr. Speaker, the letter to which Mr. and Mrs. Jeffrey H. Miller referred was the one I had inserted into the CONGRESSIONAL RECORD of May 21, 1970, a letter written when their son Jeff was still alive, a letter which expressed the deep understanding they had for their son's service in Vietnam.

Mr. Speaker, this represents a remarkable demonstration of patriotism and dedication, reaffirming a patriotic conviction after the loss of a dearly loved one in military action.

I am extremely proud and, in fact, very humble to have the privilege of representing a family that has made the supreme sacrifice of a son in the cause of their country and who, while their hearts are torn with grief, muster the strength to say of their conviction, "We stand firm."

Again, I extend my condolence to Mr. and Mrs. Jeffrey H. Miller, and to Jeff's grandmother, Mrs. Effie Mummert. These citizens exemplify the highest type American that can be found in this land.

RICHARD NIXON—A MAN FOR ALL SEASONS

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

Mr. BUCHANAN. Mr. Speaker, the passage yesterday of a watered-down version of the Cooper-Church amendment in the other body has little meaning, both because of its verbiage and because it will never pass the House and become law. Originally designed to force the American troops out of Cambodia, its passage came the day after all the troops had already been withdrawn.

This issue has, however, provided new opportunity for the President's carping critics in the press and in the body politic to vilify him and to attempt to place upon his shoulders the entire responsibility for the war which he inherited in Southeast Asia. It is the strength and the genius of the American system, however, that the American people have the innate and intuitive good judgment to recognize courage and integrity when these are demonstrated by a national leader.

Not only in sending troops into Cambodia to protect our soldiers in Vietnam, but in other such controversial actions as the vetoing of education and health fa-

cilities bills, Mr. Nixon has demonstrated a willingness to pit himself against the sacred cows of this society and to make himself the target of those political pharisees who so sanctimoniously condemn all who disagree with their simplistic view of how to achieve the peace, in order to do what he believes to be right for his country.

If it were true, as some of his critics wishfully predict, that such actions should make him a one-term President; he would choose this rather than to do what he believes to be wrong. It is better, Mr. Speaker, for a man to be a private citizen with the courage of his convictions than to hold the Nation's highest office and fail to follow the dictates of his conscience.

But even those Americans who disagree with his decisions, as I have done on some domestic issues, find in our President a man for all seasons. Through the good years and the bad Richard Nixon, as a Republican, has given himself to the service of his party and to the election of its candidates to public office. There is not a State in the Union or even a congressional district in which Richard Nixon has not labored in the Republican vineyard. It is, therefore, unthinkable that he would receive anything other than the absolute loyalty of the Republican Party and its overwhelming vote of confidence at the next nominating convention in 1972.

Through the long years of his public service he has distinguished himself repeatedly in the House, in the Senate, as Vice President, and now in our Nation's highest office. There is, therefore, no doubt in my mind, Mr. Speaker, but that he will be reelected to the Presidency by a resounding margin. The American people have found in our President a man who stands so tall he makes his critics look small indeed.

HE KEPT HIS WORD

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

Mr. ARENDS. Mr. Speaker, one of the great problems in public life today is the question of credibility. People just do not seem to believe what public officials say—or believe that those officials mean what they say or will do what they say they are going to do.

Today, I want to cite to you, and to all of the people of America and the world, an example of credibility—of credibility so clear, so unmistakable as to be an example for men in public life everywhere. The example to which I refer was set by the President of the United States.

Two months ago, President Nixon said that all U.S. troops would be out of Cambodia by July 1. Since he made that statement, there has been a persistent casting of doubt by the opponents of the President both in Washington and Hanoi. As a result, there was widespread questioning whether he would do what he said he would do.

What happened? Before July 1 the last of the U.S. troops that had gone into Cambodia to clear out

the enemy sanctuaries, came back across the border. The President had kept his word. He did what he said he would do.

Now, let no opponent, no cynic—and no American who may be affected by all of the negative criticism he hears—have any doubt that President Nixon is a man who is as good as his word. He can be trusted to follow through. He can be counted on to deliver. He can be believed.

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 is the world's largest producer of frozen vegetables. In 1965 the United States produced 1,569,000 metric tons of frozen vegetables. This was 15 times more than produced by West Germany, the second-ranked nation.

THE GREATEST NATION IN THE WORLD

(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, this Saturday marks the 194th anniversary of this great country. This year the celebration will have special and significant meaning with Honor America Day scheduled to take place not only here in Washington but in other cities across the country.

When America is under critical attack seemingly from every corner of our society, this added emphasis to our traditional Fourth of July activities points up the great faith and confidence that the vast majority of Americans have in our system of government. Through the expression of our patriotism we renew our determination to meet the awesome problems of our modern society. Although America is not perfect, it still remains the greatest nation in the world and offers the best hope for freedom and peace in this world today. Throughout our history we have met the challenges of growth and new ideas, and I am confident that we will continue to meet and resolve our problems and make an even better America for generations to come.

REYNOLDS' MEET AT HOMEPLACE

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

Mr. MIZELL. Mr. Speaker, recently, one of the most prominent families in my district in North Carolina joined together with other members of their eminent family and celebrated the public opening of the homeplace of their ancestor, Hardin W. Reynolds.

As this family has been instrumental in developing the resources of the South,

their contribution to the economy of this area, as well as the entire country, has been significant. Business, however, is not the only area in which this great family has played a leading role. As a result of the work of the Reynolds, many cultural and educational projects have been made possible.

I feel it is fitting to place in the RECORD today a copy of an article from the Winston-Salem Journal, and Sentinel describing the Reynolds' gathering, so that my colleagues may join with me in paying tribute to this distinguished family which has contributed so much in all areas to our Nation.

The article referred to follows:

REYNOLDS MEET AT HOMEPLACE (By Arlene Edwards)

CRITZ, VA.—A Reynolds by any other name was a Reynolds yesterday at the ceremony opening for public tours of the homeplace of their mutual ancestor, Hardin W. Reynolds.

There were, of course, Reynolds named Reynolds at the brief outdoor ceremony.

There were many others named Smith, Lybrook, Neal, Bagley, Grant, Lassater, Martin, Staley, Lucas, Owen, Graham, Critz, Armfield, Kent and Montcastle.

The ceremony climaxed a four-day reunion planned by Mrs. Nancy Susan Reynolds of Greenwich, Conn., one of Hardin's granddaughters, for his other 209 lineal descendants.

This was the first Reynolds reunion since 1941 when the clan gathered at the homeplaces of two of Hardin's sons—Reynolda House and Tanglewood Park—in Winston-Salem, and more than half of the lineal descendants came from 10 states and several foreign countries to attend it.

Mrs. Reynolds is the daughter of the best known of the 16 children born to Hardin and his wife, Nancy Jane Cox, in the mahogany Empire bed now on exhibit in the restored bedroom.

Her father was Richard Joshua Reynolds who left the homeplace in the early fall of 1874 to move 50 or so miles south to Winston to build his tobacco empire.

Richard Joshua's brother, Abraham David, remained in Virginia and sired seven children. His fifth, Richard Samuel, founded the Reynolds Metals Co. of Richmond, Va. Richard Samuel's son, a junior, founded the brokerage firm of Reynolds and Co.

And the 33-year-old son of Richard Samuel Jr., J. Sargeant, is now serving as the youngest lieutenant governor in the history of Virginia and the second youngest in the nation.

Lt. Gov. Reynolds, the speaker for the day, concentrated on the role Hardin W. Reynolds' offspring in general—and Abraham David and Richard Joshua in particular—had played in rebuilding the South after the devastation of the Civil War.

"The industrial growth of the South," he said, "is very much a part of the heritage of this homelike."

"The brothers," he explained, "went in separate ways but they had a common destiny to help develop the economic resources of this section of America."

Richard Joshua, he elaborated, went to Winston to found the largest tobacco company in the world and his brother who had a son who "would form an industrial complex of light metals that would give employment and a decent standard of living to thousands in Alabama, Arkansas, Texas, Kentucky and Virginia.

Reynolds told his kinsmen that "the men and grand ladies born here gave to the rest of us who followed a way of life which they never had at this place."

"We are not here," he said, "only to honor their success—but, as well, their determina-

tion to keep on in the face of difficulties hard to imagine."

Smith Bagley of Winston-Salem, the son of Mrs. Nancy Reynolds, described the restoration as "proof of our continuing kinship" and thanked his relatives, on behalf of his mother, for the "advice, historical information, gifts and furnishings" they gave to the project.

These remarks by the two cousins from different branches of the family were the only formalities of the day and they lasted for less than a half hour.

For a while, it looked as if even these limited formalities might not take place . . . at least not at the homeplace.

The auditorium of the Hardin Reynolds Memorial School, just a few miles down the road, was standing ready in case of rain.

The rain, which started about the time Paul Myers began distributing individual picnic baskets to the descendants and their guests, stopped just minutes before the ceremony was scheduled to begin.

Dozens of folks were trapped on the narrow back porch of the homeplace but Myers, with a soggy blue napkin covering his head, splashed through the rain with their food.

The younger guests—none under five were invited—gobbled their fried chicken and ham biscuits and pecan tarts so they could use their baskets as rain hats.

The rest of the day was spent admiring the restoration which was supervised by Old Salem Inc., and rehashing the family history that is carefully chronicled in a 217-page book written for the reunion.

During the summer months, the homeplace, known as the Reynolds Homestead, will be open to the public from noon until 4 p.m. on Saturdays and Sundays and by appointment at other times.

CONGRESSIONAL WATCHDOG FOR THE PUBLIC OVER EXPENDITURES OF THE FEDERAL GOVERNMENT

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

Mr. REIFEL. Mr. Speaker, one of the important roles of a Congressman is to be a watchdog for the public over the expenditures of the Federal Government. It is the citizens' money. They work hard for it. They have a right to know where it goes.

However, when the watchdog function gives way to a blind passion for press releases and a personal desire to bask in the limelight, no legitimate public interest is served.

Such was the case in a recent attack on a research grant awarded by the National Science Foundation to South Dakota State University. The grant was to conduct a study on the "Physiological and Behavioral Effect of Insecticides on Cormorants."

Critics said this project was "pouring taxpayers money down a rathole" and that no birds of this type could even be found in South Dakota. Such charges are completely unfounded and devoid of merit.

Fish, Wildlife and Pesticides, a publication of the Department of the Interior is an extremely valuable pamphlet for anyone interested in the effects caused in nature by pesticides.

Regarding the study at South Dakota State, the material on page 5 discusses the importance of biological multiplica-

tion through the food chain. An excerpt of that material follows:

All fish and wildlife are part of nature's food chain. One chain may start with small fish concentrating persistent pesticides within their bodies. A higher dose of chemicals thus is passed on to larger fish that eat them. When the fish are eaten by birds at the top of the aquatic food chains, such as the osprey or bald eagle, these birds may get highly concentrated doses of poison.

Another food chain begins with the leaf that falls from a sprayed tree. A worm eats the leaf. A bird eats the worm. Many robins have been killed by DDT used to control the beetle that carries the Dutch elm disease. Their brain tissues have contained as much as 240 p.p.m. of DDT residue.

A classic example of the operation of a food chain occurred in Clear Lake, Calif., in 1957. To control a troublesome flying insect that hatches in the lake, the water was treated with the insecticide DDD to yield a concentration of 0.02 p.p.m. Plankton (microscopic waterborne plants and animals) accumulated residues at 5 p.p.m. Fish that ate the plankton concentrated the DDD in their fat to levels ranging from hundreds to upward of 2,000 parts per million. Grebes, diving birds like the loons, fed on the fish and died. The highest concentration of DDD found in grebe tissue was 1,600 p.p.m.

Food chains in the aquatic environment are especially vulnerable to pesticides because they are exposed to the runoff from land as well as pesticides sprayed directly on them. The chain begins with plankton, the basic food for all other life forms in the sea. The researchers fear that great kills of plankton could be caused by pesticides and not be noticed. Its absence, however, could mean the loss of an entire crop of fish dependent on it for food. In laboratory tests, scientists learned that most of the chlorinated hydrocarbons, at a concentration of 1 p.p.m. in water for 4 hours, will decrease plankton growth and reproduction by 50 to 90 percent. The organic phosphorus compounds are usually much less toxic to plankton.

The cormorant occupies an ecological niche similar to the grebe which is mentioned in the excerpt. Dr. Yvonne A. Greichus, South Dakota State University extension economist has collected 50 wild nesting cormorants near Lake Poinsett, S. Dak. She estimates that there are 3,700 cormorants in the area.

The value of the cormorant study lies in the fact that a great deal is known about its natural history and the source and composition of its food. This permits use of an animal in nature whose habits, food supply, and life history are extremely well known—to the point of approaching the state of knowledge and experimental control that can be applied to a laboratory animal. Because of this, study of the cormorant and pesticides yields extremely valuable information concerning the mechanisms of pesticide transfer through the food chain in nature. This knowledge of the mechanism may then be applied in formulating generalized concepts valid for all food chain mechanisms.

The use of the cormorant as an experimental animal should not be interpreted as an intrinsic concern for this animal, but rather as an imaginative use of a wild form that will illustrate a principle of broad application in all cases of pesticide transfer, whether it involves cormorants, cattle, or humans. The use of experimental animals to develop basic principles and new procedures in biology

and medicine is certainly not a new concept. The vast majority of experimental work in testing pharmaceuticals and toxicology is based on responses of white mice, rats, dogs, or monkeys. New surgical procedures are invariably developed on lower animals before being applied to humans. This list could go on for pages, but the principle is the same. A great deal of information vital for man's health and welfare can be and is learned by study of the lower animals.

We should bear in mind that the organisms on which the tenets of genetics were developed were the sweet pea and the fruit fly. Some of the most important basic work on unraveling the genetic codes and eventually leading to the recent synthesis of hereditary material was done on the black bread mold, *Neurospora*.

The specific case of the cormorant is no less dramatic, and its import on the management of our environment and the poisons we put into it should not be underrated. It is false economy to ignore a valid source of knowledge just because the experimental animal of choice is uncommon or looks comical.

The importance of finding out more about a study than simply its name was recently highlighted to me during a discussion with Dr. Harold Berkson, a specialist in the Environmental Policy Division at the Library of Congress. Dr. Berkson mentioned an article which discusses the reduction of photosynthetic rate in marine phytoplankton because of DDT.

Now to the casual eye this might appear to be a highly technical article of little practical interest to the average man. Quite the contrary.

As Dr. Berkson explained, the bulk of oxygen on the earth is here as a result of photosynthesis of marine phytoplankton. If the production rate of this oxygen, which is necessary for life, is reduced, the total amount of oxygen available might be reduced.

The result would be extinction for all of us.

BIRTH-DEFORMING HERBICIDES CONTAINING 2,4,5-T THREATEN THE HEALTH OF THE AMERICAN PEOPLE

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

Mr. McCARTHY. Mr. Speaker, there was a moment last spring when I thought the first steps had been taken to prevent the birth-defarming herbicides containing 2,4,5-T from threatening the health of the American people. I believed at the time that the administration, after months of prodding, had finally recognized the danger of this defoliant, and that all legal and other means would be used to remove it from the market shelf.

On April 15, Jesse L. Steinfeld, the Surgeon General of the United States told a Senate subcommittee investigating the safety of 2,4,5-T that a number of actions were being taken by the Department of Agriculture and the Department of Health, Education, and Welfare to restrict the use of this dangerous weed-

killer. These included a suspension of liquid formulations around the home and waterways and a cancellation of powdered forms around the home and on food crops.

In spite of these pronouncements, few changes have taken place. All forms of the herbicide continue to be used without restraint. The restrictions placed on interstate shipments of the suspended forms has not eliminated those stocks already on sale: those forms which have been canceled can be manufactured and marketed until the appeal process, which could be indefinite, is exhausted. About the only thing accomplished by the administration's decision has been to change the labeling instructions on certain containers. The user can still apply 2,4,5-T any way he wants.

Despite conclusive evidence that commercial products containing 2,4,5-T have a persistent teratogenic, or birth-defarming property, these herbicides continue to be used on rangeland, pastureland, and rights-of-way such as railroad tracks.

The public is now somewhat aware of the dangers of 2,4,5-T and other polychlorinated phenolic herbicides. Although we are told that it is not being used around heavily populated areas, it has recently been disclosed that the Penn Central Railroad is using weed-killers containing 2,4,5-T on its commuter lines serving New York City. This can hardly be considered an area removed from dense population.

Without objection, I insert an article from the New York Times of June 28, 1970, explaining opposition to this weed-killing agent used along the tracks near these residential areas. I am writing to the Chairman of the Interstate Commerce Commission to determine what steps he is taking to see that this practice ceases.

There are three factors which contribute to a situation where Federal laws, executive decisions, and scientific opinion have little or no influence on what should be the restrictions on the use of economic poisons—pesticides, herbicides, and fungicides.

First, Federal legislation is hopelessly outdated and inadequate. The prime user, in this case the Department of Agriculture, is also the agency which determines the scope and nature of its application, relying almost totally on industry safety standards, which are frequently self-serving.

Second, the health and consumer agencies of the Federal Government have no regulatory powers, only advisory roles. For those few powers of inspection which are delegated to agencies such as the Food and Drug Administration, there is a hopeless lack of personnel and laboratory facilities. Thus, the research carried out by doctors in the FDA on the birth-defarming properties of 2,4,5-T took 6 years to complete. During this time, the use of this defoliant increased fivefold.

Finally, Members of Congress and the public at large have been confused and deceived by a number of actions which have prevented a full understanding of the defoliant's harmful effects, and the nature of the restrictions placed upon its

use. Thus, laboratory evidence accumulated in 1966 was not presented to responsible officials until 1968. Public disclosure was not made until 1968, and action was delayed until 1969 when Congress became alarmed. The steps finally taken to suspend and cancel the use of 2,4,5-T seemed to be the beginning of what would soon be a total ban. In fact, they were a mere bureaucratic slap on the hand of industry which will resume even increasing sales of 2,4,5-T in the country this year. Ironically, this is due, in part, to a decrease in defoliation in Southeast Asia, which makes more of the commercial products available for domestic consumption.

Mr. Speaker, for a quarter of a century, the Agriculture Department has authorized the unrestricted use of agents containing 2,4,5-T. Despite its danger to human life, which some experts put at the level of thalidomide, it is not even known how many formulations of this kind are on the market. The Pesticides Regulation Division of the Department of Agriculture was informed that no such list exists, because no one has ever asked for one.

Mr. Speaker, I have written to the Secretary of Agriculture requesting such a list. I am appalled that this information is not available to those in the Department who are responsible for regulating its use. I hope my action will assist the Agriculture Department in carrying out its legal obligations.

But more important is the manner in which the regulatory powers are now invested in the Department which has shown so little interest in the health of those who come into contact with this chemical. Agriculture officials still do not feel that 2,4,5-T used on rangeland grazed upon by cattle is potentially dangerous to those of us who eat meat. Why they do not draw such a conclusion escapes me, but since this is the case, regulatory responsibilities must be shifted to those agencies which are primarily concerned with the health and welfare of our citizens.

Accordingly, I introduce a bill to strengthen Government control over the regulation of herbicides.

The bill would amend the Hazardous Substances Act to provide for more effective protections against the hazards caused by economic poisons.

The bill would require the Secretary of Health, Education, and Welfare to review all pesticide labels prior to registration and to approve only those which protect the public health. It would thereby provide for an independent check on the Department of Agriculture by HEW officials. In the past, HEW has only had an advisory role, and its advice has often been rejected by Agriculture. Under this bill, both agencies would be required to approve any herbicide before it is permitted on the market.

In the meantime, doubts about the present use of 2,4,5-T and other polychlorinated defoliant and pesticides can best be resolved by imposing an immediate ban until it can be shown conclusively that these compounds do not threaten the health of the American people.

The article referred to follows:

RAILROAD IS USING DISPUTED SPRAY—PENN CENTRAL CLEARS LAND WITH 2,4,5-T HERBICIDE

(By John C. Devlin)

The Penn Central said last week that it was clearing away weeds and shrubs along its New Haven Division right-of-way with a spray that contains a chemical herbicide almost entirely banned by the Pentagon in Vietnam.

The herbicide known as 2,4,5-T, has been reported to cause birth defects in laboratory animals, and Federal authorities have said it poses "imminent danger" to women of child-bearing years who eat food grown in areas using the spray.

Frank Manganaro, manager of the railroad's environmental control department, noted that the Federal Government allowed use of the spray for control of weed and brush on range, pasture, forest, rights-of-way and other non-agricultural land.

The dangers of 2,4,5-T were pointed up when the United States virtually stopped using the herbicide as a defoliant in Vietnam. Interior Secretary Walter J. Hickel recently included it among pesticides and herbicides that he virtually banned on more than 500 million acres of Federal lands.

QUESTIONED BY COMMUTERS

Its use by the railroad was disclosed by its officials after some of its commuters noticed the dying vegetation along the right-of-way and asked whether 2,4,5-T were being used. Mr. Manganaro said it was mixed with 2,4-D, another herbicide that has come under fire recently, and sprayed only on heavily overgrown areas only on windless days, so that there "is no danger."

Less toxic weed killers are used in other areas, he said.

Controversy has revolved around use of 2,4,5-T for months, and last April 15 Federal authorities acted to restrict its use because of its potential danger to women of child-bearing age and their offspring.

The Federal order was aimed at restricting interstate shipment of the herbicide in liquid form. The nonliquid forms, not considered as harmful, will remain on sale pending further study. The Federal action does not affect sales of the herbicide already in retail stores nor has it stopped use of products containing the chemical already purchased by home gardeners.

However, home gardeners were urged not to bury, burn or flush it down drains and to wait until further studies determined how to get rid of it.

The Army was reported to still use 2,4,5-T in a few isolated areas.

Dr. Arthur W. Galston, professor of biology at Yale University, warned against use of 2,4,5-T anywhere, and cited "its thalidomide-like action," a reference to the drug that resulted in the birth of many deformed babies in 1960-61.

NEW PHASE OF NEGOTIATION TOWARD A RESOLUTION OF THE INDOCHINA CONFLICT

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

Mr. SYMINGTON. Mr. Speaker, the President indicated yesterday that we are entering a new phase of negotiation toward a resolution of the Indochina conflict. One thing we know. The Hanoi government studies American public opinion with great care, if not always with great accuracy, in the formulation of its bargaining position. One area where inaccuracy on its part must be avoided is with respect to the treatment accorded

American prisoners of war held in its custody. True, our Government has conveyed our interest frequently and firmly in this regard. But the most eloquent expression of public opinion can come from the public itself. The Government of North Vietnam must not succumb to any self-deception on the prisoner question. The people of the United States will not tolerate any arrangement for the permanent cessation of hostilities which does not provide for the immediate return of American prisoners of war. In the meantime, the one gesture which Hanoi could make now as evidence of its desire to cooperate in a negotiated settlement of the conflict would be its announcement of the names of such prisoners held, its release of the seriously sick or injured, its permission of partial inspection of prisoner of war facilities by neutral observers, and of the free exchange of mail between the prisoners and their families. Expressions of concern along these lines from U.S. private citizens would certainly confirm the nature and degree of American public support for our Government's position in the matter. It is for the foregoing reasons that I join Congressman OBEY and other colleagues in making it possible for my constituents to participate in such a collective expression of national concern.

SOUTH AMERICAN ECONOMIC RELATIONS

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

Mr. PEPPER. Mr. Speaker, at a time when the youth of our country is being widely criticized for violent action and disregard of our political system, it is most worthwhile to recognize and give praise to young scholars who only find in complex world problems a reason to dedicate themselves to knowledge and understanding. It is my privilege to have recently met such a young man from my district.

Mr. Enrique Balseiro, a high school student in Hialeah, was selected from 800 students as the winner of the third annual essay contest sponsored by the Miami Regional Export Expansion Council, an advisory group to the U.S. Department of Commerce. The first prize in this contest was a trip to Washington for Mr. Balseiro and his social studies teacher. Miami, through its enterprising and talented business executives has been a pioneer in the area of encouraging the expansion of trade.

Mr. Balseiro's essay is entitled "Trade Preference to Latin America: Economic Necessity or Not." It explains eloquently the importance of foreign trade with this area to our economy and foreign relations generally. Trade as we all know, has an integrating effect on nations, breaking down the cultural and political barriers which exist between them. This young man has displayed a rare insight into these issues, and I am pleased to commend it to my colleagues at this time:

TRADE PREFERENCE TO LATIN AMERICA: ECONOMIC NECESSITY OR NOT

Latin America has long been associated with turbulence and revolution. In the past

decade, however, the establishment of such programs as the Alliance for Progress and the L.A.F.T.A. has brought a new note of progress to this troubled region of the world. Mexico, one of the once-turbulent nations of the hemisphere, has since the early sixties fairly settled down and set to work on internal improvements. In recent years other Latin American nations have also begun to climb the steep road of progress, and though their rate of change is not nearly as rapid as it should be, these nations are nevertheless making a valid effort at improving their economies.

As the decade progressed, however, a marked increase in anti-American feelings by many of the Latin American nations has led many of this nation's leading citizens to question the significance of the United States' role in the hemisphere. "Why," reason many, "should we provide them with monetary aid if they only respond by turning against us?"—and the question is indeed a valid one if one considers the many instances during the past ten years when American properties have been expropriated by certain Latin American nations. The government of Colombia, for instance, took over a subsidiary of American and Foreign Power in 1962; Costa Rica did the same in 1968; the Peruvian government took over a company owned by Standard Oil in 1968 (estimated value set at \$120 million); the Bolivian government took over the holdings of Gulf Oil in October, 1969 (estimated value set at \$140 million)—and the list goes on and on.

The answer to the former question is not simple, but the actions of these seemingly aggressive Latin nations have not been the result of mere whimsical nationalism on their part; they have, on the contrary, been motivated by righteous anger at what may be termed the "unthinking, narrow-minded policy of the United States in Latin America." In order to understand their reasoning, one must take into account that regional exports and imports account for *over one-fourth* of the total income of most Latin American nations. As a result, we can see just how truly dependent these nations are on the trade flow and trade agreements set up between them and the United States (which is, incidentally, their main buyer of raw materials).

The Latins, then, are mainly displeased at the way the United States has taken advantage of this dependence. They state that the latter is mainly using Latin America as a "bargain basement" and that in the past it has played an all-too commanding role in their economies. They also complain of the ridiculous, often degrading restrictions which the United States places on the spending of foreign aid money which it distributes. Before a government receives aid, for example, the American Secretary of State must have determined that the said government is not "controlled by the international Communist movement." Another restriction enforced until the present time states that most American aid money must be used to purchase goods in the United States, and as a result, ninety-cents out of each dollar loaned to Latin America is tied to a purchase in the United States (even though tractors, earth-moving machinery, and other goods which they need are more expensive in the United States than elsewhere). At present, there is also a requirement which states that half of the goods financed by American Aid funds must be transported in American ships—which are, needless to say, very expensive.

After looking at their side of the issue, then, it is easy to see why many Latin American governments are bitter toward the United States and its foreign aid policies. Since no amount of protest has made the latter change its attitude toward their needs, however, many Latin American nations have reverted to a tough nationalistic behavior—and many times even turned to the Commu-

nist bloc of nations for the aid which they need and can't get.

What, then, can be done to improve the lot of these Latin nations? How can relations between the United States and these nations be improved? The answer seems to lie in the granting of trade preferences by the United States to Latin American nations and in the promotion of better, more liberal trade agreements between the parties involved. At present, the nations of Latin America do not enjoy trade preferences anywhere, and according to them the United States should be their special customer! Request for trade preferences was the theme of the Punta del Este conference (a meeting of American Presidents in the spring of 1967). To back up their demands for greater trade preferences from the United States, Latin leaders at the conference cited the case of the European Common Market as an example. Products from the French-speaking African countries, for instance, have free access to the European Common Market, and the United Kingdom grants tariff preferences to goods from its commonwealth partners. Similar trade agreements between them and the United States, reason Latin leaders, would increase the amount of goods exported from Latin America and would help pay for the latter's development. In thus speaking, then, Latin leaders expressed their wishes to turn present American paternalism into a partnership which would "help Latin America to help herself."

In the opinion of many experts, another move that would help improve the state of affairs in the western hemisphere would be the establishment of a Latin American Common Market. Such a market would encourage greater cooperation between its members and would in the long run tend to upgrade the member nations' economies. The eradication of a large number of protective tariffs in trade carried out between member nations would also encourage the growth of old native industries and promote the establishment of new, burgeoning ones. The Latin American Common Market would function in much the same way as its European counterpart does, and judging from the latter's success, it would transform the economical status of Latin America within a few years of its establishment. According to present plans, the United States would not be a member of the proposed common market, but despite this fact, the former still realize important trade benefits once the market comes into effect (it has, for example, already benefited from the trade-creating effects brought about by the evolution of the European Economic Community and the European Free Trade Association).

In summing up, then, we can see that the United States, should it decide to do so, can ignore the economical and political problems of Latin America. The development of Latin America, however, is vital to the continued peace of the entire hemisphere. Indeed, after his recent fact-finding trip to Latin America, Governor Nelson Rockefeller voiced his alarm at the "rising tide of Communist subversion" evident in this area. He also urged the United States to increase military aid to Latin America to "help existing Latin American governments fight this increasing wave of subversion."

It is up to the American nation, then, to help strengthen the position of the Latin American nations in the world today (and thus indirectly stop the ever-constant threat of Communist subversion which exists today). We can do this, first of all, by continuing to promote the original aims of the Alliance for Progress, which has since its founding produced a great increase in schools, clinics, roads, etc., and which has brought about numerous reforms to improve the lot of the average inhabitant of Latin America. Secondly, we can grant Latin American nations extensive trade preferences—which will bolster their economies—and enter into more liberal trade agreements with them.

In short, Simon Bolivar once said that the goal of the Americas was to be the greatest region on earth; "greatest not so much by virtue of her area or her wealth, as by her freedom and her glory"—and perhaps with greater cooperation among all of the American nations this vision will come true.

BIBLIOGRAPHY

"After Latin Americans Seize Foreign Property," *U.S. News*, LXVII (November 3, 1969), pages 55-56.

Johnson, Lyndon Baines, "Foreign Policy is the People's Business," *Department of State Bulletin*, Volume 58 (April 8, 1968), pages 457-458.

Linowitz, Sol M., "Hemisphere Cooperation Through the Alliance for Progress," *Department of State Bulletin*, Volume LVII November 6, 1967, pages 616-620.

Linowitz, Sol M., "The Nonshooting War in Latin America," *Department of State Bulletin*, No. 1504 (April 22, 1968), pages 532-536.

Oliver, Assistant Secretary, "Innovative Effects of the Alliance for Progress," *Department of State Bulletin*, No. 1503 (April 15, 1968) pages 501-504.

Oliver, Assistant Secretary, "Integration and Trade in the Alliance for Progress," *Department of State Bulletin*, Volume LVIII, pages 584-587.

O'Mara, Richard, "Rockefeller Reports: Half Right on Latin America," *Nation*, Vol. 209 (December 1, 1969) pages 602-604.

LEGISLATION TO REPEAL SUBSECTION (a) OF SECTION 7275 OF THE INTERNAL REVENUE CODE

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

Mr. STEIGER of Wisconsin. Mr. Speaker, I am today introducing legislation which would repeal subsection (a) of section 7275 of the Internal Revenue Code.

The Airport and Airway Development Act of 1970 which was signed on May 21 and becomes law today contained a provision prohibiting the airlines from showing on passenger tickets the amount of Federal tax being charged the passenger.

My constituents have accused Congress of trying to hide the amount of tax the passenger will have to pay, and I think we should set the record straight.

The Senate Finance Committee decided to "include the tax on passenger air travel in the ticket price and impose the tax on the airline, rather than as a separately stated tax on the passenger with the thought that this would eliminate delays in ticket preparation where ticket agents presently have to make the separate computation of the ticket tax and add it on to the ticket as a separate item to determine the total fare the passenger is to pay."

The report went on to say:

By imposing tax on passenger travel on the airline, there is no need for any exemptions (with the attendant delays in determining the traveler's proper exemption for specific transportation) thus, all domestic travel makes use of the airports and airways, all domestic travel will pay the same ticket price for a particular flight.

Since the airline was paying the tax on the passenger ticket across the board, there apparently was no reason to continue listing the tax on each ticket.

The conference committee accepted the House version of the bill insofar as

imposing the tax directly on the passenger. The conference report reads:

Under the conference agreement, the tax on taxable transportation of persons by air is imposed, as under the House bill, on the amount paid for the transportation and is imposed on the person making the payment subject to tax.

However, the conference committee accepted the single fare concept inherent in the Senate bill.

The chairman of the Finance Committee in the other body has outlined the situation in remarks appearing on pages 21718 and 21719 in the June 26 CONGRESSIONAL RECORD.

He has said that it is perfectly acceptable for the ticket to say that the total price includes an 8-percent tax and that the airline can verbally tell the passenger exactly what the fare is.

From discussions I have had with the Internal Revenue Service and the airlines, however, it appears that because the tax will continue to be imposed on the passenger, the airlines may well have to record on a copy of the ticket, not given the passenger, the exact amount of the tax. This, it seems to me, will save none of the work, and in fact, may create more work while also depriving the passenger of having on his ticket a record of exactly what the tax is. This makes no sense to me and thus I feel the single fare requirement and the accompanying penalty for violation should be repealed. My legislation would accomplish this.

PROFESSIONAL PHOTOGRAPHY WEEK IN AMERICA

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H.J. Res. 1251) to authorize the President to designate the period beginning August 2, 1970, and ending August 8, 1970, as "Professional Photography Week in America."

The Clerk read the title of the joint resolution.

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

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 1251

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, as a tribute to the importance of professional photography in American life and in recognition of the ninetieth anniversary of the founding of the Professional Photographers of America, Incorporated, the world's oldest and largest photographic society, the President is authorized and requested to issue a proclamation designating the period beginning August 2, 1970, and ending August 8, 1970, as "Professional Photography Week in America," and calling upon the people of the United States and interested groups and organizations to observe such week with appropriate ceremonies and activities.

Mr. McCLORY. Mr. Speaker, the Professional Photographers of America, Inc., celebrate their 90th anniversary this year.

Representatives of the more than 12,500 members of this distinguished organization will be on hand for the annual meeting in Chicago in August.

In addition to commemorating the 90th anniversary, the Professional Photographers of America, Inc., will pay special tribute to the veteran photographer Edward Steichen, whose great talents have helped raise photography to an art commensurate with painting and sculpture.

Mr. Speaker, honoring Edward Steichen, the Professional Photographers of America are continuing to demonstrate the special quality of their professional work and are making an added contribution to our society consistent with their lofty ideals and high professional standards.

I know that I speak in behalf of myself, if not all Members of the House of Representatives, in paying tribute to Edward Steichen, and in extending congratulations to him and to the Professional Photographers of America. It is expected that the other body will soon act on House Joint Resolution 1251, to the end that the President may appropriately designate the week beginning August 2 and ending August 8, 1970, as "Professional Photographers Week in America."

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

THE 100TH ANNIVERSARY OF LOYOLA UNIVERSITY OF CHICAGO

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 1036, commemorating the 100th anniversary of Loyola University of Chicago.

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

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

H. RES. 1036

Resolved, That the House of Representatives sends congratulations and greetings to Loyola University of Chicago on the occasion of the one hundredth anniversary of its founding, and extends the hope of the people of the United States that Loyola University of Chicago will continue to grow and prosper in centuries to come.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the two resolutions that have just been adopted, House Joint Resolution 1251, and House Resolution 1036.

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

There was no objection.

EXTENDING AUTHORITY OF ADMINISTRATOR OF VETERANS' AFFAIRS TO MAINTAIN OFFICES IN THE REPUBLIC OF THE PHILIPPINES

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk 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, with Senate amendments thereto, and to concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

On page 1, line 4, strike out "1970" and insert: "'June 30, 1970'"

On page 1, line 5, strike out "'1980.'" and insert: "'July 3, 1974.'" "

Amend the title so as to read: "An Act to extend until July 3, 1974, the existing authority of the Administrator of Veterans' Affairs to maintain offices in the Republic of the Philippines."

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

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

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

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

Mr. ALBERT. Mr. Speaker, will the distinguished minority leader yield?

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

Mr. ALBERT. Mr. Speaker, the program for next week is as follows:

Monday is Consent Calendar day. There are nine suspensions:

H.R. 16408, American Revolution Bicentennial Commission Amendments;

H.R. 12807, to amend the Expediting Act;

H.R. 15979, tax treatment of interest on Farmers Home Administration-insured loans;

H.R. 2076, withholding of city income taxes on Federal employees;

H.R. 17068, duty treatment of certain previously exported aircraft;

H.R. 10517, to amend the Internal Revenue Code relating to distilled spirits;

H.R. 11766, to amend the Marine Resources and Engineering Development Act of 1966;

H.R. 12943, to extend the Jellyfish Control Act; and

S. 3592, to amend the Federal Meat Inspection Act.

Tuesday is Private Calendar day. On Tuesday the following bills are programmed:

H.R. 16327, to amend the Peace Corps Act, with an open rule and 1 hour of debate;

H.R. 8673, consumer protection for

gold and silver articles, with an open rule and 1 hour of debate; and

House Resolution 1031, amending the Rules of the House with respect to lobbying practices and campaign contributions, with 1 hour of debate.

For Wednesday and the balance of the week:

H.R. 279, Newspaper Preservation Act, with an open rule and 2 hours of debate;

H.R. 16542, to regulate the mailing of unsolicited credit cards, with an open rule and 2 hours of debate;

H.R. 16968, adjustment of Government contribution for Federal employee health benefits, with an open rule and 1 hour of debate;

H.R. 13100, to extend programs for training in the allied health professions, subject to a rule being granted; and

H.R. 14237, to amend the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963, subject to a rule being granted.

Mr. Speaker, this announcement is made subject to the usual reservation that conference reports may be brought up at any time, and any further program may be announced later.

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

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that any business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

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

There was no objection.

CLARK MACGREGOR INTRODUCES BILL TO ELIMINATE FREIGHT CAR SHORTAGE

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

Mr. MACGREGOR. Mr. Speaker, today I am introducing a bill to help to eliminate the chronic shortage of freight cars which plagues Minnesota and the entire Midwest every harvest season.

One railroad company which serves Minnesota recently had orders for 5,035 boxcars and 2,943 covered hopper cars, but none were available. Another had orders for 1,422 cars to carry grain to market, but only 168 were available. With the wheat harvest well underway, officials estimate that the railroads will be able to supply only between 20 and 50 percent of the freight cars needed to get the grain to market without heavy economic losses resulting from elevator storage and spoilage.

A reliable estimate is that it costs approximately 2 cents per bushel per month to hold grain. It has been estimated that the freight car shortage will result in the loss of \$100 million in Kansas alone. Similar losses are suffered by thousands of people working in agriculture.

The bill I am introducing today is aimed at the base of the problem—a real shortage in freight cars. The supply of freight cars has dropped almost 40 percent in the last 11 years. My bill would increase the total number of freight cars available by authorizing the Department of Defense to buy and construct at least 10,000 general purpose boxcars, which may be necessary for the transportation of all defense freight tendered to railroads. The construction and purchase of these cars would permit the release of cars currently in use by the Defense Department and on which the Defense Department is paying substantial demurrage charges.

The need for this legislation is pressing. I urge the Interstate and Foreign Commerce Committee to take action on my bill as soon as possible.

DECLARATION OF INDEPENDENCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. PUCINSKI) is recognized for 60 minutes.

Mr. PUCINSKI. Mr. Speaker, this Saturday the American people will pay tribute to the 194th anniversary of the Declaration of Independence.

It was 194 years ago this Saturday that 56 brave Representatives of the General Congress made the courageous move of adopting the Declaration of Independence which gave our Nation a new sense of dignity and a new sense of understanding.

The Declaration of Independence being read in 1970 is as much alive and as meaningful as it was 194 years ago. I have introduced legislation which would call for the reading of this declaration in this Chamber on the last day the Congress meets before the Fourth of July recess. For I think it is important and urgent that we Americans pause and refresh our recollection on the conditions that existed which led to this declaration and the impressive and imposing solutions that it provided.

The American Declaration of Independence continues to be a document of great significance, not only to Americans but to the whole world. Although no part of our constitutional law, it probably has had more influence than any other document in the Nation's thinking about better relations between free men and their government. Its warm expression of the rights of free men is one of our best gifts to the rest of the world. Men all around the world have found themselves heartened in the struggle to uphold the rights of free men upon reading the Declaration of Independence of the United States of America.

I am indeed proud as a Member of the Congress of the United States that 194 years ago it was in this Chamber of free men, in the Congress of the United States, that this declaration was adopted. As a Member of Congress I am proud of my predecessors' wisdom and courage. I would think that reading this Declaration of Independence, at this time would be a reminder to all of us in Congress of the great and awesome responsibility

that we have to the people as free men, and a recognition that people can indeed change their governments if we forfeit in those responsibilities.

And I would hope also that the reading of this Declaration of Independence would provide a moment of pause for the American people to reflect upon their blessings.

We ought to reflect upon the conditions that existed in this country which led to this brave declaration.

We Americans take our blessings for granted, and too often we forget the hard struggle and the enormous sacrifice that preceded the birth of this Republic.

It would seem to me that we Americans, as we meet here and throughout this weekend of observance, ought to reflect upon the fact that our Nation is reaching for a trillion-dollar economy by the end of this year, and we anticipate by 1980, reaching a \$2-trillion plateau of achievement. Our success as a nation is the greatest monument to freedom.

It would be my hope that this weekend in churches and synagogues across the country pastors, priests, rabbis and all religious leaders would use the Declaration of Independence as a basis for their sermon to remind the American people of what it was like and what it took to correct the evils that existed, and then remind them of the responsibilities of freedom.

Thomas Jefferson, in writing this declaration, first of all cast a beautiful philosophy and challenging phraseology for the preamble when he wrote:

When in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

What beautiful words Jefferson put together when he said:

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed. That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shown that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security. Such has been the patient sufferance of these Colonies, and such is now the necessity which constrains them to alter their former Systems of Government.

In a few words Jefferson had laid down a philosophy that ought to be a constant reminder to those of us in public office of the responsibility and duty that we have to our constituency, for indeed when Government ignores that responsibility and duty, the right of the people is so enormous that they may change that Government.

The late President John Kennedy said that "America is a continuing revolution." And indeed the words uttered by Thomas Jefferson in his Declaration of Independence and sustained by 55 of his colleagues in the Congress are as meaningful today as they were 194 years ago.

After his inspiring preamble, Jefferson then properly spelled out the indictment in piercing and penetrating words against King and his tyranny and his despotism, and it is interesting that today in many situations we can find the same fibers working their way through the fabric of Government. Thomas Jefferson in his indictment said:

The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world.

He has refused his Assent to Laws, the most wholesome and necessary for the public good.

He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when so suspended he has utterly neglected to attend to them.

He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public Records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.

He has refused for a long time, after such dissolutions to cause others to be elected; whereby the Legislative powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the mean time exposed to all the dangers of invasion from without, and convulsions within.

He has endeavoured to prevent the population of these States; for that purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new Appropriations of Lands.

He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary powers.

He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of New Offices, and sent hither swarms of Officers to harass our people, and eat out their substance.

He has kept among us, in times of peace, Standing Armies without the Consent of our Legislatures.

He has affected to render the Military independent of and superior to the Civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his Assent to their Acts of pretended Legislation:

For quartering large bodies of armed troops among us:

For protecting them, by a mock Trial, from punishment for any Murders which they should commit on the Inhabitants of these States:

For cutting off our Trade with all parts of the world:

For imposing Taxes on us without our Consent:

For depriving us in many cases, of the benefits of Trial by Jury:

For transporting us beyond Seas to be tried for pretended offences:

For abolishing the free System of English Laws in a neighbouring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies:

For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments:

For suspending our own Legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated Government here, by declaring us out of his Protection and waging War against us.

He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the lives of our people.

He is at this time transporting large Armies of foreign Mercenaries to complete the works of death, desolation and tyranny, already begun with circumstances of Cruelty & perfidy scarcely paralleled in the most barbarous ages, and totally unworthy of the Head of a civilized nation.

He has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands.

He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes and conditions.

In every stage of these Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince, whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free people.

Nor have We been wanting in attentions to our British brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends.

Thomas Jefferson, I thought, spelled out a devastating indictment against the king, but as we read through this indictment we can see some of those abuses which exist today, abuses which torture the conscience and justice of men. I would say that legislators might do well to reread this document and refresh their recollection. All of us as Americans would do well to reread this document and refresh our recollection of the situation, the circumstances and the conditions which led to the Declaration of Independence.

Then Thomas Jefferson beautifully stated the case when in conclusion he said:

We, therefore, the REPRESENTATIVES OF THE UNITED STATES OF AMERICA, IN GENERAL CONGRESS, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name, and by authority of the good People of these Colonies, solemnly PUBLISH and DECLARE, That these United Colonies are, and of Right ought to be FREE AND INDEPENDENT STATES; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as FREE AND INDEPENDENT STATES, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which INDEPENDENT STATES may of right do. And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.

Mr. Speaker, I submit ours would indeed be a richer nation if we Americans would ponder for a minute the meaning of this declaration. What does it mean in today's terms? What did it mean 194 years ago?

As we look at a world of 144 nations, with only 31 of them under democratic rule, indeed the inspiring words of our own declaration should be an inspiration for mankind all over the world.

A few years ago we authorized the publication of a small document which interpreted the Declaration of Independence for the American people. In looking over this document I came across a paragraph which I think is very fitting, for it points out that a newspaper reporter might rephrase the language of the Preamble to the Declaration of Independence. The first paragraph might be rephrased as follows:

When a people find it necessary to separate from the mother country and become independent, they should make clear why they have taken this serious step.

In 1970 language, this puts our Declaration of Independence into sharper perspective.

Mr. Speaker, in the second paragraph of the Declaration of Independence Thomas Jefferson argued that all people have certain basic rights. This is something many Americans forget. Too many Americans think that only certain Americans have basic rights unmindful of the fact that all Americans have basic rights. That was the meaning of the Declaration of Independence. All people have certain basic rights, and those rights must be respected as well as protected.

Second. Governments exist to safeguard the rights of the people and they get their power from the people. How often we see that doctrine violated time and time again by governments. Too often they forget the power that this Government devolved is the power from the people and that is where it must rest.

Third. The people have the right to alter or to abolish any government which fails to achieve the purpose for which it was created. Too many Americans forget that.

Mr. Speaker, let us look at these points to see how it is developed in the Declara-

tion of Independence itself. What are the basic rights of all people? All people are created equal. They are equal before God. God has given them certain rights which lawfully cannot be taken away. Among these rights are life, liberty, and the pursuit of happiness. They have the right to live in happiness. In other words, all people have an equal right to live in security and enjoy the liberties guaranteed by the law. We underscore the word liberty because it is the very strength and keystone of this Republic.

Why have governments been established? It is because all people equally enjoy such rights as life, liberty, and the pursuit of happiness. The right of the government to govern is conferred by the people themselves. Mr. Speaker, the strength of this country will continue only so long as we Americans recognize this undeniable truth. What should the people do if a government fails to govern wisely? The people have a right to change that government. They have a right to create a new government established on such principles and having such powers as are most likely to insure their safety and happiness. This is important for those who have no confidence in the institutions of our great Republic. This very important phrase provides that people should naturally not make a revolutionary change in their government for small or capricious reasons. Government cannot endure if people will shift the philosophy of government as they would shift the sands at the seashore. Government cannot ricochet with the shifting sands of public opinion. Surely, Thomas Jefferson made that clear when he spelled out in great detail the indictment against the king. The Declaration of Independence was written because of overwhelming reasons for such a Declaration of Independence. Too many of our American people today want to change our institutions simply because they do not agree with them. I think perhaps it is important for those Americans to reread the Declaration of Independence. The people had suffered miseries long enough. Now they must have to change their government, but this change comes only when there are overwhelmingly and grievous reasons.

Mr. Speaker, I renew my appeal that it would be healthy for the whole country if on Sunday morning in our churches across this land the good pastors would read the Declaration of Independence to our people. This great Declaration of Independence is as lasting and meaningful today as it was 194 years ago. But, unfortunately, some of the sophisticates of our country today look upon "Fourth of July oratory" as something evil and something not quite American. So often you hear a man make a speech who tries to put into perspective the real meaning of this declaration and some sophisticated snob will come along and say, "That is Fourth of July oratory," as if there was something bad or evil about trying to put into perspective the great statements, the great meaning of this document.

So, Mr. Speaker, I would hope that some day the Congress would adopt the reading of this declaration, as we have

adopted the reading of Washington's Farewell Address, for it was in this Congress—this Congress—that the Declaration of Independence was born. The declaration is a child and a product of the Congress of the United States.

I think it is only fitting that on the great birthday of this Nation, we in the Congress ought to rededicate and reaffirm our faith in the postulates of this great declaration. At least I would hope we would take time out from our busy schedule once a year to remind ourselves of the impressive provisions of this document, for those provisions apply just as much today as they did 194 years ago.

I say this, Mr. Speaker: So long as we Americans remind ourselves of the real meaning of this declaration and the courage that those 56 Members of Congress had in signing this Declaration of Independence so long as we Americans remind ourselves of that courage, the future of this Republic is secure.

AMERICAN PRISONERS OF WAR

THE SPEAKER pro tempore. Under a previous order of the House the gentleman from Wisconsin (Mr. OBEY) is recognized for 30 minutes.

Mr. OBEY. Mr. Speaker, the gentleman from Missouri (Mr. SYMINGTON), the gentleman from California (Mr. McCLOSKEY), the gentleman from Illinois (Mr. RAILSBACK), the gentleman from Arkansas (Mr. PRYOR), the gentleman from Michigan (Mr. RIEGEL), and I are today joining together in action which will allow our constituents to express their concern for the fair and humane treatment of American prisoners of war.

The six of us have sent petitions to our constituents which urge the Government of North Vietnam to provide humane treatment of prisoners of war. We would urge other Members to do the same. When the petitions have been signed and returned they will be forwarded to the Department of State for transmission to the Government of North Vietnam.

The petitions read as follows:

To: His Excellency Ton Duc Thang, President, Democratic Republic of Vietnam.

As a concerned citizen of the United States of America who believes that all governments have an obligation to conduct their affairs in a responsible and humane manner, I urge that American servicemen currently being held prisoner by the Government of North Vietnam and its allies be accorded fair and humane treatment as expressed in the Geneva Convention of 1949, which was signed by the Government of North Vietnam in 1957.

I further specifically urge that the Government of the Democratic Republic of Vietnam:

- (1) Identify all prisoners being held;
- (2) Release seriously sick or injured prisoners;
- (3) Permit impartial inspection of all prisoner of war facilities;
- (4) Permit the free exchange of mail between families and prisoners.

The points contained in the petition are similar to language contained in a House resolution which several of us co-authored last September.

Mr. Speaker, in the next few weeks world attention is, in all likelihood, going to be directed at developments in Cam-

bodia. It may be difficult to keep attention focused on the plight of prisoners in Vietnam.

No one can say for certain that any action by American citizens will have any effect on improving POW conditions in North Vietnam, but action by concerned American citizens can, at the very least, assist in focusing worldwide public opinion on the prisoner of war problem.

This action is being taken by Congressmen who represent varying philosophical viewpoints. That fact should make it clear that while Members of Congress may differ on the correct methods winding down the war in Vietnam, all of us stand united in our insistence upon responsible and humane treatment of prisoners of war.

Furthermore, the varying philosophy of the individual citizens who will sign the petitions should also indicate that all Americans stand united on the necessity for providing humane treatment for prisoners of war.

GENERAL LEAVE TO EXTEND

Mr. GETTYS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous matter on the special order given today by the gentleman from Wisconsin (Mr. OBEY).

THE SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

THE LIQUIDITY SQUEEZE: THE ADMINISTRATION, HAVING PRODUCED A LIQUIDITY CRISIS, MUST GET US OUT OF IT

THE SPEAKER pro tempore. Under a previous order of the House the gentleman from Wisconsin (Mr. REUSS) is recognized for 30 minutes.

Mr. REUSS. Mr. Speaker, the administration has achieved, at one and the same time, the highest interest rates in a century, the worst unemployment in a decade, the most aggravated inflation in a generation, the worst stock market selloff in 40 years, a dangerously deteriorating balance of payments, a stagnation in economic growth which will lose the Nation as much as \$40 billion this year, and a severe depression in housing.

Today there must be laid at the administration's door another serious economic illness from which our country is suffering—the "liquidity squeeze." The liquidity squeeze is the inability of corporations to pay their bills as they come due. The section 77 bankruptcy of Penn Central is simply the most dramatic example of the liquidity squeeze.

My point is simple. The reason for the liquidity squeeze is the rampant inflation from which we are now suffering. The administration has utterly failed to take steps to combat that inflation. Until it does so, the liquidity squeeze with its imminent danger to the entire economy, will continue.

It is inflation which has reduced corporate managers to draw down their cash, to raise every dollar they can by borrowing from banks, from other cor-

porations by commercial paper, or from the capital market, and then to invest this cash in something deemed more inflation-proof than cash—plant, equipment, excess inventories, other assets. Inflation impels businesses to do this because unless they get rid of their cash now, the assets which they buy with their cash will be costing more in the future. Equally, to the extent that labor-saving plant and equipment can be put in place now, it is deemed by corporate managers to protect them against future wage demands.

Take a look at the progressive draw-down of cash on the part of manufacturing corporations. Twenty years ago, in 1949, manufacturing corporations held cash and Government securities equal to 107 percent of current liabilities—debts coming due within a year. By 1954, the percentage was down to 71; by 1959 to 57; by 1964 to 43; by 1969 to 23. By the first quarter of 1970, the percentage—the “quick liquidity ratio”—was down to 21 percent. In other words, manufacturing corporations have only 21 cents in cash or equivalent to meet \$1 in debt that is about to mature.

Business debt has likewise pyramided. \$142 billion in 1950 to \$212 billion in 1955 to \$303 billion in 1960, to \$454 billion in 1965 to \$750 billion today. Debt of unincorporated businesses has risen from \$27 billion in 1950 to \$36 billion in 1955 to \$45 billion in 1960 to \$78 billion in 1965 to \$118 billion today.

Just one form of debt—and this played an important role in the demise of Penn Central—commercial paper, has shown a particularly spectacular increase. Commercial paper is simply an unsecured debt owed by a corporation, usually for 90 or 180 days. Commercial paper was under \$5 billion in 1961, had risen to \$13 billion by 1966, \$16 billion by 1967, \$21 billion by 1968, \$33 billion by 1969, and \$40 billion today in 1970.

This insensate desire by corporations to get out of cash—their own or borrowed—and into illiquid assets accounts for the enormous increase in the last 3 years in plant and equipment—so much of it, that today our economy is operating at only 78 percent of manufacturing capacity, even though it is suffering from inflation.

The administration, as has been pointed out many times, confines its anti-inflationary activities to fighting a non-existent demand inflation. It is doing nothing to fight the kinds of inflation that really exist:

First. War inflation, with all the dislocations brought on by a wartime economy. In order to end the war inflation, as has been gently pointed out by administration critics, it is necessary to end the war.

Second. Cost-push inflation. The wage-price spiral in the concentrated industries continues despite a shortfall in overall demand. The remedies, spurned by the administration, are revived wage-price guideposts, and a temporary freeze on wages, prices, rents, and salaries in order to make the evolution of these guideposts possible.

Third. Supply-deficiency inflation. Here what is needed are measures like

greater aids to medical schools, and liberalized imports of meat and oil, in order to lower the costs of medical care, meat, and petroleum products. None of these measures have been forthcoming.

Fourth. Credit inflation. Despite a policy of tight money, the large banks have been able to buy their way out of tight money by repatriating Eurodollars, issuing promissory notes through one-bank holding company subsidiaries, borrowing through the Federal funds market, and issuing large-denomination certificates of deposit under a recent Federal Reserve ruling, without any interest ceilings. This concentration of bank lending power in the large banks has then been used to make marginal loans to corporations for plant and equipment, inventory accumulation, conglomerate takeover, and unessential foreign investment such as Bahama gambling casinos. Inflationary pressures in these areas are increased. Meanwhile, needed goods and services that could be produced by the housing industry and by local government—both desperately short of credit—go uncreated.

The remedy for credit inflation is to do what Congress last year authorized the administration to do, and what many of us have been beseeching the administration to do—to use selective controls over extensions of credit, so as to discourage inflationary extensions and encourage necessary extensions.

Techniques could include selective credit ceilings, use of the Federal Reserve discount window, or differential reserve requirements. These could discourage credit for low-priority purposes—plant and equipment, inventory, conglomerate takeover, foreign investment—and encourage credit for needed purposes, such as housing, State and local governments, and small business, and businesses suffering from a “liquidity squeeze.” Effectively administered, such techniques should be sufficient to mitigate the “liquidity squeeze.” If they are insufficient the administration should recommend a special bailout fund applicable where needed, not just to railroads.

The Democratic majority on the Joint Economic Committee put the point well in its economic report of March 25, 1970:

The Committee believes the usual measures of liquidity may indeed conceal a growing illiquidity of non-financial business. Excessively tight money contributed to this predicament. We fail to find an adequate awareness of this in the statements of the administration.

In view of the highly discriminatory manner in which restrictive monetary policy has affected top priority sectors of the economy, this committee strongly recommends that the President instruct the Federal Reserve authorities to institute a system of credit controls in the banking area and establish a Capital Markets Committee to oversee the borrowing operations of business in the capital markets. Legislation to authorize machinery for more effective distribution of available credit funds overwhelmingly voted in the last session of Congress. The aim of this policy of selective credit controls should be to bring about greater availability of credit for housing, municipal facilities and small business and to restrict the availability of funds for such highly inflationary purposes—under present circumstances—as industrial spending on fixed capital expenditures.

The advice of the Democratic opposition has been disregarded. The administration has failed to take steps to end war inflation, wage-price inflation, supply-deficiency inflation, and credit inflation. By failing to lift a finger to allocate credit between more worthy and less worthy uses, the administration has allowed the large corporations to get hold of a disproportionate share of the Nation's money, and then to freeze it into illiquid investments.

Such is the melancholy tale of railroads like the Penn Central, the Rock Island, the Central of Jersey; of conglomerates like Ling-Tempco-Vought, which is now selling off fixed assets trying to raise cash; of cash-shy mutual funds like the foreign-based Investors Overseas Services.

There is no assurance that the additional lending power large banks were granted by the Federal Reserve's recent lifting of the interest ceiling on over-\$100,000 CD's will be used to alleviate liquidity squeezes. It may simply be used for lending which monthly disappears into illiquid fixed assets. Only selective credit controls can assure a sound allocation of credit.

I call upon the administration to stop wringing its hands and to start taking responsible action. Merely having the Federal Reserve create excessive new money is not the answer. The Democratic opposition has suggested the kinds of programs needed to stop inflation, to get the country moving again, and to ease the liquidity crisis. It is time for the administration to act.

RHODESIA: A FRIEND IN NEED

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

Mr. LANGEN. Mr. Speaker, I am most troubled by the recent decision of the U.S. Government to close its consulate in Rhodesia, and, more important, for what has developed over recent years into an intractable official American attitude toward that friendly nation.

In attempting to justify this action, Secretary of State Rogers recently offered this explanation:

The United States has decided to close the American Consulate General in Salisbury, Southern Rhodesia.

On March 2, 1970, the Rhodesian regime implemented a new constitution and a Rhodesian President is substituted for the British Crown as head of state. This constitutes the final and formal break with the United Kingdom. The United States has regarded and continues to regard the United Kingdom as the lawful sovereign.

In the above circumstances, we have instructed our Consul in Salisbury to begin arrangements for closing as of March 17 and for the departure of the staff.

In delineating its policy toward Rhodesia, the State Department has reduced its arguments to essentially two:

First. The United States continues to recognize the British Government as sovereign over Rhodesia. And since the Rhodesians no longer acknowledge British suzerainty, and since no other nation has acknowledged Rhodesian independ-

ence, therefore, the United States has felt compelled to close its consulate.

Second. The United States looks upon the Smith government as repressive and not deserving of acknowledgment because it "has obstructed political development in that territory toward independence on the basis of majority rule."

However, U.S. policy, if it is to be deemed logical and thoughtful, ought to be basically consistent in nature and applied without prejudice in our relations with the multifarious nations and states of the world. Unfortunately, that is hardly the case, for anyone who makes but the most cursory examination into the situation quickly discovers discrepancies of a serious magnitude. Let us here raise some questions rightfully in need of an answer.

Most important of all, why does the United States continue to regard the United Kingdom as the "lawful sovereign" in Southern Rhodesia when the facts of the situation make it abundantly clear that Britain cannot sustain that claim either by its actions or by its prospects?

At the present time, the most that the British can claim for their policy toward Rhodesia in the application of economic sanctions in conjunction with the United Nations, is that this denies Rhodesia the free access to outside capital important to domestic prosperity and full employment for all its citizens. This is a far cry from the optimistic pronouncements of former Prime Minister Wilson some years ago that such sanctions would bring the Rhodesian economy to ruin in a "matter of weeks."

Ironically, the imposition of these economic trade barriers against Rhodesia has deprived that nation of the capital necessary for the development of new employment opportunities for the black citizens for whose benefits such sanctions were theoretically imposed.

An eminent British judge, Arthur Hodgson, pointed out recently in reference to the Rhodesian matter, that "Halls Treatise on International Law" seems to make it clear that as a condition precedent to any right of recognition as a state, the regime must be in de facto possession and control of the territory in question; and further no recognition can be legitimate so long as a substantially effective struggle is being maintained by the former sovereign state for the recovery of its authority.

It seems—

Continued Judge Hodgson—

quite beyond dispute that the first condition laid down by Hall is satisfied, for the present regime in Rhodesia has established complete de facto control.

As to the second requisite Britain's conduct as the former sovereign power cannot really be held to be such as to offer any reasonable ground for thinking that success may ultimately be attained.

Thus, he continues—

It is not enough to keep alive the rights of the (former sovereign) State and so to prevent foreign countries from falling under any obligation to recognize as a State the community claiming to have become one.

In other words, a mere pretension or assertion of suzerainty is not enough.

Britain has done no more than maintain a quite ineffective claim to sovereignty over Rhodesia and has completely failed to take any real or substantial steps to recover authority. Appeals to, or speeches at, the United Nations are not conducive to the belief that sovereignty may or can be recovered within a reasonable time, if at all. Concluded Judge Hodgson:

For my part, I can see no reason why foreign nations should not recognise the Republican regime as a matter of either international law or common sense.

Further strengthening the Rhodesian claim to statehood is the statement on June 17, 1969, by Mr. George H. Aldrich, acting legal adviser to the State Department, who declared in testimony before the Senate Foreign Relations Committee:

The situation you normally deal with when you have a recognition of a new government only requires a determination that the regime is in control of the territory and population, or a substantial portion of it, and it has a reasonable likelihood of retaining control either of the part already in control or of the entire state.

Is there anyone who would doubt that Rhodesia fully measures up to these defined criteria?

And what about the comments of former Secretary of State Dean Acheson, who observed in a letter:

I think it fair to assume that the action (of the U.S. to close the Consulate at Salisbury and to withhold recognition of the Rhodesian government) was based upon and will have the effect of perpetuating two myths. The first is that Queen Elizabeth II is the sovereign in Rhodesia and that Her Majesty's Government in the United Kingdom does exercise control over that country. The second is that external action, both political and economic, short of military conquest, can and will induce the Rhodesians to change their ways and adopt the principle of one-man-one-vote, which so far as I know is not in effective operation anywhere in Africa.

The trouble with perpetuating myths is that they lead those who perpetuate them further and further from reality. They are a sort of political LSD, inducing the taker to live in a world of dreams. They also have another and far more malignant quality of LSD. They can ultimately destroy the user's capacity to think rationally.

Recently the Senate of the United States wisely and almost unanimously endorsed the view that having relations with a foreign state does not in any way indicate approval of its domestic institutions or conduct. Rhodesia is friendly to the United States. Economic relations with Rhodesia are greatly to our benefit. To alienate that country by an attempt to force it to do what is both impossible and beyond any proper concern of our government is worse than a crime; it is a blunder.

There is also, a view current in the United States' circles that to prevent the dominating Afro-Asian communist bloc in the United Nations from recommending courses that are both extreme and unwise we should join them in courses that are less extreme but equally unwise. I would characterize this view as stupid.

It is quite clear that the decision by the United States to withdraw its consulate from Rhodesia was made so as to avoid offending Great Britain or implying recognition of the Smith regime. Yet when questioned recently about the fact that they maintain a consulate in

North Vietnam which is an enemy of the United States and a nation engaged in the killing of Americans, the British have vehemently insisted they do not recognize the Government of North Vietnam, and that maintaining a consulate in that nation in no way imparts or implies recognition of the Communist regime.

In addition, the British went on to say that recognition of a government, such as they do with the case of Red China, in no way implies moral agreement with the philosophy of that government.

Approaching the matter from a different angle, the United States has halted all trade with Rhodesia in support of the British Government which it recognizes as sovereign, while at the same time Great Britain continues to trade with Communist Cuba at the emphatically expressed displeasure of the United States and the entire Organization of American States. And ships flying the British flag from Hong Kong and other areas continue to trade with North Vietnam, which is merrily engaged in the killing of Americans. It should be mentioned that Rhodesia trades with neither Cuba nor North Vietnam—and yet we support the British?

We should also mention that American participation in the economic sanctions against Rhodesia has placed us in the curiously tragic position of almost complete economic dependence for strategic chromium ore on the world's only other major source—the Soviet Union. While we continue to boycott American-owned mining enterprises in Rhodesia, the United States is buying ever-increasing amounts of chrome from Russia—at highwayman prices, of course. Can the United States afford to be manipulated into this type of dangerous situation?

Getting back to the question of legality, Mr. Louis Link of the State Department in a recent letter assured:

No other government has formally recognized the Smith regime or Rhodesian independence. Of the twenty-one countries which maintained some form of consular representation in Salisbury at the time of Rhodesia's unilateral declaration of independence in 1965, only South Africa and Portugal continue to do so. Even these two governments have not taken any action to extend formal recognition to Rhodesia. Rhodesia has not been admitted to the United Nations and there is little likelihood that it will be.

However, the question must immediately be raised, since when has the U.S. Government surrendered the determination of its foreign policy to other nations? How many nations had accorded recognition to Israel when the United States decided to do so? Or how many nations of the world waited for the United States to recognize the Communist dictatorship in Russia before taking a similar course of action? What support do we get from Great Britain in attempting to keep Red China out of the United Nations?

And furthermore, since when has membership in the United Nations been a determinant of recognition policy? Cuba is a member but we do not recognize Castro's regime. West Germany is not a member—yet we maintain clearly established diplomatic relations with Bonn.

Much more could be said about the

legality of the Rhodesian claim to statehood, but some attention is deserved of the second contention made by the State Department—that is, a judgment of the moral nature of the Rhodesian regime. Again, Mr. Link of the State Department writes:

In addition, the new Rhodesian Constitution perpetuates minority rule and specifically prohibits the African majority (some 95%) from ever gaining control of the government. The Constitution also incorporates the preventive detention law under which an individual's right to bail or trial may be denied. Voters' rolls are established along strict racial lines; the economic and educational criteria for registry disenfranchise most Africans. Under other new legislation Rhodesia's land area is to be divided "equally" between the 230,000 Europeans and about 4.8 million Africans; each group is to be assigned about 45 million acres.

Such a contention immediately raises an enormous area of debate, but in reality is entirely irrelevant to the issue. As has already been established, testimony by Mr. Aldrich of the State Department plus the enactment of Senate Resolution 205 clearly underline that moral judgments on the domestic performance of foreign governments have no bearing on the question of U.S. recognition.

If the State Department, notwithstanding the complete inconsistency between Senate Resolution 205 and such a contention, still maintains that such a question is pertinent to the recognition of Rhodesia or even to the maintenance of a consulate there, then why does this Government recognize scores of other governments whose performance could not possibly measure up to these defined standards?

Most glaring of all, how can the United States for a moment recognize the Soviet Union whose treacherous and bloody path has demonstrated complete contempt for human dignity, freedom of conscience, and everything else for which this nation stands? Or how can we justify recognition of the military dictatorship in Greece? And who could contend that "majority rule" prevails in Saudi Arabia upon whom this Nation has lavished great amounts of assistance and favor? Or what about the so-called "banana republic" dictatorships throughout a great portion of South America. Or for that matter, how many constitutional republics exist throughout all of Africa?

Only recently Representative ROMAN PUCINSKI inserted in the CONGRESSIONAL RECORD of April 20, 1970, page 12484, a chart which maintains that out of 131 governments in the world, only 38—not even 50 percent—could be described as democratic. One must ask with all seriousness, then, what are the special considerations that single out Rhodesia for uniquely hostile treatment?

It is indeed incredible that this Nation has been committed to the "unfinished business" of trying to overthrow the governments throughout southern Africa, which ironically to date have enjoyed the greatest stability and prosperity throughout that troubled continent. As a matter of fact, one of the problems facing the Rhodesians is trying to control the num-

ber of black people from neighboring states trying to enter this country with its lure of better economic opportunity.

Furthermore, Rhodesia remains one of our most outspoken allies in the fight against communism. There is nothing that the Communists would like better to see than the stability of southern Africa turned into chaos as would surely be the case should the disconcerting policies now being applied ever be successful.

It is most sad that our Nation has been maneuvered into supporting a United Nations' declaration that maintains Rhodesia, which is surrounded by a number of nationalistic and rather hostile neighbors, constitutes a "threat to world peace." Under such an assumption the intended victim now becomes the threat to peace because someone else may attack him. This is like saying the storeowner is to blame for being robbed because if he had not opened his business in the first place this would have never happened.

To carry this to its logical conclusion, if the United States either directly or indirectly supports the overthrow of the Rhodesian Government, does this mean that inevitably we are to work for the downfall of every nation with whose government we disagree?

Finally, there is one other thing that must be said about the Rhodesian struggle for independence. Have we Americans forgotten our own Revolution which we fought against the same colonial master in 1776? Of all the people in the world, who are we to denounce the Rhodesians for following our own example? Must we be reminded that the words to our own Declaration of Independence were written with the blood of American patriots who died in behalf of an illegal war to establish an illegal government? Have we forgotten that our independence was in no way guaranteed, but rather hung precariously in the balances of fate for over 7 long years?

We claim not to applying a double standard, and yet by denying the Rhodesians the same right of self-determination that we claimed for ourselves, this surely must be the case. We condemn the Rhodesians for deviating from the "one-man, one-vote" principle recently espoused here. But have we forgotten that it has taken nearly 200 years for this Nation to reach this level of maturity, and, in fact, there still are many who question its arrival. Aside from Rhodesia, we must ask honestly, how many other nations today abide by true majority rule—one man, one vote.

At the time of our independence, Americans lived under a system of minority rule. Most American States had property requirements for voters. Women were completely disfranchised. How many Indians voted for George Washington? Or how many Negroes signed the Declaration of Independence?

Yet, in spite of all these shortcomings and limitations, gradually the trend toward universal suffrage has evolved in our country. Who are we to say that Rhodesia will not evolve in the same way? Who are we, then, to say that Rhodesia should have one man, one vote

at independence, when we ourselves did not, and for that matter may still be had wanting?

The most important thing is that our present policy is both infertile and unreasonable. The Rhodesians have been our good friends; they have fought beside us in two world wars and have supported us in Vietnam. Surely our friends are deserving of better treatment. With the accession of the new British Conservative Government to power, let us urge conciliation and a restoration of the dignity to which the people of Rhodesia are surely entitled.

HONOR AMERICA DAY

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

Mr. HALPERN. Mr. Speaker, it is especially fitting at this time of the year that all Americans take the time to reflect on America's meaning and significance, to rekindle the spirit of patriotism. And, it is especially fitting that this Fourth of July should become Honor America Day.

We love our heritage of hard-won freedom. We love the right to say just what we think, and to worship as we please. We love the simple decency that allows for differences of opinions.

We cherish the freedom of the ballot box. In this crucible, the tarnished boasts of tyranny dissolve in the sovereignty of the governed. A free man's choice, this is the rock on which have been built the hopes of the American dream. This is the guarantee that commonsense will have its final say on human folly—here in the land we love.

We love our country and we respect the memories of great Americans—like Jefferson, the architect of freedom, patriots like Patrick Henry, whose impassioned cry of "Give me liberty, or give me death" will live eternally in free men's hearts, men like Lighthorse Harry Lee who, when his wars were ended, fought a mob defending one man's right to speak his mind.

And Washington—still foremost in our hearts—behind whose granite will a ragged army, accoutered in the main with faith and courage, held out in face of unrelenting odds, in hunger, cold, and pain.

Held out for what? That all the blessing of this land of ours—the Bill of Rights, the marvels of the free, incentive mind—might be enjoyed by all Americans.

But, it is not enough to marvel in the glories of the past and just talk about our great Founding Fathers and the ideas of a free democratic nation that they envisioned. We must apply these principles and dreams of the past to the present. We must not take for granted the individual liberties that have made America great. We must all work together to advance the cause of freedom, peace, justice, and human dignity. We must hold our heads in pride over our great heritage.

I trust that the spirit and inspiration of this Honor America Day will be re-

flected in all communities throughout the country. It is a day of rededication for all Americans to the principles that have made us a great nation.

FIRST OFFICIAL PUBLIC ANNOUNCEMENT OF PLANS FOR NOAA

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

Mr. MOSHER. Mr. Speaker, many of us on both sides of the aisle very much welcome the expected Executive order from President Nixon, using the Reorganization Act to create a National Oceanic and Atmospheric Administration—NOAA—in the Department of Commerce. We expect the President's Executive order sometime next week.

There have been insistent rumors in the oceanographic community, and press reports, concerning the proposed NOAA, and several of us have had the privilege of being briefed in advance by White House and Department of Commerce staff people.

However, I believe the first official public statement giving details of the administration's plan and its philosophy concerning the new agency came last night in a significant address by the Honorable Rocco C. Siciliano, Under Secretary of Commerce, before a banquet sponsored by the Marine Technology Society, at the Sheraton-Park Hotel, Washington, D.C.

Mr. Siciliano spoke to an audience of several hundred very representative people active in the oceanographic community and I had the impression that his remarks were very well received.

As you know, Mr. Speaker, the NOAA concept stems from 2 years of study and recommendations accomplished by the President's Commission on Marine Science, Engineering, and Resources—the Stratton Commission—on which the gentleman from North Carolina (Mr. LENNON) and I had the privilege of serving as advisory members.

Also, I believe I am accurate in saying that President Nixon's Executive order will be in a part a consequence of very active legislative efforts in the Subcommittee on Oceanography of the House Committee on Merchant Marine and Fisheries, under the leadership of Mr. LENNON. We have held extensive hearings concerning the NOAA concept, and many of us have cosponsored and strongly supported legislation—H.R. 13247—which would create a National Oceanic and Atmospheric Agency as a new, independent entity. The President's Executive order differs from our legislative proposal only in that it will place NOAA in the Department of Commerce, and it will not include the U.S. Coast Guard as one element in the agency.

Because many of us consider the proposal for NOAA to be a very welcome, essential move of historic importance, I am requesting that this first official, public announcement of the administration's plans, in Mr. Siciliano's address last night, be made a part of the House RECORD at this point.

REMARKS PREPARED FOR DELIVERY BY THE HONORABLE ROCCO C. SICILIANO, UNDER SECRETARY OF COMMERCE, BEFORE THE MARINE TECHNOLOGY SOCIETY, JUNE 30, 1970

It is a very great pleasure and privilege to be here this evening with men and women of the marine sciences.

To be with you is to look to the future—for the world of science and technology is committed to the future.

We live in a turbulent age which often seems to be dominated by great social and political problems, and they may sometimes appear to be endless or beyond hope, yet in the world of science we do find great hope and great promise.

There is no better testimony to that fact than our widening horizons of scientific exploration.

If there is a common thread which holds the chapters of history together, it is the fact that discovery flows from challenge, and progress is the product of need.

Mankind today is confronted with an unprecedented array of needs, politically, socially, and in a broad new spectrum of physical challenges.

At a time when we may have thought we had conquered the physical frontiers, we have suddenly discovered the whole new world of ecology.

At a time when our earth is burgeoning with people, we have discovered that we must plant and harvest tremendous new horizons of resources.

At a time when science has begun to pioneer the new frontiers of space, we have begun to look inward at the world around us for the strength and the sustenance the future demands.

In short, in our lifetime, we have already been privileged to make the discovery that the environment needs to be preserved, and that it may become the most exciting of all frontiers in human history.

We have begun to discover the vast potential which the seas and the atmosphere hold for mankind. In this new age, science may unlock the secrets of both to show the human race the way to global prosperity for all men.

Recognizing both the needs and the incredible opportunities which await us, I am privileged to report to you tonight that President Nixon is about to take a giant step forward in assuring a national effort in the exploration, development, and preservation of the marine environment which surrounds us.

He will shortly submit to the Congress a reorganization proposal to create a new National Oceanic and Atmospheric Agency, an organization to be situated within the Department of Commerce which, Congress willing, will become the focal point of all Federal programs presently concerned with the oceanic and atmospheric environment and with related geophysical and hydrological activities.

His recommendation follows closely the wise proposals of the Commission on Marine Science, Engineering and Resources (the Stratton Commission) report.

The Department of Commerce already contains the basic scientific elements which will be fundamental to this new agency, which undoubtedly will become known as NOAA. The Department also contains the Maritime Administration, with its wide capabilities in marine engineering and ship design.

We will be proud to accept this new opportunity from the President, who has already done so much to attack the problems of marine environment.

He has approved a priority marine science program for the coming year with emphasis on five major areas of concern.

He seeks a new national policy for development of the coastal areas and the Great Lakes.

He seeks new research and analysis bearing on problems of the coastal zones.

He seeks a restoration of our lakes, whose waters have been so seriously damaged by the wastes and abuses of the 20th Century.

He seeks extensive participation by the United States in the international decade of oceanic exploration.

And he seeks to intensify environmental research in the Arctic areas of the world to permit fuller use of this area and to preserve its environment.

We are proud to help him achieve these objectives.

The Commerce Department views itself as an organization devoted to economic and technological development. We are in fact as much a science and technology agency as we are an economic development group. Sixty percent of our people are engaged in scientific and technological work. The principal goal of the national marine effort is economic development in a rational manner which will protect the environment. And the way in which we respond to the oceans' opportunities for economic growth will be basic to the future of our Nation.

How to go about the tremendous job or getting on more intimate terms with the vast untapped region has long been a prime subject of discussion and debate. Many approaches have been advocated over the years, and at times almost the only area of agreement has been that a critical need exists to end the fragmentation which has frustrated and baffled us. Recently, however, there has begun to be more agreement over the directions our ocean effort should take. The creation of NOAA is a major step in that direction. It is a milestone in the Nation's marine history.

The new organization's mission will be equally atmospheric so, although I shall address myself largely to oceanographic matters, I hope my friends in meteorology and the earth sciences will forgive that emphasis.

At the very outset, let me pledge to that the creation of NOAA will not be just another bureaucratic reshuffling.

It will be the consolidation into one powerful working force of some of the finest, most dedicated, and most energetic scientific technological and administrative talent anywhere in the United States government.

It will receive the personal and continual attention of the Secretary. It will answer to our highest levels. It will be among our highest priorities. It will generate consistent, meaningful forward motion.

The task ahead cannot be done alone within government. It must be in collaboration and with assistance of industry and academic organizations as well as state and local governments. Indeed, one of our prime goals will be to do those things that will enable industry to move ahead in the uses of the oceans on a self sustaining basis.

Let us look at the nature of the medium, with which we are dealing:

The oceans have served for centuries as marine highways, a source for food and minerals, a military arena, a place for recreation.

They are also a key element of the weather, which affects every living thing, sometimes beneficially, sometimes fatally; they produce the tides and currents with which man must deal at the water's edge. They are carriers of seismic sea waves.

They are the repositories of scientific and technological mysteries which cry for solution—mysteries which, once solved, may affect materially our way of life. They are one part of an ever-interacting, inseparable geophysical system of land, sea and air.

Given these awesome dimensions, one well might wonder where to begin. One good way of beginning is to establish a center of civil strength out of individual groups which individually lack the necessary cohesion and

unified management. This is what the President will propose to the Congress.

The other problems we face, while staggering, are, at least fairly well defined within the limits of today's vision. We are in a position to study sensibly our marine priorities and then to go to work on them.

These are some of the problems which face us:

The seas are vast, and that portion underneath the surface is little-explored and little understood. The ability to sail from one point to another does not constitute even the beginning of exploration. Because the deep oceans are so little explored and so poorly understood, we have been unable to get more than a very few uses from them. We need to be able to explore and work in depths to 20,000 feet, to assure that we understand the potential in living and other resources.

We are looking to the oceans as an important source of animal protein in the next few decades. The world's rapidly growing population clearly forecasts the need for increased supplies of foods of all kinds. One generation from now, it is estimated, more than six billion persons will be competing for the earth's food resources. Shortages of animal protein are apparent already in many emerging areas of the world. All of this points dramatically to the urgency of the need for ocean food resources. But we remain hunters rather than cultivators of the sea. Our understanding of marine ecology is pathetically slight. And we must be prepared to serve the cause of fish conservation and development, not only in the deep oceans but in the Great Lakes and estuaries as well.

Nobody would question that our commercial fisheries are in need of rehabilitation. This will require basic as well as applied research and a high degree of technological improvement to help make our fishery industry healthy and competitive.

Marine pollution is a major concern of our people. We do not know how far past the danger point it has gone. We know only that it is continuing unabated, and that action must be taken.

We need global monitoring and prediction, not only of weather in the classic sense but of tides and currents, sea state, and pollutants.

We need vastly accelerated programs of mapping and charting, which are vital to everything we wish to do in our nearshore waters. We need to fix baselines for seaward boundaries and for boundaries between states. We need tremendous amounts of data for effective use of the oceans, and we need sensible mechanisms to manage and make useful this informational bank account.

We need, and need urgently, to make certain that marine technology and marine science, the bases of our entire oceanic effort, achieve a closer relationship with each other and that they receive the kind of support necessary to move that effort.

The tasks involved in operating within the marine environment are so vast, so complex, and in many cases so difficult of attainment that marine technology must have the same kind of drive and the same kind of public understanding and support which has been accorded to space technology.

It is your job, and mine, and that of everybody involved in the ocean effort, to bring this to pass. Marine technology will not put a man on the moon, but it has put men on the sea floor, and it will do a great deal more—with a big *if*—if we can accomplish the things I have just outlined.

The list is much longer, but this will serve to pinpoint some of the more immediate and critical needs and problems.

We believe that in NOAA an organization will be created which can tackle these problems in a new and more effective way. It will be an ocean-and-atmosphere agency with numerous responsibilities in the earth sciences. The approach will be interdisciplinary

and multidisciplinary, in response to the complex nature of the problems to be attacked—in other words—an environmental approach.

It is not yet time to speak in concrete terms of specific agencies and sub-agencies. But it is our intention to organize the effort around the following concepts:

The mapping and charting of the global oceans and the Great Lakes.

Fish exploration and technology, aquaculture, and marine biological research.

The technology of the air and sea.

The monitoring of the geophysical environment, including pollution, seismicity, climate and geomagnetic, and data collection and dissemination.

And the Nation's weather service will be broadened substantially in scope.

Within this framework, we are convinced, a great deal can be accomplished and much duplication and overlapping of function and effort ended.

This is not the time, either, to set forth in detail the programs which will be undertaken. However, I should like to tell you some of the things which require early action.

A very high priority must be accorded to the exploration and development of our natural resources—living and non-living. To repeat, billions of persons soon will be competing for the earth's food resources. The quest for the seas' industrial raw materials is also certain to intensify. One of the major contributions the new Administration must make, with the help of the scientific and technological community, will be to develop the knowledge, the techniques and the tools to help transform needs felt into needs met.

High priority must be given to the creation of a global environmental monitoring and prediction service, because it underpins so many other things we must do. Our society is constantly changing, and so are its effects upon the environment. We must be ready to meet the needs created by those changes—I am thinking principally of the severe problems of air and water pollution which today constitute a grave national concern. A global monitoring and prediction network is absolutely vital to the task of fighting pollution.

The civil ocean monitoring and prediction system must be integrated with the weather system to provide a more inclusive national service. The job of collecting, processing, and disseminating information for this system is a gargantuan one. It will demand substantial acceleration in the use of satellites and a data buoy network, now planned to close major gaps in ocean information; and in the use of other platforms as well.

One largely undeveloped area which is basic to our future national prosperity is the Continental Shelf and its slopes. It waits to be explored, charted, and turned to optimum national use. At present, it is not even satisfactorily defined, internationally. We are now embarked upon a Continental Shelf survey program but the Nation sorely needs geological, geophysical and bathymetric reconnaissance scale maps of 1:250,000, out to 2500 meters—and we need them now. It is our conviction, moreover, that all Federal nautical charting activities must be accelerated to insure current charts of all coastal areas of moderate to heavy marine activity. A 50-year resurvey cycle should be completed within 15 years. To do it will require a degree of automation not yet in sight. One of the major needs always with us is the provision of trained manpower without which any ocean effort is doomed to failure; the necessity of drawing into this effort the best minds available and then giving these men meaningful assignments and the resources with which to execute them. This, while it may appear rather more abstract than the specific items I have just mentioned, is of more than philosophical importance; it underlies everything we shall have to do.

We intend that the new Administration shall work in an innovative way with the Nation's universities and industries, and to do everything possible to encourage and assist the tremendous reservoir of creativity and vision that resides within them. In this connection, the Sea Grant program will be a tremendous asset throughout the entire effort.

The marine effort, over the years, has spawned a huge amount of data. In the years to come, we can be sure, the volume will increase. A coordinated source for this mass of information is essential. We intend that it shall effectively serve all who need it.

This could become an endless recitation, and I have no intention of inflicting that upon you. Suffice it to say that what I have just mentioned is a random selection of major jobs to be done—enough, I am sure, to highlight the size of the tasks ahead.

Fortunately, the agencies and functions being combined with the creation of NOAA provide the basis for an organization which can realistically hope to make a dent in the problems.

The Bureau of Commercial Fisheries has performed outstandingly their functions in the fish area. Marine mining technology is a function which fits nicely into the NOAA concept. So are the Sea Grant program; the National Oceanographic Data and Instrumentation Centers, and the Coast Guard's data buoy project.

Much of the program rests within the Department of Commerce already. ESSA, for instance, gathers, processes and issues information on weather conditions, river water heights, coastal tides and currents, the structure and shape of ocean basins, seismic activity, the size and shape of the earth and conditions in the upper atmosphere and space. It also maintains warning systems against hurricanes, tornadoes, floods and seismic sea waves and other environmental dangers. It operates the National Earthquake Information Center and is working toward techniques of earthquake prediction. Its 10,000 employees man geophysical observatories, communications systems and environmental research laboratories across the nation and over the world. It has a fleet of ships and a fleet of aircraft. ESSA coordinates all Federal meteorological services, Marine Environmental Prediction, Geodesy, and Marine Mapping, is the lead agency for developing the World Weather Program, and has major national and international responsibilities in the development and operation of tsunami warning services.

The Maritime Administration has capabilities in ship design, port development, and, after the Department of Navy, possesses the strongest marine engineering capability in the Government. It is already deeply involved in the innovative design of both oceanographic vessels and fishboats.

Although they are not directly, officially involved in the new NOAA, numerous other organizations within the Department of Commerce have resources which we shall not hesitate to call upon as specific needs arise. They include the Business and Defense Services Administration and the Bureau of International Commerce. I would single out particularly the National Bureau of Standards, highly qualified to assume a leading national role in the area of measurements. Already, it has provided primary standards for the recently-formed National Oceanographic Instrumentation Center—a part of NOAA. NBS has undertaken the development of reference standards to insure the reliability and comparability of marine data.

The Economic Development Administration also can contribute to the development of marine industry through its efforts to bring new economic opportunity to geographic areas with idle and underused work forces.

What this means is that, in addition to the organizations and people specifically dedicated to the operation of NOAA, there will be available a rich resource of survey, analytical, marketing, finance, taxation, export, and state-coordination talent.

If I appear to dwell upon the Department's role in the new effort, it is because I am most intimately familiar with it. But let me point out that in the Federal establishment, no agency is an island. In all things, and particularly, in the environment, many agencies make direct and indirect contributions to the effort. So it will be in this one: we want and need the assistance of our sister agencies, and we shall work with them in a spirit of willing cooperation to get the results the Nation needs.

Thus far I have spoken to government's responsibilities in the marine area. It is an area in which the participation of science and technology, the universities, and industry outside of government are vital. The health and growth of the entire Nation are dependent to a large degree upon the scientific and technological capabilities which reside in the marine area.

Further, we are convinced that the whole area of marine technology needs development by industry, with the assistance of government. Our search for a unified philosophy of ocean management in the larger environmental context is in fact a search for the road to economic growth, and it is one in which industry must be a full partner.

We intend to ask for the creation of a distinguished national advisory committee to work directly with the Secretary of Commerce. In assembling that group, we shall draw upon the talents of the Nation's top leaders in marine affairs.

For if one fact emerges clearly in this maze of watery complexities, it is this: every advance in oceanic affairs will be made possible or enhanced by the contributions of marine technology, and in many cases of industrially-based marine technology.

Fundamental technology relevant to marine minerals exploration and recovery must be forthcoming. Survey equipment must be developed and ocean vessels fully equipped with the most advanced sensor and data processing systems. If we are ever to have power systems for undersea operations and resource development, if aquaculture is to take on new meaning, if fish protein concentrate is to become a staple instead of a proposal, if our anadromous and Great Lakes fishes are to be preserved and multiplied, if global environmental monitoring is to become a reality—

Marine technology will have been there first.

We are entering a time when man must make the most of his environment—every part of it. When Americans understand the nature of a problem, they have a way of solving it, no matter how close to insolvency it may appear. And this is how it will be with the problems we have been thinking about here.

Let us get on with it—together.

BETTERING CONDITIONS AT BARGAINING TABLE BETWEEN LABOR AND INDUSTRY

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

Mr. DENT. Mr. Speaker, I would like to take the time to read into the RECORD a letter from Joseph A. Beirne, president of the Communications Workers of America, as well as the text of his address to the Personnel Administration Association of Baltimore.

I do this to show that there are within the labor fraternity men who are giving a great deal of time and energy to bettering conditions at the bargaining table between labor and industry:

HON. JOHN H. DENT,
U.S. House of Representatives,
Washington, D.C.

MY DEAR MR. DENT: The current and recurring collective bargaining controversies are generating a considerable amount of popular attention now, but for many in Congress and for those of us who live in the world of collective bargaining, attention to this issue is a 365-days a year proposition.

We try to find ways to improve collective bargaining, and to make it work better for all who are concerned and all who are affected.

I would like to submit a suggestion along those lines to you.

It is obvious to me from my experience that personnel people, the corporation officials in charge of obtaining and retaining employees, do not have the influence they should have in management. They do not seem to be an influence in management decisions on corporate and on public policy which relate directly to their assignment.

For instance, many personnel people are hiring inner city residents who have not been given the education they need to perform adequately on the job. But when Congress proposes aid to schools in deprived areas, management associations lobby against it. Meanwhile management has to institute its own costly remedial education programs to train the employee in elementary school and high school skills. So management associations are, in effect, lobbying against management's real interests.

I made this the topic of the enclosed speech to the Personnel Administration Association of Baltimore, several weeks ago, and since you have an interest in collective bargaining as well as an interest in influences on the legislative process, I submit it for your perusal.

Sincerely yours,

JOSEPH A. BEIRNE,
President.

VITAL ISSUES

(Text of address by Joseph A. Beirne, president, Communications Workers of America, AFL-CIO, to the members of the Personnel Administration of Baltimore, March 18, 1970)

I appreciate your invitation to speak here tonight. It has a special appeal to me because we are both in professions which focus on personnel.

You look at it as management officials.

I look at it as the President of a labor union.

So, perhaps our orientations are different.

But as we explore this for the next 20 minutes or so, I think we can develop this relationship between your work and mine—between organized labor and personnel management.

I would like to go beyond the aspect which we are all familiar with . . . the day-to-day involvement and the contract expiration to new contract involvement.

There is another very significant dimension to our work which is barely ever recognized and hardly ever utilized.

It is undercover, dormant.

But it has in it the seeds of great and positive achievement which can mutually benefit not just you as management . . . not just me as a Union President . . . but everyone.

That undercover and dormant relationship is our mutual need—your need and my need—to be stronger influences . . . more dominant influences . . . in the decisions of top management.

I cannot believe that personnel people . . . who have the responsibility of obtaining and retaining an adequate work force . . . are given the voice you should have in forming management's public and corporate policies.

For more than 25 years, I have been President of the Communications Workers of America, and during those years—just as I have successively been re-elected President—I have dealt with successive managements of the American Telephone and Telegraph Company and other companies.

Our contracts attest to the Communications Workers' ability to influence management so far as good wages and working conditions and job security are concerned.

I would not be standing before you as President of a Union which represents more than a half-million workers if that were not so.

But when I look at the public policies of American management . . . especially in the harsh light of the problems that face us all in the 1970s, I see much room for improvement.

This is where our relationship can and should go to work.

This is where our problems are mutual, and where our benefits would be mutual. We are all consumers.

Management families and worker families eat meat bought at the same markets. Both want the same thing—a clean, pure product. In 1967 organized labor worked in Congress for a strong consumer law on meat.

The organizations that speak for management did not.

Management children and workers' children ride school buses—very often the same school buses. Last month—after intensive publicity on brake and clutch failure—General Motors recalled thousands of faulty buses for repairs.

Organized labor fought for strong laws on automotive safety.

The organizations that speak for management did not.

The irony in this lack of linkage between true corporate needs and corporate public policy is a national tragedy.

Management must be made to perceive it. There is a way to bring it home.

You who are responsible for personnel have the opportunity to do it.

Quite often you see coming into your offices the young men and young women of the ghetto who are looking for jobs.

You see the high school graduates with fifth grade reading ability.

But you are looking for young people who can comprehend detailed written procedure manuals.

You see people from a deprived culture which did not include practicing normal work habits—such things as getting to work on time five days a week, eating meals at a regular time, all of the attitudes and mores previous generations of personnel managers took for granted.

But you still must provide an adequate work force for your employer.

This became a recognized national problem in the 1960s, but for many years before then organized labor saw that education was underfinanced in this nation, and organized labor fought for federal aid to education.

It took the Russians' Sputnik—the first space vehicle, to get movement started in aid to education.

And it took until 1965 to get federal aid to elementary and high schools.

Organizations which speak for management on Capitol Hill oppose it, and still today they fight to cut its appropriations every time money is sought.

President Nixon vetoed the HEW appropriation bill this year because he said it had too much money—\$1.3 billion—and not all for education—in it.

That \$1.3 billion was supposed to be inflationary, but \$1.3 billion is about one half of one percent of the federal budget. It is about one-tenth of one percent of a trillion-dollar Gross National Product.

And it is just a drop in the very large bucket of what *our schools need* so that they can turn out the *graduates you need*.

Chase Manhattan Bank, the biggest bank in New York, has been forced to confront this problem. In 1963 eight percent of its employees were inner city residents—ghetto resident. In 1970 the figure was 30 percent.

With this increase came associated situations such as charges of bias on the part of white supervisors against the new employees. Chase investigated. It found that there was bias . . . that some supervisors were putting their personal feelings ahead of doing what they were being paid to do—supervise fairly and impartially.

Chase has had to develop a program to correct this attitude among supervisors.

But with a turnover rate of about 70 percent in starting level jobs, Chase will continue to have the problem of the ghetto graduate . . . the graduate who must look to a supervisor to train him and condition him to be a successful worker.

The corporations are having to do what the school and the neighborhood failed to do. They are beginning to realize the dimensions of the job they face.

Chase's vice president in charge of training, Henry Coburn, discussed this in the Wall Street Journal . . . and these are Coburn's words . . . "I'll never understand why the hell everybody in New York isn't screaming bloody murder."

Screaming bloody murder to whom?

To the Chamber of Commerce of the United States . . . and the National Association of Manufacturers . . . and the American Bankers Association . . . for opposing programs which would at least do a little to improve education?

Aren't these organizations working at cross-purposes with you?

Management has the problem of having to hire employees whose education and background do not prepare them for effective work. A program is developed to improve neighborhoods and improve schools. Management's spokesmen fight the program.

Isn't that self-defeating?

So I ask you to point out this gap between management attitude and management opportunity when your responsibility for personnel is being discussed.

You face the problem . . . you are most competent to ask management to turn around and look at this from a new perspective.

You see its rate of acceleration more accurately than others.

The speed of change, brought about by the computer and instant communications, is not really recognized yet. It is tomorrow before we can see what happened to us today. It is the day after tomorrow before we can find out why it happened. And by the time we develop a program to do something about it, it may be too late.

Unless management gets moving.

In telephone communications we have worked out a program called the "buddy system" in some places, and under other names elsewhere, to do something about hard core unemployment. This was done in conjunction with the Bell companies. It is movement in the right direction.

The Bell System could make many more moves in areas which affect its employees . . . both as workers and as fellow citizens. *It has not.*

Its ability to manage is deteriorating rapidly. I get no pleasure in telling you that, but it is a fact.

It has pluperfect public relations programs for public issues, but I see no signs of its Capitol Hill spokesmen working for anything progressive.

My union has called for enactment of a principle which states that every American is entitled, as a matter of right, to all of the education he can successfully utilize, from pre-elementary through graduate school with desire to learn and ability to absorb as the only two criteria.

We would welcome support for this from the associations which represent management before Congress.

My Union has also called upon its almost 900 locals to participate in the nonpartisan teach-ins on environment which will take place on campuses across the nation this April 22.

We will take part in their organization, planning their direction, and in post-teach-in follow-throughs designed to achieve results.

I hope management will give sincere support to the environmental teach-ins.

The problems of pollution for management have gone far beyond what public relations departments can handle through devious proclamations puffing up what essentially are hollow programs.

It is too late for that.

Our earth is plainly in peril . . . we face a catastrophe.

An instant cease fire can stop a shooting war while negotiations take place, but there is no way to stop a pollution war while a clean-up takes place.

Sewage and garbage, like taxes and death, do not stop.

So today's technology, which took men to the moon . . . and let us communicate with them both visually and audibly . . . must develop the methods to eradicate pollution.

Will management's cost experts establish attitudes on this, or will its human experts establish the attitudes?

If management looks at this from the point of view of how much it can get by with, and how little of the expense it can pay, you will have a situation similar to the one you have with employment.

You will have another people problem.

You will have men and women working to produce products, knowing at the same time they are polluting their air and water, and their children's air and water.

Nobody can live that way for very long.

Management must make the little turn it takes to sincerely see the problems which we face mutually and collectively. If it does . . . if the human oriented people in management prevail over those who see things only in the terms of sterile costs and PR puffery—we will have made a true move in this country.

Historically, Americans have been able to do that.

When great crises arose in the past, we became pluralists . . . we saw the other side of the story. We understood what the other side was trying to say, and enough of us agreed on a solution to make it work.

I think we are inching toward something like that now.

I do not think we are approaching it fast enough.

Our American system has always seemed to me not to be forged out of steel, but a fabric woven from many threads. Some of it is weak; some of it is beautiful embroidery; some of it is unbreakable.

Here and there, under pressure and strain, the fabric wears thin and unravels. So those of us who can, and who want to, try to re-weave the damaged places, and make them stronger than before.

For almost 200 years we have been able to repair the fabric and keep it together because when we had to, we got to the basic cause of a problem, and we treated it. We forgot about the symptoms and started working on the disease.

Our country today has some dangerously thin spots.

The economy is in a treacherous early recession, but prices are still going up. Our

cities are not able to provide the amenities residents need. Our medical discoveries are superb but we deliver health care through a horse and buggy system. In 35 years, our air and water may be unusable.

It is late, but we are recognizing what we face.

We are looking at basic causes more, and outward symptoms less.

We are becoming solution oriented.

So I am not giving up. I have been fighting too long to give up now.

I hope that your profession is not giving up.

I hope that it is moving toward taking a new view, from a new perspective, at these situations we have discussed.

You have the right to ask if your management really understands these dilemmas. You have a right to ask if the associations which speak for your industry are saying the kinds of things that will help you.

That is what I as a union official, have been doing.

So, in summary, we have talked about our mutual need to be stronger influences in management's corporate and public policy.

We have looked at some areas of collective interest—education, environment, consumer legislation. We have noted the ironic and tragic disparity between management's true goals and the self-defeating actions of management toward achieving those goals.

And we have suggested that management scrutinize its attitudes toward these situations, see them from a new perspective, and close its opportunity gap.

My experience, and the history of this nation, both say it will work.

It has since the days of antiquity, when a poet urged others to take on a necessary but hard task by telling them . . . "you can, because you think you can."

SOUTHEAST ASIA: THE FUTURE

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Texas (Mr. GONZALEZ) is recognized for 20 minutes.

Mr. GONZALEZ. Mr. Speaker, President Nixon has withdrawn all U.S. ground forces from Cambodia. But our Air Force continues its strikes there and the future of that country remains in doubt, as does the future of all Southeast Asia. The military tactical maneuver is over, but the murky political questions both present and future remain with us still. Questions that have long been asked remain without answers.

The chief question is what is our goal in Southeast Asia? What is it we seek, and why?

President Johnson stated the case in terms of an American commitment to freedom in Asia, which would be a commitment as real as our commitment to the defense of freedom in Europe. President Nixon states that our policy is simply to assure free choice; he seems to say that any government in any country is all right, so long as that government obtains power by more or less legitimate means. There is not much difference between these statements of policy, at least not much difference that can readily be seen.

The problem is that in fact our goal in Southeast Asia is not clear. Are we out to defeat aggression, or are we not? And why is Southeast Asia of concern to us? If Vietnam is vital, then why is not Cambodia equally vital to our interests? If our military commitment is lesser today than it was yesterday, why is it that our

Air Force has greater combat assignments now than it did a month or so ago?

Americans are not ashamed to commit themselves to the cause of freedom, or to the defense of another land; history shows that indeed we welcome such a challenge, when it becomes necessary. There can be no question of the determination and courage of our people, if they are given a cause that they can truly believe in. But as a free people, Americans demand, and have a right to know, what objective it is that they fight for, and why.

Answers are required, answers that have not been given either by Congress or by the President.

These are matters that cannot be settled in the easy exchange of simple slogans, or in partisan charge and countercharge. The election of 1968 is past, and it is time that the politicians of that contest cease politicking and assume statesmanship. The decisions that must be taken now and the policies that must be explained cannot be taken, cannot be explained, in so simple a fashion as partisan politics.

We are told often enough by the President that we have three options. But there are always three options, no matter what the situation may be: do nothing, do a little, do a lot. The issue is not over what the tactics—what the options are—but why it is that the question concerns us at all.

If we had three options in Vietnam in 1965, we also had three options in 1968 and in 1970. It is not enough to say that 17 months ago one thing was done, and now we are doing another. What must be said is why.

That is not so simple, but that is what must be explained. I think that our people understand the options of life well enough, but that they—all of us—are simply puzzled about the larger issue—what, after all, is our goal? Not how do we get there, but where is it?

The fact is that Congress has never answered the question of what our goal is, and has never itself made a commitment to the war in Southeast Asia, beyond a resolution that the Senate now rebuffs, with blessings from the White House itself.

And that has led to the fundamental cause of our national malaise: the use of conscripts in a protracted, and according to the President, indecisive war.

The draft demands that a man go and fight wherever required, war or no. But this is not what can be demanded of a man who calls himself free. A free man is not one who can be conscripted to go into combat where his elected representatives have not declared war to exist, as is required in the Constitution.

Congress once placed rigid restraints on the use of draftees. Right up until the very beginning of World War II, no conscript could be sent out of the Western Hemisphere unless Congress authorized it. But the present draft permits the President to use any number of conscripts in any place, regardless of whether Congress has declared war to exist or not.

And so we now force men into combat

without so much as bothering to say answer those hard questions: what are our goals, and what are our national objectives?

It is little wonder that thousands resist the draft.

I have for several years sponsored a bill that would prohibit the use of draftees in a combat zone without a declaration of war.

Some of my friends think this to be a radical bill, and others think of it as less than serious. But in fact it is only an extension of a protection that Congress itself demanded 30 years ago.

What Congress has lost is the power to commit our country to war.

Until and unless Congress regains that power, Presidential wars will take place, and the country will again and again be plunged into crises such as we see today.

Congress does not have any authority to determine the conduct of a war, but it does have the authority and the responsibility to determine whether war is justified, and whether a commitment of this Nation to war is necessary, and to what end.

I do not ask that Congress be given the power to control the movement of forces in the field; that is for generals. But what I do ask is that we regain the power to determine whether free men are to be committed to war.

This is not radical; this is not interference with the President; it is simply the recognition of plain constitutional duty, and the exercise of freedom as it was intended to be exercised.

For if Congress forbade the use of conscripts in undeclared wars, we could be assured that protected wars would be avoided, at least until and unless the Congress determined that such wars are necessary, and this would require that we answer those questions that we have so long avoided in Southeast Asia: What are our goals, what are our interests?

Some historians have said in assessing the Korean war that the tragedy was that the American people would permit the use of draftees in a protected and indecisive Asian conflict. These observers believed that the only solution—since there would be future wars in Asia—as indeed Vietnam proved there would be—what had to be done was to provide for a professional army that would be like the Roman legions of old, fighting anywhere to protect the Empire.

But this begged the question. The fact is that in Southeast Asia, France used only professional soldiers and let an ally—the United States—pay a good part of the bill. But those legions—with a long and proud history—could not win in Indochina. The reason was not military but political. The people of France had no clear idea of why they were being taxed to fight a long and bloody war in Indochina.

And so France was defeated.

The equation has not changed in all the intervening years. The military facts are the same. The U.S. forces in Vietnam cannot be defeated militarily. But this is a political war, and it is begging the question to say that we cannot be defeated militarily—we know that—

and it is begging the question to say that all draftees will be out of combat by September. It is useless to talk of weapons seized, rice burned, and men killed, as long as the political questions remain unanswered, and those answers can be neither simple nor painless.

Cambodia is over, but it remains an open question, for the United States has assumed yet another commitment.

The future remains a puzzle, and it will until we know clearly what it is we are trying to achieve in Southeast Asia, and why.

This is what Congress must address itself to. This is what the President must address himself to. It is a matter demanding leadership. It is a matter demanding honesty and courage, not shallow political maneuverings, not debating around moot points. The fact is, painful as it may be, that the answers to the Vietnam riddle will be difficult, and that our painful sacrifice will not easily be ended. I do not think that Americans will shrink from the truth; all they ask is that it be stated. If we do not have the courage to face the questions, then we have no right to be dismayed over division and confusion in the country today.

Let us get on with our task.

INTEGRATION MAY HARM BLACKS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Louisiana (Mr. RARICK) is recognized for 20 minutes.

Mr. RARICK. Mr. Speaker, vast sums of taxpayers' money have been and continue to be expended to attain theoretical egalitarian goals through forced integration. Since forced integration is unnatural and the antithesis of liberty, it has created great hostility among all the people and has in reality accomplished nothing. Race relations today are far worse than before 1954 and there has been no evidence of any improvement as the result of appropriations of larger sums of money or passage of additional social force laws.

There is no evidence whatever, that compulsory integration in education has accomplished more academic progress than free choice would have achieved. In fact, the opposite has been proven.

Hearings have been conducted before the General Subcommittee on Education of the Education and Labor Committee concerning integration in education. Two of our country's leading scientific authorities on genetics and behavior have appeared and testified. I feel that the testimony of each of these men is so crucial to full understanding of the educational problems we face, that include the statements of Dr. Ernest Van Den Haag and Dr. Arthur R. Jensen following my remarks for the information of the Members:

STATEMENT OF DR. ERNEST VAN DEN HAAG BEFORE THE GENERAL SUBCOMMITTEE ON EDUCATION, HOUSE EDUCATION AND LABOR COMMITTEE

I. INTRODUCTION

Mr. Chairman and members of the Committee, my name is Ernest van den Haag. I am a Professor of Social Philosophy at New York University, a lecturer at the New School for Social Research in psychology and soci-

ology, and a psychoanalyst in private practice. I received an M.A. degree from University of Iowa, and a Ph. D. degree from New York University. I also have studied in Europe, at the Sorbonne (the University of Paris), the University of Florence, and the University of Naples. I have lectured at Harvard and Yale Universities. I am a member of the Society of Applied Psychoanalysis, Fellow American Sociological Association, Royal Economic Society and New York Academy of Sciences; I am a Guggenheim Fellow (1967).

I am the author of *Education as an Industry* and the coauthor of *The Fabric of Society*. I have published nearly 70 scientific articles in my fields, appearing in professional journals and encyclopedias as well as chapters in books, e.g., "Psychoanalysis and Discontents," appearing in *Psychoanalysis, Scientific Method and Philosophy*, and "Genuine and Spurious Integration," appearing in *Psychoanalysis and the Social Sciences*. I have delivered the Freud Memorial Lecture to the Philadelphia Psycho-analytic Association ("Psychoanalysis and Utopia").

My work mostly concerns study of the relationship of groups. Research in the field of social dynamics analyzes the causes of the formation of groups (including classroom groups or student groups) and how group members relate to others. Such studies are directly applicable to predict the educational result of compulsory congregation in schools.

On the basis of those studies, I appear today to question the validity of the purpose which the Emergency School Aid Act of 1970, H.R. 17846, is intended to serve. Essentially the bill seeks to end what is called racial isolation—defined as more than 50% minority attendance in a single classroom. It is the purpose of the bill as expressed in Section 2 to improve the quality of education in the United States by increasing the degree of compulsory classroom integration between the races. But it is simply assumed, without actual evidence, that integration will be educationally and psychologically beneficial.

This legislation before the Committee assumes fundamentally that academically and socially effective classroom groups can be formed by putting black and white students together in larger numbers in a single classroom regardless of their wishes and that this will improve their education and decrease the differences as well as hostilities which now exist between them. Yet such an enforced congregation of two identifiable racial groups, one deprived in relation to the other, does not diminish, but rather increases the divisive forces which now exist between these students and the consequent increase in classroom tension leads to a substantial decrease in the educational accomplishment of both groups and multiplies the disciplinary problems which detract from the essential student attention required for effective study.

If such integration is compelled, as this bill proposes to do, it will injure rather than assist the future educational accomplishment of the nation's schools.

The blacks who will feel humiliated by their low performance relative to white children—be it owed to genetic, economic, subcultural or family conditions—are likely to react with redoubled hostility to white pupils, teachers and institutions—to schooling as a whole. It will be labeled "irrelevant."

II. GROUP MEMBERSHIP AND INDIVIDUAL IDENTITY

(1) Every individual needs to identify with a particular group. Such an identification is essential for the development of personality. This is clearly expressed by Dr. Glaiester A. Elmer (Michigan State College) in "Identification as a Social Concept" (*Sociology and Social Research*, Vol. 39, No. 2 (1954), pp. 103-109).

"The social psychologists, however, . . .

should start first by relating the individual to his reference and membership groups and then proceed to the finer details of personality problems.' . . . In the binding in-group formation, the real identification of individual members are anchored in the group. A sense of solidarity is generated in them as a natural process which manifests itself in actual behavior. In other words, as a group is formed, or as individuals become members of the group, the social process of integration is taking place. Besides the individual members of the group, the integration binds the social values and goals, the psychic characteristics, and the in-group symbols with which the individual members become identified. The social identification which evolves thus constitutes the basis of the group solidarity from which results observable, measurable behavior.

"There must be a personal consciousness of 'belonging' or 'being a part' which is reflected in the opinions and behavior of the persons concerned. Group membership identification implies not an individual's reaction toward a group, but his reaction as a functioning element of the group."

(2) Men react selectively to their fellow men. This preferential association is based upon observable differences, among them overt physical differences and similarities, which form the focal point for group orientation and group identification. Professor George A. Lundberg (University of Washington; past president of the American Sociological Association) writes in "Some Neglected Aspects of the 'Minorities' Problem" (*Modern Age*, Summer, 1958, pp. 285-297):

"In every society men react selectively to their fellow men, in the sense of seeking the association of some and avoiding the association of others. Selective association is necessarily based on some observable differences between those whose association we seek and those whose association we avoid. The differences which are the basis of selective association are of an indefinitely large variety, of all degrees of visibility and subtlety, and vastly different in social consequences. Sex, age, marital condition, religion, socioeconomic status, color, size, shape, health, morals, birth, breeding, and B.O.—the list of differences is endless and varied, but all the items have this in common: (1) they are observable; and (2) they are significant differences to those who react selectively to people with the characteristics in question. It is, therefore, wholly absurd to try to ignore, deny or talk out of existence these differences just because we do not approve of some of their social results . . ."

Professor Lundberg with an associate also studied high school students in Seattle, Washington, to find out the determinants of their preferential associations in leadership, work, dating, and friendship. Lundberg reported in "Selective Association Among Ethnic Groups in a High School Population" (*American Sociological Review*, Vol. 17, No. 1 (1952)). He found:

" . . . every ethnic group showed a preference for its own members in each of the four relationships covered by the question. . . . ethnocentrism or prejudice is not confined to the majority of the dominant group . . ."

" . . . A certain amount of ethnocentrism is a normal and necessary ingredient of all group life, i.e., it is the basic characteristic that differentiates one group from another and thus is fundamental to social structure. Ethnocentrism ('discrimination,' 'prejudice') is, therefore, not in itself necessarily to be regarded as a problem. It is rather a question of determining what degree of it (a) is functional for social survival and satisfaction under given conditions, or at least (b) is not regarded by a society as a problem in the sense of requiring community action. The amount of discrimination

that has been shown to exist in the present study, for example, is not incompatible with the peaceful and efficient functioning of the institution in question . . ."

There are a substantial number of studies reported in social science literature which indicate that the attitudes reported in Lundberg's study of Seattle, Washington, are not confined to that particular city. Indeed, social scientists find in all areas where groups of diverse origin and appearance come into contact, some degree of race preference and selective association is manifested by the various groups.

(3) At one time it was assumed that certain areas of the world were free from race prejudice. Hawaii and Brazil were often cited as examples of interracial "alohas" where all race prejudice had disappeared. More careful students of these areas have found that despite a superficial interracial harmony, racial preferences and prejudices are manifested in both these areas. In "Racial Attitudes in Brazil" (*American Journal of Sociology*, Vol. 54, No. 5 (1949), pp. 402-408), Dr. Emilio Willems described color prejudice in the city of Sao Paulo, Brazil, as manifested in a series of interviews carried out among middle and upper-class whites. Dr. Willems found:

"Of the 245 advertisers, 194 were interviewed about the reasons for their unfavorable attitude toward Negro servants. In this interview, 48 were unable to give any clear answer, but they found their own attitude 'very natural.' 18 advertisers did not accept Negro servants because of presumed lack of cleanliness; 30 thought black housemaids were always thieves; 14 alleged instability and lack of assiduity; and 12 said only that they were used to white servants and therefore did not wish to engage colored ones. Seven persons precluded Negroes because of the contact they would have with their young children. There were a few other reasons, such as 'race odor,' 'bad character,' 'laziness,' 'carelessness,' and other imperfections that were ascribed to Negro servants.

"There are many situations in social life where white people refuse to be seen with Negroes. In such public places as high-class hotels, restaurants, or casinos, fashionable clubs and dances, Negroes are not desired, and there are few whites who dare to introduce Negro friends or relatives into such places. This discrimination was strongly resented by middle-class Negroes. On the other hand, those Negroes complained bitterly of the contemptuous attitudes that middle-class mulattoes assumed toward them.

"Yet our inquiry led to some other interesting results. In 23 out of 36 cases the questionnaires contained references to formal associations of all kinds from which Negroes were excluded. Usually these associations are clubs maintained by the upper-class families of the city. Though there does not exist any reference to Negro members in club statutes, these are rarely admitted . . ."

In "Stereotypes, Norms and Interracial Behavior in Sao Paulo, Brazil" (*American Sociological Review*, Vol. 22, No. 6 (1957)), Professors Roger Bastide and Pierre van den Berghe found on the basis of a questionnaire given to 580 white students from five different Teachers' colleges in Sao Paulo, Brazil, that:

"Stereotypes against Negroes and mulattoes are widespread. Seventy-five per cent of the sample accept twenty-three or more stereotypes against Negroes. No one rejects all stereotypes against Negroes . . . Mulattoes are judged inferior or superior to whites on the same traits as Negroes but somewhat lower percentages. The most widely accepted stereotypes are lack of hygiene (accepted by 91 per cent), physical unattractiveness (87 per cent), superstition (80 per cent), lack of financial foresight (77 per cent), lack of a morality (76 per cent), aggressiveness (73 per cent), laziness (72 per cent), lack of per-

sistence at work (62 per cent), sexual 'perversity' (57 per cent), and exhibitionism (50 per cent)."

(4) Strong patterns of racial preference emerge in pre-school children—even as early as 2½ years of age. In "Evidence Concerning the Genesis of Interracial Attitudes" (*The American Anthropologist*, Vol. 48, No. 4 (1946)), Dr. Mary Ellen Goodman investigated the age at which racial attitudes become manifest. Fifteen Negro and twelve white children, ranging in age at the beginning of the study from 2-9 to 4-4 and who attended a bi-racial nursery school were studied. Dr. Goodman noted that "awareness of one's racial identity may be regarded as one facet of that consciousness of self which is gradually achieved during the first three or four years of life," and "preliminary analysis leads to the belief that these children of approximately 3 to 4½ years were in the process of becoming aware of race differences."

The early genesis of racial attitudes has been confirmed in other studies in "well-integrated" areas where there is an absence of overt racial hostility and legal racial segregation. Drs. Catherine Landreth and Barbara C. Johnson conducted such a study in the child care centers of Berkeley, Oakland, and San Francisco, California, and reported in "Young Children's Responses to a Picture and Inset Test Designed to Reveal Reactions to Persons of Different Skin Color" (*Child Development*, Vol. 24, No. 1, (1953)). They concluded that "patterns of response to persons of different skin color are present as early as three years and become accentuated during the succeeding two years."

Drs. Marion Radke, Gene Sutherland and Pearl Rosenberg studied the racial attitudes of children in Pittsburgh, Pennsylvania (*Sociometry*, Vol. 13, No. 2, 1953).

They found "the white children in all the situations and at all ages (seven to thirteen years) expressed strong preference for their own racial group. This is particularly the case when their choices between Negro and white children as friends are on an abstract or wish level."

(5) Some sociologists contend that Negroes would suffer far more from racial integration than from racial segregation. Thus Professor Ichheiser* notes that "... if the Negroes would refuse to identify themselves consciously with the Negroes as a subgroup, then they would develop a kind of collective neurosis, as do other minorities, too; for the conscious 'we' would in case of such an attitude be persistently in conflict with the unconscious 'we,' and this inner split would inevitably reflect itself in different pathological distortions of the Negro personality."

For contrast, Allison Davis (*Racial Status and Personality Development*, *The Scientific Monthly*, Vol. 57, Oct. 1943) noted "... where the social group of the racially subordinate individual is highly organized and integrated, as in the Little Italies or Chinatowns, or in many Southern Negro communities, its members will usually have relatively less psychological conflict over their racial status." Similarly, Mozelle Hill ("A Comparative Study of Race Attitudes in the All-Negro Community in Oklahoma," *Phylon*, 1946) noted that Negroes raised and educated in an all-Negro community tend to have "a much higher regard for Negroes," and are more favorable in their expression toward their own race.

III. "PSYCHOLOGICAL INJURY" ARGUMENT IN SUPREME COURT

As one of the main grounds for decision in the 1954 school desegregation case (*Brown v. Board of Education*), the Supreme Court

of the United States asserted that (347 U.S. 483, 494):

"To separate [children in grade and high schools] from others of similar age and qualifications solely because of their race generates a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely ever to be undone. The effect of this separation on their educational opportunities was well stated by a finding in the Kansas case by a court which nevertheless felt compelled to rule against the Negro plaintiffs:

"Segregation of white and colored children in public schools has a detrimental effect upon the colored children. The impact is greater when it has the sanction of the law; for the policy of separating the races is usually interpreted as denoting the inferiority of the negro group. A sense of inferiority affects the motivation of a child to learn. Segregation with the sanction of law, therefore, has a tendency to [retard] the educational and mental development of Negro children and to deprive them of some of the benefits they would receive in a racial[ly] integrated school system."

"Whatever may have been the extent of psychological knowledge at the time of *Plessy v. Ferguson*, this finding is amply supported by modern authority." (emphasis added).

In footnote 11 of *Brown vs. Board of Education*, supra, the Supreme Court quoted a number of social science materials alleged to demonstrate the psychological injury basic to its reversal of *Plessy vs. Ferguson*. Similar materials were quoted in an appendix to Appellant's Brief signed by a number of prominent social scientists.

Professor Kenneth B. Clark has testified in three of the actions that led to the *Brown* decision. His testimony is part of the record in *Brown* and also contributed importantly to the assertions of the social scientists in the appendix to Appellant's Brief and to those mentioned in footnote 11 of *Brown*. Clark maintained that he as well as others have shown the existence of psychological injury owing to segregation.

In the South Carolina case *Briggs vs. Elliot* (Professor Clark employed the same method and reached the same conclusions in the Delaware and Virginia cases which are also part of the *Brown* record). Professor Clark explained that he had shown Negro and white dolls (or drawings thereof) to Negro children in a segregated public school and, having ascertained that they distinguished white from Negro people, asked them, in effect, which doll they preferred, and which one "looks like you." Ten (later in the testimony, nine) out of sixteen Negro children picked the white doll as the one that "looked like you." Professor Clark concluded that "these children . . . have been definitely harmed in the development of their personalities." He knew, of course, that the question before the court was whether school segregation had harmed the children and testified: "My opinion is that a fundamental effect of segregation is basic confusion in the individuals and their concepts about themselves conflicting in their self images. That seemed to be supported by the results of these sixteen children. . . ." The syntax is obscure, but the sense is not. Professor Clark testified (1) that segregation caused the harm he found (or at least played a "fundamental role"); (2) later on that this is "consistent with previous results which we have obtained in testing over 300 children"; (3) finally, "and this result was confirmed in Clarendon County." Elsewhere Professor Clark asseverates: "Proof that state imposed segregation inflicts injuries upon the Negro had to come from the social psychologists. . . ."

Professor Clark mentioned to the court that he had made previous experiments "consistent" with those he entered into the record. However, these previous experiments were not themselves ever entered into the record—for good reason as will be seen.

They had been published, however,² 134 Negro children in segregated schools in Arkansas and 119 Negro children in unsegregated nursery and public schools in Springfield, Massachusetts, about evenly divided by sex, were tested.³

Black and white dolls were presented, and the children were asked to indicate the "nice" and the "bad" one, as well as the one "that looks like you." Professor Clark concluded that "... the children in the northern mixed-school situation do not differ from children in the southern segregated schools in either their knowledge of racial differences or their racial identification,"⁴ except that "... the southern children in segregated schools are less pronounced in their preference for the white doll, compared to the northern [unsegregated] children's definite preference for this doll. Although still in a minority, a higher percentage of southern children, compared to northern, prefer to play with the colored doll or think that it is a 'nice' doll."⁵ The tables presented by Professor Clark bear out as much. Table 4,⁶ moreover, shows that a significantly higher percentage of Negro children when asked "give me the doll that looks like you" gave the white doll in the nonsegregated schools—39 percent as opposed to 29 percent in the segregated schools.

Thus, Professor Clark misled the courts. His "previous results" are not "consistent" with those entered in the court record, though he assured the court that they are. Actually, his "previous results" clearly contradict those submitted in his sworn testimony. Compared, the response of Negro children in segregated and in non-segregated schools show that Negro children in segregated schools "are less pronounced in their preference for the white doll" and more often think of the colored dolls as "nice" or identify with them—whereas if segregation were harmful and the harm were shown by his tests, as Professor Clark asserts, the Negro children in the more segregated schools would have been more pronounced in their preference for the white doll. If Professor Clark's tests do demonstrate any psychological injury in connection with segregation, they demonstrate that there is more injury to unsegregated Negro children and less to segregated Negro children. Yet Professor Clark told the court that his tests had shown that "segregation inflicts injuries upon the Negro." He did so by presenting only the tests with the segregated Negro children and ignoring the tests he had himself undertaken previously in desegregated and segregated schools with a far greater number of children.

² Clark "Racial Identification and Preference in Negro Children," Readings in Social Psychology (Newcomb & Hartley eds., 1947).

³ The children ranged from 3 to 7 years of age; those tested in Clarendon County were between 6 to 9 years old. Professor Clark does not seem to think that the difference in average age affects the results, and I have no reason for disagreeing. But, both in view of the difference in average age, and the small size of the Clarendon group, I follow Professor Clark in comparing the two groups described in his previous tests with each other, rather than with the Clarendon group. However, since it is possible after all that the effects of segregation vary with age, and particularly with length of schooling, competent studies should take this into account.

⁴ *Op. Cit. supra*, note 2.

⁵ *Ibid.*

⁶ *Ibid.*

* Ichheiser, "Socio-psychological and Cultural Factors in Race Relations," *American Journal of Sociology*, Vol. 54, No. 5 (1949).

¹ Clark, "Desegregation, an Appraisal of the Evidence," *Journal of Social Issues*, No. 4, p. 3 (1953).

IV. OBJECTIONS TO PROFESSOR CLARK'S
EXPERIMENT

So far I have proceeded on the assumption that Clark's general method is capable of showing something about segregation. This is doubtful.

Whatever Professor Clark demonstrated about the personality of segregated Negro children could be due to general prejudice in the community rather than to segregation, or even to circumstances not affecting Negroes specifically. Professor Clark is confusing on the sources of damage, though insisting that segregation is "fundamental." Tests on white children, or on Jewish and Christian children, were not presented. Such tests would be needed to indicate whether the damage was general (there may be a general confusion of self-images in our culture, a "crisis of identity"); or restricted to minorities; or restricted to Negro children. (That whatever damage can be demonstrated by his methods is not restricted to segregated Negro children Professor Clark proved, if he proved anything; indeed although he misled the court on this matter, Professor Clark's tests show that segregation decreases and congregation, even when not compulsory, increases the damage to Negro children.)

However, no proof whatever was presented to indicate that preference for, or identification with, a doll different in color from one-self indicates personality disturbance. I wrote on this point:

"Suppose dark-haired white children were to identify blonde dolls as nice; or suppose, having the choice, they identified teddy bears as nice rather than any dolls. Would this prove injury owing to (nonexistent) segregation from blondes? Or communal prejudice against humans? Professor Clark's logic suggests that it would.

"Control tests—which unfortunately were not presented—might have established an alternative explanation for the identification of white with nice, and black with bad: in our own culture and in many others, including cultures where white people are unknown, black has traditionally been the color of evil, death, sorrow, and fear. People are called blackguards or blackhearted when considered evil; and children fear darkness. In these same cultures, white is the color of happiness, joy, and innocence. We need not speculate on why this is so to assert that it is a fact and that it seems utterly unlikely that it originated with segregation (though it may have contributed to it). Professor Clark's findings then can be explained without any reference to injury by segregation or by prejudice. The 'scientific' evidence for this injury is no more 'scientific' than the evidence presented in favor of racial prejudice."

I can only list some of the many other objections that could be raised against the Clark experiment. (1) The subjects were neither randomized nor stratified properly by age, sex, economic, religious, residential and other criteria; (2) No controls with white children in segregated and unsegregated environments; (3) No controls with Negro children in Negro cultures (e.g. Africa) which might have had the same results, thus showing that it does not depend on prejudice, let alone segregation; (4) No controls with objects other than white and black dolls; (5) No evidence presented that doll tests show any correlation with personality disturbance; (6) No evidence about the type of alleged disturbance and what it means psychiatrically.

Professor Clark has published a book since his testimony, relied on by the Supreme Court: *Prejudice and Your Child*. On page 45 ff. the following is stated with reference to the more frequent self-identification of Ne-

gro children in mixed schools with white dolls:

"On the surface, these findings might suggest that northern Negro children suffer more personality damage from racial prejudice and discrimination than southern Negro children. However, this interpretation would seem to be not only superficial but incorrect. The apparent emotional stability of the southern Negro child may be indicative only of the fact that through rigid racial segregation and isolation he has accepted as normal the fact of his inferior social status. Such an acceptance is not symptomatic of a healthy personality. The emotional turmoil revealed by some of the northern children may be interpreted as an attempt on their part to assert some positive aspect of the self."

Here Professor Clark starts by speaking of "personality damage" and ends by speaking of "emotional turmoil." Clark notwithstanding, it seems more likely that "rigid racial segregation and isolation" would make the segregated least aware of their status in the eyes of the group from which they are "isolated" and most likely to identify with each other.⁸ Further, "acceptance" of an "inferior social status" by any group may be morally or politically disturbing, but there is no reason to consider it *per se* a symptom of either "healthy personality" or sickness. Not all members of castes below brahmins in India are sick, nor even all "untouchables." Clark here confuses his moral views with clinical evidence. There is no evidence to show that acceptance of inferior, superior or equal status is a symptom of emotional disturbance.

In his testimony, Professor Clark asserted categorically that when Negro children identify with, and prefer, white to colored dolls it means that personality damage, owing to segregation has occurred. Now that his previous experiments, not entered into the court records, have been brought to public attention, Professor Clark would have to conclude that segregation decreases, and congregation increases, the personality damage that is detected by the doll tests. For the tests not entered into the court record detect such personality damage more often where there is congregation than where there is segregation.

To avoid this embarrassing result Professor Clark now explains that if segregated Negro children prefer white dolls it indeed shows personality damage suffered because of segregation. And if nonsegregated children prefer white dolls even more frequently it does not show that they suffer more "personality damage." This would be "superficial" and "incorrect." The fact that segregated children prefer the white dolls less often than nonsegregated ones now shows that they have suffered even deeper personality damage. The fact that congregated children prefer the white doll more often suddenly becomes an indication of comparative health.

Which is to say that whatever the outcome of the experiment, it shows that there is personality damage to segregation. When Negro children identify more often with the white doll (North) it is bad and shows psychological injury. When they identify less often (segregated South) it is even worse. But wasn't the self-identification of Negro children with the white doll supposed to be the very evidence of their confusion and psychological injury? Yes, Clark writes now, except when the identification occurring less frequently among segregated Negro children would indicate that segregation makes for mental health. This would be inconvenient. Wherefore when this is the case less frequent identification with the white doll suddenly indicates more psychological damage.

⁸ Certainly the theory of reference groups would lead us to believe so. See Robert K. Merton, *Social Structure and Social Theory*, p. 225 ff.

Just what choice of dolls would have shown that segregation does not harm the children? None of those available. Whichever doll the children choose would, according to Clark's new interpretation, show that segregation is harmful. What can an experiment which supports the same conclusion, regardless of its outcome, possibly show? Only the experimenter's prejudices and his failure to grasp the purpose and nature of experimental methods of research. Clearly, Professor Clark's conclusions do not depend on any of his experiments. For these are inconsistent with his conclusions, if they are meaningful at all. None of the material which the Supreme Court accepted as probative of injury through segregation is any more cogent. No injury by segregation *per se* has been proved by any scientific test.

V. SUMMARY AND CONCLUSIONS

The primary groups to which an individual belongs are his family and his peer group. The latter is the group with which the individual identifies himself on the basis of a feeling of community, observable physical characteristics, and commonly shared emotion. Later the individual will also become a member of such groups as are based on material matters such as membership in a profession or persons of a given income level.

Such group membership is a main factor constituting the individual's identity or personality. It is essential to the normal individual to have a firm feeling of belonging to a group. Failure to identify with a group prevents the individual from functioning normally. An individual identifies with persons in his own environment whom he takes as models accepting some characteristics, developing others of the individual's own, and in this way building up the essential personality of the individual.

Without such a sense of identity, the mental health of the individual will be seriously impaired. Unrealistic identification is a form of insanity. An identity once acquired cannot be lost.

Groups are formed from individuals having common self-identification. In the small child the factors involved will be almost exclusively visual, such as skin color; but as the child grows, other factors of intelligence and achievement will play a part, as in joining a football team. In different aspects of activity, the individual belongs not to one, but to a series of groups.

Group identification must be voluntary. Involuntary placement in a group with which the individual does not identify creates hostility. The group approval or disapproval is extremely important to identity, and the disapproval destroys the individual's image of himself.

Where ethnic identity is clearly visible, it becomes a matter of considerable importance in group relations. The variation in attitude created by differences in skin color exists in all countries.

Group members tend to adhere to group norms, which, if they are within the potential of the individual, is of advantage. On the other hand, if the norm of the group exceeds the maximum potential of the individual, then this gives rise to feelings of humiliation, incapacity, and inadequacy which impair his motivation.

Contrary to the "psychological evidence" which apparently was accorded great weight by the Supreme Court in *Brown v. Board of Education*, scientific tests have not proved any injury by segregation *per se*. In fact, some sociologists contend that Negroes would suffer far more from racial integration than from segregation.

Under a freedom of choice system for school attendance, as the individual increases in age, his willingness and ability successfully to associate himself with other groups would increase, provided there was a generally favorable atmosphere and favorable attitude on

⁷ Ross and van den Haag, *The Fabric of Society* (Harcourt, Brace & World, 1957), pp. 165-66.

the part of the superintendent, principals, and teachers, as well as parents. Voluntary mingling would have beneficial effects on personality and education. Immediate, total, enforced integration would lead to even greater demoralization of Negro pupils than is already taking place, and would also lead to lower educational achievement.

Whatever one may think of the more radical Negro organizations, they have captured the emotions and the imagination of a large part of our black population. They have been, particularly with the young people, far more successful in that aspect than the old style organizations. High school and college students, if they do not join, do certainly admire and support organizations such as the Black Panthers and the Nation of Islam. They look up to such figures as Rap Brown, Stokeley Carmichael, Eldridge Cleaver, Malcolm X, et al. The organizations differ among themselves in their methods and to the extent one can discern them, in their purposes. But they have one thing in common. They try (and largely succeed) to produce a prouder racial identity. They make their followers accept that "black is beautiful" and they attract support because they are creating a black identity, and pride in it.

They do this largely by declaring their independence of and, in some cases, even hostility to whites. But the hostility here is largely a gesture necessary to support the independence and the pride.

I am not concerned with the justification of such movements. But they clearly indicate a psychological need. By gratifying this need, these organizations have succeeded to an astonishing extent in rehabilitating members who previously suffered from major symptoms of personality disorganization, such as drug addiction, criminal behavior, general irresponsibility, etc. This is not just to say the Panthers do not allow members to take drugs. It is that they make the drugs unnecessary; they offer their members a self-image of adequacy that makes the resort to drugs unnecessary. The basic ingredient in that self-image is the identification with an image of historical, racial and cultural adequacy, if not superiority.

I submit that this is what the black minority needs more than anything else. It is in this respect that its problem has differed from that of other minorities—Irish, Italian, Jewish—and it is this ingredient that a wise and just process of education should help provide. Integration, desirable as it may be in the end, is possible only if the elements to be integrated each feel a sense of identity and a pride in that identity rather than a feeling of inadequacy. For feelings of inadequacy produce hostility to those who make one feel inadequate.

Black students know this. Their behavior itself is evidence for the need it tries to fulfill. If one looks at recent happenings in our colleges, one finds that there has been a great increase in black enrollment in previously largely white schools. That increase, fostered by the colleges with the idea of giving blacks the benefits of their college life, and education, far from leading to immediate integration, has led to the very opposite. Thus, at Vassar College where I served as Visiting Professor in 1969, the one demand almost immediately made by the newly-admitted black students was a separate black dormitory. There were no complaints of inhospitality on the part of the white college students. The black college students simply wanted to have a place of their own. They wanted to cultivate their own identity, lead their own life, elaborate their own traditions. They also wanted black teachers and "black courses." This development has been paralleled in almost every college in the country.

Many colleges have gone so far as to take black students less prepared or qualified

than white students. Whatever the motives that led them to do so, it is relevant here to point out that the less well prepared students felt necessarily left out, and humiliated, when they could not perform as adequately in class as their more qualified white fellow students did. They, therefore, were psychologically compelled to seek to achieve the prestige they had lost in their own eyes—which they could not achieve in classroom work—outside the classroom. The opportunity was readily at hand.

They could, and did, achieve status as revolutionary leaders against the "irrelevant" college curriculum in which they were unable to excel. In some cases (with the help of disaffected and masochistic whites) they came near destroying the institutions which had recruited them.

I am fully aware that we are dealing not with colleges but with primary and secondary schools. But I am mentioning this history because it is about to be repeated in secondary schools. "Those who do not know history are condemned to repeat it." In our high schools we already have a similar development. When well prepared white students and inadequately prepared black students, in many cases coming from underprivileged backgrounds, are compelled to go to school together, those who cannot perform well by the standards of the school, necessarily become hostile to the school which humiliates them, and to the whites who outperform them. They also become discouraged. They are likely to seek outside the prestige they lost in school work; and they will be tempted to make up for the humiliation suffered by displaying their hostility to whites and insisting on their own superiority in activities which undermine the academic and educational purposes of the school.

This is by no means to say that black and white students should forever remain separated or should be separated as a matter of administrative rule. On the contrary, what I am advocating is that they should remain free to select the school and the fellow students that in each individual case most fulfill their academic and psychological needs.

I foresee that freedom of choice will lead ultimately to far more integration than is now extant, but it will do so slowly. The advantage of that slowness will be that blacks will be able to compete both academically and psychologically with whites in a way that does not make the school "irrelevant" to them, nor psychologically requires them to seek compensation, through subversive or criminal activities, for the sense of inadequacy that it will generate.

Much research has been done since the Supreme Court decided (on most dubious evidence) that separation is educationally damaging to Negro children. No evidence confirming this idea has been uncovered. Very little evidence has been offered to show that integration has been beneficial. Most programs which attempted to remedy the comparatively low performance of Negro children attributed to inferior schooling have been shown to be ineffective.

Social scientists, therefore, have reached in many cases the conclusion that the inferior performance may be due to factors in very early infancy which, as yet, we have found no way of offsetting. Others have insisted that there is no evidence of a genetic difference which may explain the differences in performance, at least when the same methods of teaching are used for both groups.

I wish now to draw the attention of this Committee to an article "Early Childhood Intervention—The Social Science Base of Institutional Racism" by Stephen F. and Joan C. Baratz, appearing in the *Harvard Educational Review* (February, 1970). The authors maintain, with considerable evidence, that

the two models that seek to explain the inferior performance of black children—the genetic model and the social pathology model (of which there are many varieties referring to the family, the subcultural background, nutrition, etc.)—are both unnecessary. The authors maintain that if there were a deficit not just in the actual performance of the children, but in their ability to perform, then such models would be required. But in their opinion the low performance of Negro children is due to the disinclination of teachers, and the failure of schools to perceive the linguistic and other resources of these children. This failure leads schools to insist that Negro children express themselves in a language to which, in their subculture, they are not accustomed and in which they become "dumb." In short, the authors maintain that by insisting that Negro children have the same linguistic and other resources as white children and allowing them to use only these resources, schools produce the lower performance of Negro children. If on the other hand, the authors maintain, the resources actually available to Negro children were utilized—as are those actually available to white children—then Negro children might be quite as able to perform as white children. Thus the low performance of Negro children could be improved only by distinct teaching methods and a distinctive curriculum utilizing their subcultural resources. Needless to say, this would require at least temporary separate education.

I have no personal knowledge that would indicate to me whether the contention of the authors is correct. They do, however, quote a great amount of research that certainly suggests that their thesis is worth exploration. And this is the conclusion that I wish to submit to this Committee.

A great amount of money has been spent on forced integration. A great deal of hostility has been aroused on all sides—certainly race relations are worse than they were before 1954 and there is no evidence whatever that compulsory integration has led to more academic progress than free choice would have achieved. More and more evidence is accumulating that a different Negro subculture exists and requires for its utilization distinct methods if the members are to learn what the schools are trying to teach. This may indeed require separate training for teachers and separation of those pupils who wish to learn and are best able to learn by utilizing the resources of their subculture. If there is any sort of genetic difference in addition to the subcultural differences this, too, would probably lead to different learning and teaching methods.

I am not suggesting that this Committee should institute the new methods that may turn out to be useful. I am, however, suggesting that this Committee should, instead of throwing further money into an approach that no one could possibly term successful, reserve such money (a) for thorough evaluation of the approaches so far tried, and (b) for thorough exploration and experimentation with different approaches resting on a variety of competing teaching methods with free self selection of pupils.

I do not expect to convince this Committee that the premise on which such vast federal expenditures have been made for the integration of schools over the past ten or fifteen years is a false premise, or that the truth lies elsewhere. I do, however, most seriously recommend that alternatives be explored and all approaches scientifically evaluated before the educational system of the nation becomes so far committed to a single article of faith ("the evidence of things not seen")—that integration of the races brings better education—that the point of no return will have been passed.

Thus I appear here to recommend that investigation of all views on this question become part of the evaluation directed by this

bill and that we substitute objective measurement for the subjective, if praiseworthy, opinions of those who see compulsory integration a forwarding of the democratic dream of equality. If the basic purpose of schools is to be education, then we should put aside any preconceived emotional assumptions about the factors which improve or destroy the educational accomplishment of any child, black or white, and use every available scientific facility to isolate the actual factors wherever we find them. To do so would be in the interest of all concerned, of all children, black and white, and contrary only to the vested interest of educational dogmatists.

SOURCES

Stell Tr., 218-256.

Hinds County Tr., 271-369 (vol. 1)

Testimony before Senate Committee on the Judiciary on S. 1731 (1964).

EXHIBITS

Bastide, Roger, & van den Berghe, Pierre, "Stereotypes, Norms & Interracial Behavior in Sao Paulo, Brazil," *American Sociological Review*, Vol. 22, No. 6 (1957).

Clark, Kenneth B., "Desegregation, an Appraisal of the Evidence," *Journal of Social Issues*, No. 4, p. 3 (1953).

Clark, Kenneth B., *Prejudice and Your Child*.

Clark, Kenneth B. and Mamie, "Racial Identification and Preference in Negro Children," reprinted in *Readings in Social Psychology* (1st ed., 1947).

Davis, Allison, "Racial Status and Personality Development," *Scientific Monthly*, Vol. 57 (October, 1943).

Elmer, Glalster A., "Identification as a Social Concept," *Sociology & Social Research*, Vol. 39, No. 2, pp. 103-109 (1954).

Goodman, A. M. E. (Mae), "Evidence Concerning the Genesis of Interracial Attitudes," *The American Anthropologist*, Vol. 48, No. 4 (October-December, 1946).

Hill, Mozelle, "A Comparative Study of Race Attitudes in the All Negro Community in Oklahoma," *Phylon* (Third Quarterly Issue, 1946).

Ichheiser, Gustav, "Socio-psychological and Cultural Factors in Race Relations," *American Journal of Sociology*, Vol. 54, No. 5 (1949).

Landreth, Catherine, & Johnson, Barbara C., "Young Children's Responses to a Picture and Inset Test Designed to Reveal Reactions to Persons of Different Skin Color," *Child Development*, Vol. 24, No. 1 (1953).

Lundberg, George A., "Some Neglected Aspects of the 'Minorities' Problem," *Modern Age*, pp. 285-297 (Summer, 1958).

Lundberg, George A., "Selective Association Among Ethnic Groups in a High School Population."

Merton, Robert K., *Social Structure and Social Theory*, pp. 225 ff.

Radke, Marion; Sutherland, Gene; and Rosenberg, Pearl, *Sociometry*, Vol. 13, No. 2 (1953) (racial attitudes of children in Pittsburgh, Pennsylvania).

van den Haag, Ross & *The Fabric of Society* (Harcourt, Brace & World, 1957) (specifically chapter on prejudice).

van den Haag, "Genuine and Spurious Integration," *Psychoanalysis and the Social Sciences* (New York).

Willems, "Racial Attitudes in Brazil," *American Journal of Sociology*, Vol. 54, No. 5 pp. 402-408 (1949).

STATEMENT OF DR. ARTHUR R. JENSEN BEFORE THE GENERAL SUBCOMMITTEE ON EDUCATION, HOUSE EDUCATION AND LABOR COMMITTEE

I. INTRODUCTION

Mr. Chairman and members of the Committee, my name is Arthur R. Jensen and I am Professor of Educational Psychology at the University of California at Berkeley. I hold a B.A. degree from the University of

California, an M.A. from San Diego State College, and a Ph. D. degree from Columbia University. In 1956-58, I was a United States Public Health Service Research Fellow in Psychology at the Psychiatric Institute, University of London. In 1961-62, I was a Research Associate at the Institute of Personality Assessment and Research and in 1964-65 a Guggenheim Fellow at the Institute of Psychiatry at the University of London. In 1966-67, I was a Fellow at the Center for Advanced Study in the Behavioral Science at Stanford. I am a member of the American Association for the Advancement of Science, the American Psychological Association, the American Educational Research Association, and the Psychonomics Society.

I am co-editor of a text on "Social Class, Race and Psychological Development," published in 1968 and the author of the article entitled "How Much Can We Boost IQ and Scholastic Achievement?," published in 1969 in the *Harvard Educational Review*. I wrote an article on the "Heritability of Intelligence," published in *Engineering and Science* in April, 1970, and have more recently prepared a research resume entitled "Parent and Teacher Attitudes Toward Integration and Busing" for the California Advisory Council on Education and Research of the California Teachers Association.

I am currently in the course of publishing a comprehensive review on the subject of "Can We and Should We Study Race Differences?"

I appear before you today for the purpose of raising what appears to me to be an essential preliminary inquiry to the Committee's approval of the present form of H.R. 17846, the Emergency School Aid Act of 1970. That inquiry relates to the truth or falsity as a scientific matter of the basic factual assumption underlying this bill.

On May 21, President Nixon submitted to the Congress a special message on aid to schools and recommended this legislation. There he stated: "It is clear that racial isolation ordinarily has an adverse effect on education."

That premise supports the present declaration of purpose in Section 2 of H.R. 17846—to prevent racial isolation in schools so as to improve the quality of education. I do not believe that this premise alone can be regarded as adequate justification for this bill. Recent comprehensive reviews of research on the effects of the racial composition of schools and classes in public schools come to conclusions which are highly ambiguous and inconclusive regarding the causal relationship between racial composition of the student body and scholastic performance. Most of the research on this subject to date has been too inadequate statistically and methodologically to allow any firm conclusion one way or the other regarding the effects of a school's racial composition on achievement. I refer you to a thorough review of this research by Nancy H. St. John of Harvard University; it appears in the February, 1970, issue of the *Review of Educational Research*, a publication of the American Educational Research Association. Her review supports my conclusion, which is that we have no scientifically or statistically substantial conclusions at this time.

I personally favor racial integration and I hopefully believe it is coming about. As an educator, I am concerned that it come about in such a way as to be of benefit to the schooling of all children. Achieving racial balance, while viewed by many of us as desirable for moral, ethical, and social reasons, will not solve existing educational problems; it will create new ones, and I am anxious that we provide the means for fully and objectively assessing them and for discovering the means of solving them. I am quite convinced on the basis of massive research evidence that the educational abilities and needs of the majority of white and

Negro children are sufficiently different at this present time in our history that both groups—and particularly the more disadvantaged group—can be cheated out of the best education we now know how to provide in our schools if uniformity rather than diversity of instructional approaches becomes the rule. Diversity and desegregation need not be incompatible goals. I think both are necessary. But achieving racial balance and at the same time ignoring individual differences in children's special educational needs could be most destructive to those who are already the most disadvantaged educationally. The allocation of a school's resources for children with special educational problems cannot be influenced by race; it must be governed by individual needs.

To insure the developments of integrated education that could make it just and valid for all children, therefore, I urge that this Committee seriously consider the addition to the bill of a directive in Section 10 that a major proportion of the research funds provided for evaluation shall be used for a scientifically valid, objective examination of the educational effects of compulsory school desegregation. I further suggest that the technical requirements of the needed research are probably beyond the personnel and facilities of most school systems, and that major studies should be conducted by or in consultation with properly equipped research institutions under Federal support.

In my opinion, based upon my studies for the past 20 years and more in the field of educational psychology, I am convinced that the study of racial differences and their applicability to variations in learning and organization of the educational process are essential to any true understanding of the problems which America's schools face today in determining the future course of school integration.

II. THE EXISTING CONTROVERSY OVER IQ AND SCHOLASTIC ACHIEVEMENT

I can best explain the basis of my views in this area by summarizing for the Committee some of the main points I made in the *Harvard Educational Review* article to which I have referred:

"In my article, I first reviewed the conclusion of a nationwide survey and evaluation of the large, Federally funded compensatory education programs done by the U.S. Commission on Civil Rights, which concluded that these special programs had produced no significant improvement in the measured intelligence or scholastic performance of the disadvantaged children whose educational achievements they were specifically intended to raise. The evidence presented by the Civil Rights Commission suggests to me that merely applying more of the same approach to compensatory education on a larger scale is not likely to lead to the desired results, namely increasing the benefits of public education to the disadvantaged. The well-documented fruitlessness of these well-intentioned compensatory programs indicates the importance of now questioning the assumptions, theories, and practices on which they were based. I point out, also, that some small-scale experimental intervention programs have shown more promise of beneficial results.

"I do not advocate abandoning efforts to improve the education of the disadvantaged. I urge increased emphasis on these efforts, in the spirit of experimentation, expanding the diversity of approaches and improving the rigor of evaluation in order to boost our chances of discovering the methods that will work best.

"The nature of intelligence

"In my article, I pointed out that IQ tests evolved to predict scholastic performance in largely European and North American middle-class populations around the turn of the century. They evolved to measure those abili-

ities most relevant to the curriculum and type of instruction, which in turn were shaped by the pattern of abilities of the children the schools were then intended to serve.

"IQ or abstract reasoning ability is thus a selection of just one portion of the total spectrum of human mental abilities. This aspect of mental abilities measured by IQ tests is important to our society, but is obviously not the only set of educationally or occupationally relevant abilities. Other mental abilities have not yet been adequately measured; their distributions in various segments of the population have not been adequately determined; and their educational relevance has not been fully explored.

"I believe a much broader assessment of the spectrum of abilities and potentials, and the investigation of their utilization for educational achievement, will be an essential aspect of improving the education of children regarded as disadvantaged.

"Inheritance of intelligence

"Much of my paper was a review of the methods and evidence that lead me to the conclusion that individual differences in intelligence, that is, IQ, are predominantly attributable to genetic differences, with environmental factors contributing a minor portion of the variance among individuals. The heritability of the IQ—that is, the percentage of individual differences variance attributable to genetic factors—comes out to about 80 per cent, the average value obtained from all relevant studies now reported.

"These estimates of heritability are based on tests administered to European and North American populations and cannot properly be generalized to other populations. I believe we need similar heritability studies in minority populations if we are to increase our understanding of what our tests measure in these populations and how these abilities can be most effectively used in the educational process.

"Social class differences

"Although the full range of IQ and other abilities is found among children in every socioeconomic stratum in our population, it is well established that IQ differs on the average among children from different social class backgrounds. The evidence, some of which I referred to in my article, indicates to me that some of this IQ difference is attributable to environmental differences and some of it is attributable to genetic differences between social classes—largely as a result of differential selection of the parent generations for different patterns of ability.

"I have not yet met or read a modern geneticist who disputes this interpretation of the evidence. In the view of geneticist C. O. Carter: 'Sociologists who doubt this show more ingenuity than judgment.' At least three prominent sociologists who are students of this problem—Sorokin, Bruce Eckland, and Otis Dudley Duncan—all agree that selective factors in social mobility and assortative mating have resulted in a genetic component in social class intelligence differences. As Eckland points out, this conclusion holds *within* socially defined racial groups but cannot properly be generalized *between* racial groups, since barriers to upward mobility have undoubtedly been quite different for various racial groups.

"Race differences

"I have always advocated dealing with persons as individuals, each in terms of his own merits and characteristics and am opposed to according treatment to persons solely on the basis of their race, color, national origin, or social class background. But I am also opposed to ignoring or refusing to investigate the causes of the well-established differences among racial groups in the distribution of educationally relevant traits, particularly IQ.

"I believe that the causes of observed dif-

ferences in IQ and scholastic performance among different ethnic groups is, scientifically, still an open question, an important question, and a researchable one. I believe that official statements, such as 'It is a demonstrable fact that the talent pool in any one ethnic group is substantially the same as in any other ethnic groups' (U.S. Office of Education, 1966), and 'Intelligence potential is distributed among Negro infants in the same proportion and pattern as among Icelanders or Chinese, or any other group' (U.S. Dept. of Labor, 1965), are without scientific merit. They lack any factual basis and must be regarded only as hypotheses.

"It would require more space than I am allotted to describe the personal and professional consequences of challenging this prevailing hypothesis of genetic equality by suggesting alternative hypotheses that invoke genetic as well as environmental factors as being among the causes of the observed differences in patterns of mental ability among racial groups.

"The fact that different racial groups in this country have widely separated geographic origins and have had quite different histories which have subjected them to different selective social and economic pressures make it highly likely that their gene pools differ for some genetically conditioned behavioral characteristics, including intelligence, or abstract reasoning ability. Nearly every anatomical, physiological and biochemical system investigated shows racial differences. Why should the brain be any exception? The reasonableness of the hypothesis that there are racial differences in genetically conditioned behavioral characteristics, including mental abilities, is not confined to the poorly informed, but has been expressed in writings and public statements by such eminent geneticists as K. Mather, C. D. Darlington, R. A. Fisher, and Francis Crick, to name a few.

"In my article, I indicated several lines of evidence which support my assertion that a genetic hypothesis is not unwarranted. The fact that we still have only inconclusive conclusions with respect to this hypothesis does not mean that the opposite of the hypothesis is true. Yet some social scientists speak as if this were the case and have even publicly censured me for suggesting an alternative to purely environmental hypotheses of intelligence differences. Scientific investigation proceeds most effectively by means of what Platt has called 'strong inference,' pitting alternative hypotheses that lead to different predictions against one another and then putting the predictions to an empirical test.

"Learning Ability and IQ

"The article also dealt with my theory of two broad categories of mental abilities, which I call intelligence (or abstract reasoning ability) and associative learning ability. These types of ability appear to be distributed differently in various social classes and racial groups. While large racial and social class differences are found for intelligence, there are practically negligible differences among these groups in associative learning abilities, such as memory span and serial and paired-associate rote learning.

"Research should be directed at delineating still other types of abilities and at discovering how the particular strengths in each individuals' pattern of abilities can be most effectively brought to bear on school learning and on the attainment of occupational skills. By pursuing this path, I believe we can discover the means by which the reality of individual differences need not mean educational rewards for some children and utter frustration and defeat for others."

III. THE IMPLICATIONS OF RACE DIFFERENCES IN EDUCATION

Since educators have at least officially assumed that race and social class differences in scholastic performance are not associated

with any genetic differences in growth rates or patterns of mental abilities but are due entirely to discrimination, prejudice, inequality of educational opportunity, and factors in the child's home environment and peer culture, we have collectively given little if any serious thought to whether we would do anything differently if we knew in fact that all educational differences were not due solely to these environmental factors.

There have been and still are obvious environmental inequities and injustices which have disfavored certain minorities, particularly Negroes, Mexican-Americans, and American Indians. Progress has been made and is continuing to be made to improve these conditions. But there is no doubt still a long way to go, and the drive toward further progress in this direction should be given top priority in our national effort.

Education is one of the chief instruments for approaching this goal. Every child should receive the best education that our current knowledge and technology can provide. This should not imply that we advocate the same methods or the same expectations for all children. There are large individual differences in rates of mental development, in patterns of ability, in drives and interests. These differences exist even among children of the same family. The good parent does his best to make the most of each child's strong points and to help him on his weak points but not make these the crux of success or failure. The school must regard each child, and the differences among children, in much the same way as a good parent should do.

I believe we need to find out the extent to which individual differences, social class differences, and race difference in rates of cognitive development and differential patterns of relative strength and weakness in various types of ability are attributable to genetically conditioned biological growth factors. The answer to this question might imply differences in our approach to improving the education of all children, particularly those we call the disadvantaged, for many of whom school is now a frustrating and unrewarding experience.

Individuals should be treated in terms of their individual characteristics and not in terms of their group membership. This is the way of a democratic society, and educationally it is the only procedure that makes any sense. Individual variations within any large socially defined group are always much greater than the average differences between groups. There is overlap between groups in the distributions of all psychological characteristics that we know anything about. But dealing with children as individuals is not the greatest problem. It is in our concern about the fact that when we do so, we have a differentiated educational program, and children of different socially identifiable groups may not be proportionately represented in different programs. This is the "hang-up" of many persons today and this is where our conceptions of equal opportunity are most likely to go awry and become misconceptions.

Group racial and social class differences are first of all individual differences, but the causes of the *group* differences may not be the same as of the *individual* differences. This is what we must find out, because the prescription of remedies for our educational ills could depend on the answer.

Let me give one quite hypothetical example. We know that among middle-class white children, learning to read by ordinary classroom instruction is related to certain psychological developmental characteristics. Educators call it "readiness." These characteristics of readiness appear at different ages for different kinds of learning, and at any given age there are considerable individual differences among children, even among siblings reared within the same family. These developmental differences, in middle-class

white children, are largely conditioned by genetic factors. If we try to begin a child too early in reading instruction, he will experience much greater difficulty than if we waited until we saw more signs of "readiness." Lacking readiness, he may even become so frustrated as to "turn off" on reading, so that he will then have an emotional block toward reading later on when he should have the optimal readiness. The readiness can then not be fully tapped. The child would have been better off had we postponed reading instruction for six months or a year and occupied him during this time with other interesting activities for which he was ready. Chances are he would be a better reader at, say, 10 or 11 years of age for having started a year later, when he could catch on to reading with relative ease and avoid the unnecessary frustration. It is very doubtful in this case that some added "enrichment" to his preschool environment would have made him learn to read much more easily a year earlier. If this is largely a matter of biological maturation, then the time at which a child is taught in terms of his own schedule of development becomes important. If, on the other hand, it is largely a matter of preschool environmental enrichment, then the thing to do is to go to work on the preschool environment so as to make all children equally ready for reading in the first grade. If a child's difficulty is the result of both factors, then a combination of both enrichment and optimal developmental sequencing should be recommended.

There is a danger that some educators' fear of being accused of racial discrimination could become so misguided as to work to the disadvantage of many minority children. Should we deny differential educational treatments to children when such treatment will maximize the benefits they receive from schooling, just because differential treatment might result in disproportionate representation of different racial groups in various programs? I have seen instances where Negro children were denied special educational facilities commonly given to white children with learning difficulties simply because school authorities were reluctant to single out any Negro children, despite their obvious individual needs, to be treated any differently from the majority of youngsters in the school. There was no hesitation about singling out white children who needed special attention. Many Negro children of normal and superior scholastic potential are consigned to classes in which one-fourth to one-third of their classmates have IQs below 75, which is the usual borderline of educational mental retardation. The majority of these educationally retarded children benefit little or not at all from instruction in the normal classroom, but require special attention in smaller classes that permit a high degree of individualized and small group instruction. Their presence in regular classes creates unusual difficulties for the conscientious teacher and detracts from the optimal educational environment for children of normal ability. Yet there is reluctance to provide special classes for these educationally retarded children if they are Negro or Mexican-American. The classrooms of predominantly minority schools often have 20 to 30 percent of such children, which handicaps the teacher's efforts on behalf of her other pupils in the normal range of IQ. The more able minority children are thereby disadvantaged in the classroom in ways that are rarely imposed on white children for whom there are more diverse facilities. Differences in rates of mental development and in potentials for various types of learning will not disappear by being ignored. It is up to biologists and psychologists to discover their causes, and it is up to educators to create a diversity of instructional arrangements best

sulted to the full range of educational differences that we find in our population. Many environmentally caused differences can be minimized or eliminated, given the resources and the will of society. The differences that remain are a challenge for public education. The challenge will be met by making available more ways and means for children to benefit from schooling. This, I am convinced, can come about only through a greater recognition and understanding of the nature of human differences.

It is for this reason that I call upon your Committee to set aside funds under Section 10 of H.R. 17846 to investigate methods of coping educationally with individual and group variability and for an impartial, in-depth study of the effects of classroom desegregation on the educational process. I feel strongly that such basic cause-and-effect research must be done as an essential part of the task of ameliorating our nation's grave educational problems.

LAW AND ORDER IN THE COAL MINES

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

Mr. HECHLER of West Virginia. Mr. Speaker, there follows the amended suit filed in the U.S. District Court for the District of Columbia, concerning the safety of those working in the coal mines of this Nation:

[In the U.S. District Court for the District of Columbia, Civil Action No. 861-70]

PHILLIP BURTON, KEN HECHLER, JAMES O'HARA, JOHN MENDEZ, AND ALL OTHER COAL MINERS, Plaintiffs, v. WALTER J. HICKEL, ELLIOTT RICHARDSON, FRED RUSSELL, HOLLIS DOLE, EARL HAYES, AND HENRY WHEELER, Defendants

AMENDED AND SUPPLEMENTAL COMPLAINT FOR DECLARATORY JUDGMENT, FOR ORDER IN THE NATURE OF MANDAMUS TO COMPEL DEFENDANTS TO ISSUE REGULATIONS AND FOR INJUNCTION

1. This is an action against the Secretaries of the Interior and Health, Education, and Welfare and their subordinates for a declaratory judgment that they failed to perform ministerial duties imposed upon them by an Act of Congress, to compel them to perform such agency action timely in the future and to enjoy the enforcement of unlawful regulations. This Court has jurisdiction under the Federal Coal Mine Health and Safety Act of 1969, P.L. 91-173, 83 Stat. 742 (1970), 5 U.S.C. Sec. 706, 28 U.S.C. Secs. 1331, 1361 and 2201.

Plaintiffs

2. Plaintiffs Burton, Hechler and O'Hara are members of the House of Representatives of the Congress of the United States and were sponsors of the Bill which was enacted as the Federal Coal Mine Health and Safety Act of 1969, P.L. 91-173, 83 Stat. 742. Plaintiffs Burton and O'Hara are members of the House Education and Labor Committee which reported the Bill. Plaintiff Hechler represents a Congressional District in which many coal miners live.

3. Plaintiff Mendez is a coal miner and a member of the class that the Federal Coal Mine Health and Safety Act of 1969 was intended to benefit. He brings this action on his own behalf and on behalf of all other coal miners. The class of coal miners represented by plaintiff Mendez is (1) so numerous that joinder of all members is impracti-

cable; (2) there are questions of law or of fact common to the class; (3) the claims of the representative party are typical of the claims of the class; (4) the representative party will fairly and adequately protect the interest of the class; (5) the parties opposing the class have acted on grounds generally applicable to the class; (6) the prosecution of separate actions by individual members of the class would create a risk of inconsistent or varying adjudications; and (7) questions of law and fact common to members of the class predominate over any questions affecting only individual members so that a class action is superior to other available methods for the fair and efficient adjudication of the controversy.

Defendants

4. Defendants Secretary of the Interior and Secretary of Health, Education, and Welfare, sued in their official capacities, have the duty of enforcing the Federal Coal Mine Health and Safety Act of 1969.

5. Defendants Russell, Dole, Hayes and Wheeler, sued in their official capacities, have the duty, under defendant Secretary of the Interior, of enforcing the Federal Coal Mine Health and Safety Act of 1969.

First cause of action

6. The Federal Coal Mine Health and Safety Act became law on December 30, 1969.

7. Section 202(a) of the Act provides that the defendants Secretary of the Interior and Secretary of Health, Education, and Welfare (the Secretaries), within 60 days from the enactment of the Act, shall prescribe in the Federal Register the devices, methods, locations, intervals and manner in which operators of coal mines shall take accurate samples of the amount of respirable dust in the mine atmosphere to which miners, in the active workings of the mine, are exposed.

8. The 60-day period within which the regulations referred to in paragraph 7 of this Complaint were to have been prescribed and published in the Federal Register expired on Monday, March 2, 1970.

9. The Secretaries did not prescribe and publish the regulations required by Section 202(a) of the Act with respect to methods, locations, intervals and manner of taking samples until April 1, 1970, or thirty days after the date prescribed by law.

10. Other provisions of the Act provide, similarly to Section 202(a), mandatory time periods for action by the Secretaries, or one of them, that are needed to enforce and make the Act effective, and the Secretaries may in the future fail to comply with such mandatory time periods.

Second cause of action

11. Section 103(1) of the Act expressly requires defendant Secretary of the Interior and defendants Russell, Dole, Hayes and Wheeler to provide a specific statutory minimum of one spot inspection to be performed every five working days in mines found to be liberating excessive quantities of methane or other explosive gases during operations, or where gas explosions have resulted in death or serious injury during the past five years.

12. Defendants Secretary of the Interior and Russell, Dole, Hayes and Wheeler failed to provide for the statutory minimum of one "spot" inspection each five working days in all but of the mines for which such inspections are expressly required by Section 103(1) of the Act. The mines for which such inspections are required are listed in Appendix A to this Complaint; the mines which have been so inspected are listed in Appendix B to this Complaint.

13. In certain of the mines which defendants Secretary of the Interior, Russell, Dole, Hayes and Wheeler have failed to cause to be "spot" inspected in violation of Section 103(1) of the Act, accidents occurred which

might have been prevented by the discovery during a "spot" inspection of conditions or practices required to be corrected under the Act, and those accidents resulted in the deaths of the miners whose names, together with the date and the mine where the accident occurred, are listed in Appendix C to this Complaint.

Ministerial duties

14. The duties imposed upon defendants by Section 202(a) and 103(i) of the Act are ministerial and not discretionary, Congress having provided a fixed period and a time certain for the issuance of standards and regulations, whatever their content may be, and having provided for the conduct of a minimum number of "spot" inspections, by whatever means and in whatever manner the Secretary deems appropriate.

Third cause of action

15. On March 28, 1970, defendant Hicel published in the Federal Register, 35 F.R. 5255-58 as amended on May 4, 1970, and published in the Federal Register on May 7, 1970, 35 F.R. 7281-82, regulations establishing procedures under the Act, including regulations purporting to establish a schedule of fixed penalties for violations of the Act.

16. The regulations, designated 30 C.F.R. 301.50, 35 F.R. 5257, 7182, purport to establish a schedule of fixed penalties for violations of the safety and health requirements established by and pursuant to the Act and provide that upon payment by the violator of the fixed amount provided, no further proceedings shall be held.

17. The purported schedule of fixed penalties is unlawful and in violation of Section 109(a)(1) of the Act, which requires the Secretary of the Interior, in assessing the penalty for any violation to consider for each such violation a mine operator's history of past violations, the size of the mine, any negligence of the operator, the effect of the penalty on continuation of the business, the gravity of the violation and the good faith of the operator as demonstrated by efforts to remedy the violation.

18. The purported schedule of fixed penalties and the summary payment procedure is unlawful and in violation of Section 109(a)(3) of the Act, which requires the Secretary of the Interior to determine, in each case of alleged violation, that a violation did occur; to make findings of fact, and to assess an appropriate penalty.

19. Legal action against the defendants, alleging that the schedule of fixed penalties is unlawful, has resulted in an order of court restraining defendants from enforcing the act.

Fourth cause of action

20. On March 28, 1970, defendant Hicel published in the Federal Register, 35 F.R. 5257, 5258, regulations, designated 30 C.F.R. 301.40 and 301.68, which purport to provide that a miner is to make application to the

Board of Mine Operations Appeals for compensation for wages to which he is entitled under Section 110(a) of the Act, when, because of the existence of imminent danger, a mine is ordered closed under Section 104 of the Act; and purports to place the burden of proof upon the miner.

21. The regulations, insofar as they impose the burden on the miner to apply for and to prove entitlement to compensation, are unlawful and in violation of Section 110(a) of the Act, which provides that miners shall be entitled to compensation automatically and without regard to any justification for an order of closure.

22. The regulations, designated 30 C.F.R. 301.40 and 301.68, 35 F.R. 5257, 5258, purport to provide that a miner is to apply to the Board of Mine Operations Appeals for review of discriminatory discharge or other discriminatory treatment by a mine operator in violation of Section 110(b)(1) of the Act, and that in proceedings on that application the miner shall have the burden of proof.

23. The regulations, insofar as they impose the burden of proof upon the miner, are unlawful and in violation of Section 110(b)(2) of the Act, which provides that upon application for review of a discriminatory discharge or other action, the Secretary of the Interior shall make an investigation and give the parties opportunity to present information at a hearing, and which imposes the burden of the investigation upon the Secretary, not the miner.

Injury to plaintiffs

24. Defendants' failure to perform the ministerial duties imposed upon them by the Act have had and will continue to have the effect of thwarting the will of the Congress, of which plaintiffs O'Hara, Hechler and Burton are members, as expressed in an Act of Congress duly enacted and approved by the President of the United States.

25. The failure of defendants to perform the ministerial duties imposed upon them by the Act will perpetuate and continue for plaintiff Mendez and all other coal miners, beyond the period of time provided by law, the following dangers to health and safety that it was the intent and will of the Congress to remove:

- (a) danger of pneumoconiosis, or black lung disease, from excessive concentrations of coal dust in mine atmospheres;
- (b) danger of death or serious injury from explosions of excessive quantities of explosive gases in mine atmospheres and from other unsafe conditions that would be discovered in the course of mandatory "spot" inspections and corrected;
- (c) myriad dangers that mine operators will fail to remove because of procedural provisions, in connection with penalties for violations and claims for compensation for wages owed because of mine closures, that are unduly discriminatorily and unlawfully favorable to mine operators and unfavorable to miners.

Relief requested

26. Plaintiffs pray that this Court issue an order in the nature of mandamus directing the defendants:

(a) to prescribe and publish in the Federal Register within the times provided in the Act, all regulations as to which fixed times are provided;

(b) immediately and forthwith to commence the "spot" inspections as required by Section 103(i) of the Act.

27. Plaintiffs pray that this Court issue a mandatory injunction to compel the defendants to rescind and publish the rescission of the regulations:

(a) in 30 C.F.R. 301.50 establishing a schedule of fixed payments for violations of the Act and a summary procedure for payment of fixed penalties;

(b) in 30 C.F.R. 301.40, 301.68 imposing upon coal miners the burden (i) of applying for and the burden of proof of entitlement to compensation for wages lost because of mine closure for safety reasons, and (ii) the burden of proof upon review of discriminatory discharge or other discriminatory treatment.

28. Plaintiffs pray that this Court declare that defendants have failed to perform a duty owed to plaintiffs Burton, Hechler and O'Hara, to all other members of the Congress of the United States and to plaintiff Mendez and all other coal miners faithfully to execute and carry out the will of the Congress as expressed in the Federal Coal Mine Health and Safety Act of 1969, by failing to act within the time limits prescribed by law.

APPENDIX A

U.S. DEPARTMENT OF THE INTERIOR,
BUREAU OF MINES

Washington, D.C., May 25, 1970.

HON. JULIA BUTLER HANSEN,
House of Representatives,
Washington, D.C.

DEAR MRS. HANSEN: In response to a telephone request from Mr. Carlson, we have enclosed a list of coal mines in which spot inspections shall be made pursuant to Section 103(i) of the Federal Coal Mine Health and Safety Act of 1969.

Please pay special attention to the explanation of code identification "a". Section 103(i) provides that one of the criteria which will require spot inspections is liberation of excessive quantities of methane or other explosive gases. A methane liberation of more than 100,000 cubic feet in 24 hours is considered at this time as an excessive quantity, but this figure is subject to change. And, as conditions in mines change, the mines identified as coming under each of the codes also will be subject to change.

In view thereof, the enclosed record of mines now subject to spot inspections is not static and will change with conditions in the mines. We intend to keep the list up-to-date.

Sincerely yours,

EARL T. HAYES,
(For the Director).

COAL MINES IN WHICH SPOT INSPECTIONS SHALL BE MADE PURSUANT TO SEC. 103(i) OF THE FEDERAL COAL MINE HEALTH AND SAFETY ACT OF 1969

Mine	Company	State	Code ¹		
			a	b	c
Coal mine safety, District A:					
David.....	Canterbury Coal Co.....	Pennsylvania bituminous.....	X		
Isabella.....	National Mines Corp.....	do.....	X		
No. 51.....	Bethlehem Mines Corp.....	do.....	X		
No. 77.....	do.....	do.....	X		
No. 31.....	do.....	do.....	X		
Marianna No. 58.....	do.....	do.....	X		
Somerset No. 60.....	do.....	do.....	X		
Cambria Slope No. 33.....	do.....	do.....	X		
No. 32.....	do.....	do.....	X		
Renton.....	Pittsburgh Coal Co., Division of Consolidation Coal Co.....	do.....	X		
Hutchinson.....	do.....	do.....	X		
Montour No. 4.....	do.....	do.....	X		
Westland.....	do.....	do.....	X		
Mathies.....	Mathies Coal Co.....	do.....	X		
Harwick.....	Duquesne Light Co.....	do.....	X		
Warwick, Portal No. 3.....	do.....	do.....	X		

COAL MINES IN WHICH SPOT INSPECTIONS SHALL BE MADE PURSUANT TO SEC. 103(f) OF THE FEDERAL COAL MINE HEALTH AND SAFETY ACT OF 1969—Continued

Mine	Company	State	Code ¹		
			a	b	c
Coal mine safety, District A:—Continued					
Warwick No. 2	do	do	X		
Oakmont	Harmar Coal Co.	do	X		
Foster No. 5	Leechburg Mining Co.	do	X		
Jane Nos. 1 and 2	Rochester & Pittsburgh Coal Co.	do	X		
Vesta No. 4	Jones & Laughlin Steel Corp.	do	X		
Shannopin	do	do	X		
Vesta No. 5	do	do	X		
Conemaugh No. 1	The North American Coal Corp.	do	X		
Colver	Eastern Associated Coal Corp.	do	X		
Robena	United States Steel Corp.	do	X		
Maple Creek	do	do	X		
Gateway	Gateway Coal Co.	do	X		
Nemacolin	The Buckeye Coal Co.	do	X		
Clyde	Republic Steel Corp.	do	X		
Newfield	do	do	X		
Banning No. 4	do	do	X		
Bird No. 2	Island Creek Coal Co.	do	X		
Bird No. 3	do	do	X		
Marion	Tunnelton Mining Co.	do	X		
Lucerne No. 6	Helvetia Coal Co.	do	X		
Homer City	The Helen Mining Co.	do	X		
Lancashire No. 20	Barnes and Tucker Co.	do	X		
Lancashire No. 24	do	do	X		
No. 18 Wanamie	Blue Coal Corp.	Pennsylvania anthracite	X		
No. 19 Wanamie	do	do	X		
Forge Slope	Gien Nan Coal Co.	do	X		
Middle Split Slope	Erdman Coal Co.	do		X	
Buck Slope	Zakrewsky Coal Co.	do		X	
South Dip Skidmore Slope	J. & C. Coal Co.	do		X	
Seven Foot No. 2 Slope	Polcovich Coal Co.	do		X	
Buck Slope	A. D. & G. Coal Co.	do		X	
Jensie	The North American Coal Corp.	Ohio	X		
Powhatan No. 1	do	do	X		
Powhatan No. 3	do	do	X		
Powhatan No. 5	do	do	X		
Norton	Oglebay Norton Co.	do	X		
Saginaw	do	do	X		
Vail No. 20	Island Creek Coal Co.	do	X		
Rose Valley No. 6	Hanna Coal Co., Division of Consolidation Coal Co.	do	X		
Nelms No. 1	The Youghiogheny and Ohio Coal Co.	do	X		
Nelms No. 2	do	do	X		
Beech Bottom	Windsor Power House Coal Co.	West Virginia	X		
Alexander	The Valley Camp Coal Co.	do	X		
Valley Camp No. 1	do	do	X		
Valley Camp No. 3	do	do	X		
Shoemaker	Ohio Valley, Division of Consolidation Coal Co.	do	X		
Ireland	do	do	X		
Coal mine safety, District B:					
Bishop	Bishop Coal Co.	West Virginia	X	X	
No. 33-37	do	do	X		
No. 1 Cedar Grove	Boone County Coal Corp.	do	X		
No. 1	C & B Coals Inc.	do	X		
Nos. 3 and 4	Cannelton Coal Co.	do	X	X	
No. 8	do	do	X		
Lady Dunn No. 105	do	do	X		
Donegan No. 10	Gauley Coal and Coke Co.	do	X		
Keystone	Eastern Associated Coal Corp.	do	X	X	
Keystone No. 1	do	do	X	X	
Keystone No. 2	do	do	X		
Keystone No. 3B	do	do	X	X	
Keystone No. 4	do	do	X		
Keystone No. 4A	do	do	X		
Federal No. 1	do	do	X		
Federal No. 2	do	do	X		
Joanne	do	do	X	X	
McAlpin No. 3	Winding Gulf Coals Inc.	do	X		
Otsego	do	do	X	X	
East Gulf	do	do	X		
Eccles	do	do	X	X	
Stanford No. 2	do	do	X	X	
Winding Gulf No. 4	do	do	X		
Maitland	Pocahontas Fuel Co., Division of Consolidation Coal Co.	do	X		
Newhall No. 6	do	do	X		
No. 7	do	do	X		
No. 25	National Coal Mining Co.	do	X		
Gaston No. 2	Slab Fork Coal Co.	do	X		
Slab Fork No. 8	do	do	X		
No. 10	do	do	X	X	
Guyan No. 1	Island Creek Coal Co.	do	X		
Guyan No. 5	do	do	X		
Birch No. 1	do	do	X	X	
Hampton No. 3	Westmoreland Coal Co.	do	X		
Hampton No. 4	do	do	X		
Hunter	Smith and Stover Coal Co.	do	X		
Itmann No. 1	Itmann Coal Co.	do	X		
Itmann No. 3	do	do	X		
Itmann No. 4	do	do	X		
Tralee	Semet Solvay, Division of Allied Chemical Corp.	do	X		
Shannon Branch	do	do	X		
No. 2	United States Steel Corp.	do	X		
No. 14, No. 3 Seam Portal	do	do	X		
No. 41	Bethlehem Mines Corp.	do	X		
No. 44	do	do	X		
Consol No. 9	Mountaineer Coal Co., Division of Consolidation Coal Co.	do	X	X	
Loveridge	do	do	X	X	
No. 93	do	do	X		
Robinson Run No. 95	do	do	X		
Williams	do	do	X		
Arkwright	Christopher Coal Co., Division of Consolidation Coal Co.	do	X		
Arkwright No. 1	do	do	X	X	
Humphrey No. 7	do	do	X		
Osage No. 3	do	do	X	X	
Pursglove No. 15	do	do	X		
Blacksville No. 1	Consolidation Coal Co.	do	X		
O'Donnel No. 1	Rochester & Pittsburgh Coal Co.	do	X		
Olga	Oiga Coal Co.	do	X		

Mine	Company	State	Code ¹		
			a	b	c
Coal mine safety, District B:—Continued					
Paragon	Amherst Coal Co.	do	X		
No. 4H	do	do	X		
Sewell No. 1	Sewell Coal Co.	do	X		
Siltix	The New River Co.	do	X	X	
Adrian	Upshur Coals Ltd.	do	X		
Compass No. 2	Clinchfield Coal Co.	do	X	X	
Compass No. 3	do	do	X	X	
Mars No. 2	do	do	X	X	
Coal Mine safety, District C:					
Lambert Fork	do	Virginia	X	X	
Moss No. 2	do	do	X	X	X
Moss No. 3, Portal A	do	do	X		X
Moss No. 3, Portal C	do	do	X		X
Moss No. 3, Portal D	do	do	X		X
Bullitt No. 1	Westmoreland Coal Co.	do	X		
Prescott No. 1	do	do	X		
Beatrice	Beatrice Pocahontas Co.	do	X	X	
Virginia Pocahontas No. 1	Island Creek Coal Co.	do	X	X	
Virginia Pocahontas No. 3	do	do	X		
Virginia Pocahontas No. 2	Virginia Pocahontas Co.	do	X		
No. 5	Horn & Whited Coal Co.	do		X	
No. 7	do	do		X	
No. 5	Ward & Honaker Coal Co.	do		X	
No. 5	Wade Coal Co.	do		X	
Scotia	Scotia Coal Co.	Kentucky	X		
No. 3	Wolf Creek Collieries	do	X		X
No. 1	Princess Coals Inc.	do		X	
Federal No. 1	Mars Mining Co.	do			X
Coal mine safety, District D:					
East Diamond	Island Creek Coal Co.	do	X		
Crescent	do	do	X		
Atkinson	do	do	X		
Hamilton	do	do	X		
Uniontown	do	do	X		
Fies	do	do	X		
Dotiki	Webster County Coal Corp.	do	X		
River Queen	Peabody Coal Co.	do	X		
River Queen No. 1	do	do	X		
Zeigler No. 9	Bell & Zoller Coal Co.	do	X	X	
Segco No. 1	Southern Electric Generating Co.	Alabama	X		
Segco No. 2	do	do	X		
Chetopa	Alabama By-Products Co.	do	X		
Maxie	do	do	X		
Mulga	Woodward Co., Division of Meade Corp.	do	X		
Flat Top	United States Pipe & Foundry Co.	do	X	X	
Bessie	do	do	X		
Concord No. 1	United States Steel Corp.	Alabama	X		
No. 2A	C. L. Cline Coal Co.	Tennessee	X		
No. 5	Sahara Coal Company, Inc.	Illinois	X		
No. 16	do	do	X		
Spartan	Bell & Zoller Coal Co.	do	X		
Zeigler No. 4	do	do	X		
Orient No. 4	Freeman Coal Mining Corp.	do	X		
Orient No. 6	do	do	X		
Orient No. 3	do	do	X		
Orient No. 5	do	do	X		
Crown	do	do	X		
Murdock	Moffet Coal Co.	do	X		
Inland	Inland Steel Co.	do	X		
No. 21	Old Ben Coal Corp.	do	X		
No. 24	do	do	X		
No. 26	do	do	X		
No. 10	Peabody Coal Co.	do	X		
Eagle No. 2	do	do		X	
Eagle No. 1	do	do		X	
Kings	Kings Station Coal Corp.	Indiana	X		X
Thunderbird	Ayrshire Collieries Corp.	do	X		
Howe No. 1	Howe Coal Co.	Oklahoma		X	X
Choctaw	Kerr-McGee Corp.	do			X
Coal mine safety, District E:					
Allen	C. F. & I. Steel Corp.	Colorado	X		X
Bear	Bear Coal Co.	do	X		X
Dutch Creek No. 1	Mid-Continent Coal & Coke Co.	do	X	X	X
L. S. Wood	do	do	X		X
Somerset	United States Steel Corp.	do	X		X
Burnwell No. 1	Oren A. Pilcher, Operator	do	X	X	X
Geneva	United States Steel Corp.	Utah	X		
Kenilworth	The North American Coal Corp.	do	X		X
No. 2	Carbon Fuel Co.	do	X	X	
Soldier Canyon	Premium Coal Co.	do	X		
Sunnyside No. 1	Kaiser Steel Corp.	do	X	X	X
Sunnyside No. 3	do	do	X		
York Canyon No. 1	do	New Mexico	X		

¹ Code identifications:
a equals mines that liberate more than 100,000 cubic feet of methane in 24 hours.

b equals mines in which a methane or other gas ignition or explosion has occurred which resulted in death or serious physical injury during the previous 5 years.
c equals mines in which other especially hazardous conditions exist.

APPENDIX B
MINES THAT HAVE BEEN SPOT INSPECTED

Date	Mine	Company	Location	Date	Mine	Company	Location
Apr. 15, 1970	Montour No. 4	Pittsburgh Coal Co.	Lawrence, Washington County, Pa.	Apr. 17, 1970	Howe Mine No. 1	Howe Coal Co.	Heavener, LeFlore County, Okla.
Apr. 22, 1970	Jane Nos. 1 and 2	Rochester & Pittsburgh Coal Co.	Elderton, Armstrong County, Pa.	Apr. 30, 1970	do	do	Do.
Apr. 22-23, 1970	Harold No. 1	Allegheny River Mining Co.	South Buffalo, Township, Armstrong County, Pa.	April 14, 1970	Homer City	Helen Mining Co.	Homer City, Indiana County, Pa.
Apr. 16, 1970	Choctaw	Kerr-McGee Corp.	Stigler, Haskell County, Okla.	April 17, 1970	No. 4	Liberty Coal Co.	Hyden, Ky.
Apr. 22, 1970	do	do	Do.	March 17, 1970 ¹	No. 10	Siab Fork Coal Co.	Tams, Raleigh County, W. Va.
Apr. 30, 1970	do	do	Do.	Do ¹	No. 16	Imperial Colliery Co.	Burnsville, Kanawha County, W. Va.

¹ These were overlooked on previous reports from the district.

APPENDIX C

MINERS KILLED IN APRIL 1970 IN MINES THAT SHOULD HAVE BEEN SPOT INSPECTED

1. John Bozich, killed April 3, 1970, at Harman Coal Co., Harmon, Pennsylvania.
2. Stanley J. Bensky, killed April 4, 1970, at Lancaster No. 20, Barnes & Tucker Co., Carrolltown, Pennsylvania.
3. Victor F. Tranquillo, killed April 15, 1970, at Cambria Slope No. 33, Bethlehem Mines Corp., Ebensburg, Pennsylvania.
4. John R. Wall, killed April 3, 1970, at Eccles No. 5, Winding Gulf Coals, Inc., Eccles, West Virginia.
5. Sam Virgil, killed April 14, 1970, at Kenilworth, North American Coal Co., Castle Gate, Utah.
6. Joseph Stanish, killed April 8, 1970, at Bethlehem Mine No. 51, Bethlehem Mining Corp., Ellsworth, Pennsylvania.

MINERS, NAMES UNKNOWN, WERE KILLED OR SERIOUSLY INJURED IN APRIL 1970 ON THE FOLLOWING DATES AT MINES THAT SHOULD HAVE BEEN SPOT INSPECTED

7. At Saginaw No. 1, of Oglebay Norton Co., on April 24, 1970.
8. At Homer City Mine of Helen Mining Co., Homer City, Pennsylvania, on April 10, 1970 (not inspected until April 14, 1970).
9. At Maple Creek Mine of U.S. Steel Corp., New Eagle, Pennsylvania, on April 30, 1970.
10. At Sharmon Mine of Semet-Solvay Division, Allied Chemical Co., Capels, West Virginia, on April 22, 1970.
11. At Olga Coal Co., Coalwood, West Virginia, in April 1970.
12. At Compass No. 2, Clinchfield Coal Co., Dola, West Virginia, on April 2, 1970.

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. REUSS for 30 minutes today and to revise and extend his remarks.

(The following Members (at the request of Mr. MILLER of Ohio) to address the House and to revise and extend their remarks and include extraneous matter:)

- Mr. HALPERN, for 5 minutes, today.
- Mr. MOSHER, for 5 minutes, today.
- Mr. CONTE, for 15 minutes, today.

(The following Members (at the request of Mr. GETTYS) to address the House and to revise and extend their remarks and include extraneous matter:)

- Mr. DENT, for 30 minutes.
- Mr. GONZALEZ, for 10 minutes, today.
- Mr. RARICK, for 20 minutes, today.

EXTENSIONS OF REMARKS

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

Mr. GROSS and to include extraneous material.

Mr. McCLORY, immediately prior to the passage of House Joint Resolution 1251 today.

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

- Mr. STEIGER of Wisconsin in two instances.
- Mr. DERWINSKI in two instances.
- Mr. CARTER in two instances.
- Mr. ERLBORN.

- Mr. AYRES in three instances.
 - Mr. MIZE in two instances.
 - Mr. REIFEL.
 - Mr. GOODLING.
 - Mr. ASHBROOK.
 - Mr. WYDLER.
 - Mr. SKUBITZ in two instances.
- (The following Members (at the request of Mr. GETTYS) and to include extraneous matter:)
- Mr. ZABLOCKI in three instances.
 - Mr. JOHNSON of California in four instances.
 - Mr. RYAN in five instances.
 - Mr. MCCARTHY in four instances.
 - Mr. LONG of Maryland in six instances.
 - Mr. GONZALEZ.
 - Mr. RARICK in two instances.
 - Mr. FUQUA in three instances.
 - Mr. DINGELL in two instances.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 703. An act for the relief of Arthur Jerome Olinger, a minor, by his next friend, his father, George Henry Olinger, and George Henry Olinger, individually; to the Committee on the Judiciary.

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. 2047. An act for the relief of Roseanne Jones; and

H.R. 5000. An act for the relief of Pedro Irizarry Guido.

ADJOURNMENT

Mr. GETTYS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER pro tempore. Pursuant to the provisions of House Concurrent Resolution 671, 91st Congress, the Chair declares the House adjourned until 12 o'clock noon on Monday, July 6, 1970.

Thereupon (at 1 o'clock p.m.), pursuant to House Concurrent Resolution 671, the House adjourned until Monday, July 6, 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:

2165. A letter from the Assistant Secretary of the Interior, transmitting the report of the Secretary on the Salmon Falls division, Upper Snake River project, Idaho, pursuant to the provisions of section 9(a) of the Reclamation Project Act of 1939 (H. Doc. 91-359); to the Committee on Interior and Insular Affairs and ordered to be printed, with illustrations.

2166. A letter from the Executive Director, Federal Communications Commission, transmitting a report on the backlog of pending applications and hearing cases in the Commission as of May 31, 1970, pursuant to the

provisions of section 5(e) of the Communications Act, as amended; to the Committee on Interstate and Foreign Commerce.

2167. A letter from the Attorney General, transmitting his appraisal of existing laws and regulations which seek to preclude the disruption of departments of the Government responsible for the national security, in response to the request of the Managers on the Part of the House in the statement included in the conference report (H. Rept. 91-679) regarding H.R. 13018, the military construction authorization act; to the Committee on the Judiciary.

RECEIVED FROM THE COMPTROLLER GENERAL

2168. A letter from the Comptroller General of the United States; transmitting a report on the need to reassess the food inspection roles of Federal organizations, Department of Agriculture, Department of Defense, Department of Health, Education, and Welfare, and Department of the Interior; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 12475. A bill to revise and clarify the Federal Aid in Wildlife Restoration Act and the Federal Aid in Fish Restoration Act, and for other purposes; with an amendment (Rept. No. 91-1272). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 14124. A bill to amend section 4 of the Fish and Wildlife Act of 1956, as amended, to extend the term during which the Secretary of the Interior can make fisheries loans under the act; with amendments (Rept. No. 91-1273). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 17982. A bill to amend the Communications Act of 1934 to provide for a 1-year extension of financing for the Corporation for Public Broadcasting (Rept. No. 91-1274). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XXII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RODINO: Committee on the Judiciary. H.R. 12962. A bill for the relief of Maureen O'Leary Pimpare. (Rept. No. 91-1268). Referred to the Committee of the Whole House.

Mr. EILBERG: Committee on the Judiciary. H.R. 12990. A bill for the relief of Maria de Conceicao Botelho Pereira; with amendments (Rept. No. 91-1269). Referred to the Committee of the Whole House.

Mr. MESKILL: Committee on the Judiciary. H.R. 13712. A bill for the relief of Vincenzo Pellicano. (Rept. No. 91-1270). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 13895. A bill for the relief of Mrs. Maria Eloisa Pardo Hall. (Rept. No. 91-1271). Referred to the Committee of the Whole House.

Mr. DENNIS: Committee on the Judiciary. H.R. 2849. A bill for the relief of Anan Eldredge; with an amendment (Rept. No. 91-1275). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. BENNETT:

H.R. 18286. A bill to provide for the establishment, within the Department of Health, Education, and Welfare, of a National Information and Resource Center for the Handicapped; to the Committee on Education and Labor.

By Mr. BIESTER (for himself, Mr. BROCK, Mr. BROWN of Michigan, Mrs. HECKLER of Massachusetts, Mr. REES, Mr. ANDERSON of California, Mr. ANNUNZIO, Mr. BROWN of California, Mr. CLEVELAND, Mr. ESHLEMAN, Mr. FULTON of Tennessee, Mr. HALPERN, Mr. HANNA, Mr. HARRINGTON, Mr. HORTON, Mr. LEGGETT, Mr. LLOYD, Mr. MCCLOSKEY, Mr. MCDADE, Mr. MIKVA, Mr. NIX, Mr. OTTINGER, Mr. RIEGLE, Mr. ROYBAL, and Mr. TAFT):

H.R. 18287. A bill to amend the Federal Credit Union Act to assist in meeting the savings and credit needs of low-income persons; to the Committee on Banking and Currency.

By Mr. CONABLE:

H.R. 18288. A bill to amend the act of June 27, 1960 (74 Stat. 220), relating to the preservation of historical and archeological data; to the Committee on Interior and Insular Affairs.

By Mr. GOODLING:

H.R. 18289. A bill to amend section 700 of chapter 33 of title 18 of the United States Code to provide penalties for showing disrespect for the flag of the United States; to the Committee on the Judiciary.

By Mr. McCARTHY:

H.R. 18290. A bill to amend the Hazardous Substance Act to provide for more effective protection against the hazards caused by economic poisons; to the Committee on Interstate and Foreign Commerce.

By Mr. MacGREGOR:

H.R. 18291. A bill to amend the Interstate Commerce Act in order to provide for the rail transportation of freight for the Department of Defense in general purpose boxcars owned by the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. MOSS (for himself and Mr. WALDIE):

H.R. 18292. A bill to repeal section 7275 of the Internal Revenue Code of 1954 (as added by the Airport and Airway Revenue Act of 1970) providing a penalty for offenses relating to certain airline tickets and advertising; to the Committee on Ways and Means.

By Mr. PEPPER:

H.R. 18293. A bill to provide for a program of Federal assistance in the development, acquisition, and installation of aircraft anti-hijacking detection systems, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. STEIGER of Wisconsin:

H.R. 18294. A bill to amend section 7275 of the Internal Revenue Code of 1954 to remove certain requirements with respect to what must and what must not be shown on airline tickets; to the Committee on Ways and Means.

By Mr. STEIGER of Wisconsin (for himself, Mr. TALCOTT, Mr. TUNNEY, and Mr. MOSS):

H.R. 18295. A bill to amend the Federal Credit Union Act to assist in meeting the savings and credit needs of low-income persons; to the Committee on Banking and Currency.

By Mr. VAN DEERLIN:

H.R. 18296. A bill to amend the Internal Revenue Code of 1954 to permit airline tickets and advertising to state the amount of tax on air transportation; to the Committee on Ways and Means.

By Mr. CHARLES H. WILSON (for himself, Mr. DADDARIO, Mr. FRASER, and Mr. OLSEN):

H.R. 18297. A bill to provide for drug abuse and drug dependency prevention, treatment

and rehabilitation; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of California:

H.R. 18298. A bill to amend the Central Valley Reclamation project to include Black Butte project; to the Committee on Interior and Insular Affairs.

By Mr. WYDLER:

H.R. 18299. A bill to make rules respecting military hostilities in the absence of a declaration of war; to the Committee on Foreign Affairs.

By Mr. COLLIER:

H.J. Res. 1289. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. BUSH:

H. Res. 1126. Resolution designating January 22 of each year as Ukrainian Independence Day; to the Committee on the Judiciary.

By Mr. KLEPPE:

H. Res. 1127. Resolution designating January 22 of each year as Ukrainian Independence Day; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, 417. The SPEAKER presented a memorial of the Legislature of the State of California, relative to air traffic control, which was referred to the Committee on Interstate and Foreign Commerce.

PETITIONS, ETC.

Under clause 1 of rule XXII, 532. The SPEAKER presented a petition of the American Federation of Musicians, AFL-CIO, relative to a national health insurance program, which was referred to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

THE STATES AND THE SCHOOLS:
LAST CHANCE

HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. BURTON of Utah. Mr. Speaker, the July 1970 issue of American School Board Journal contains a provocative article by Tom McCall, Governor of Oregon, and chairman of the Education Commission of the States. I commend it to the attention of those of you who may have missed it:

THE STATES AND THE SCHOOLS: LAST-CHANCE ALLIANCE

(By Tom McCall)

It is not a flat plane we have here in education. It is a many-faceted extension of the world's bumpy social geography. It is a time of audacious students, angry teachers, bewildered school boards, and parents cata-tonic with conflict they often seem unable to understand.

But why should we expect otherwise? The entire world is spinning into a new phase of existence. And, as in all phases, we stand forever in danger of losing the fresh, young mind of the student at its most productive moment. We stand forever in danger of sell-

ing him out and selling him short; of ignoring the very human signs he flashes to us; of assuming that classrooms—unlike the universe—can stand still.

It is the nature of youth to demand rather than to ask; to question rather than to accept; to embrace tomorrow rather than to revere yesterday; to go beyond bondage rather than run into it. There is much complaint about "campus unrest," be it the campus of a junior high or a famous college. There has been so much talk about it—and so many scuffles—that we may be having a counter-reaction. We may be, in 1970, ripe and ready to shut off our reason and open the passion valve.

But—in every carefully considered and thoughtfully written document about this stirring in the young hearts—there is only one recurring message: Listen to them before you condemn them. Listen to what they are saying and attempt to judge why they are saying it. And stop assuming they are automatically wrong because they're making uneasy noises.

We should not forget that it is 5 percent of the students who are throwing bricks and fire bombs. The other 95 percent are throwing ideas. Put out the fires—but don't put out the ideas. And do not make the mistake, nearly all experts urge, of trying to lump the restless students into one growing metaphor. They don't even do that to themselves.

Some students clearly feel that—as far as their sources of education in America are concerned—they are not getting all of the

right kind of raw material for building a 21st Century maturity. Speaking of one school, a student said: "Here is where it isn't."

There have been many periods of the dynamic. This is only one. Perhaps we feel it to be more crucial because it's the one we're in. It is not comfortable to be assigned to a dynamic age. It requires constant, alert, and creative participation, or you just get kicked off into the bramble. Not very kindly, but very common.

Perhaps some students are making outrageous demands. But, to and beyond the limit of patience, we must make an effort to translate from the statement of their grievance to the concept of its cause. Then we can perhaps judge.

But these students aren't the only angry segment. Parents have become wary and weary of the whole imbroglio. It sometimes seems they wish merely an end to the noise and a return of elm trees and swimming holes—devoutly to be wished but realistically out of reach.

And the teachers. They are not tall, stern, and quiet in their workshops, either. *Life* magazine recently published an article called "Our Angry Teachers." It had some flaming quotations from members of the profession. A brief sampler:

"We teachers are tired of all this being nice guys; now we're applying some muscle."

"The public rendered us sterile. We never talked about salaries, even though every other profession was demanding more money. Education was left way behind because those