Mexican police smashed a heroin ring in Tijuana and put a heroin laboratory out of business.

The Mexican Army has launched drives, with up to 10,000 soldiers sweeping through the mountains in search of illicit marijuana and opium plantations. Planes have dropped leaflets to farmers in remote areas, warning them to get out of the narcotics business.

LONG STRUGGLE SEEN

The United States is making available aircraft, sensing devices, and various other kinds of equipment to help the Mexicans in their drive.

All this is welcome progress. But the flow of drugs across the border has to date shown no appreciable decline.

Experts believe Mexico faces a long, hard, struggle against the narcotics producers and traffickers. Despite the penalties, marijuana and opium are cash crops for Mexican peasants hard put to make ends meet.

One problem is the slender size of the police force dealing with narcotics offenders in Mexico. Enforcement of federal narcotics laws is the responsibility of the Federal Judicial Police, or Federales. These number some 250 men, and only a handful of these are on narcotics duty. Local police forces sometimes refuse to cooperate with the Federales on narcotics cases.

As with many poor countries, there is the problem of corruption among the police. Some policemen, though ill paid, wear well-cut suits and own luxurious houses which clearly could not have been financed on their official salaries.

Says one high-placed Mexican: "If you've got money in this country, you can carry on any racket. And if you get caught, you can get off. It depends who you know, and how much you can pay."

Another problem is political uncertainty which is hindering implementation of the antinarcotics program. In January, Luis Echeverra is expected to become Mexico's new president. But in the meantime there is hesitation in government circles about launching Mexico on a program which could undergo major revision and change in January.

Personnel trained now might well be replaced early next year by other appointees. The program's direction and emphasis could shift.

Despite Mexico's declared good intentions, factors such as these make experts skeptical of any dramatic cutback in the flow of drugs across the United State's southern border.

HOUSE OF REPRESENTATIVES—*Monday, July 6, 1970*

The House met at 12 o'clock noon.

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

Trust ye in the Lord forever: for in the Lord God is everlasting strength.— Isaiah 26: 4.

Our Heavenly Father, we thank Thee for our brief recess, for the rest of the nights, for the refreshment of the days, and for the beginning of another week. As we face the tasks and trials of these hours help us to trust Thee completely and strengthen us to do what we ought to do.

Bless these Representatives and protect our country, keeping them all in Thy love and peace, through Jesus Christ, our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of Wednesday, July 1, 1970, was read and approved.

MESSAGE FROM THE SENATE

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

H.J. Res. 224. Joint resolution to change the name of Pleasant Valley Canal, Calif., to Coalinga Canal; and

H.J. Res. 746. Joint resolution to amend the joint resolution authorizing appropriations for the payment by the United States of its share of the expenses of the Pan American Institute of Geography and History.

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

H.R. 16595. An act to authorize appropriations for the activities of the National Science Foundation, and for other purposes;

H.R. 17070. An act to improve and modernize the postal service, to reorganize the Post Office Department, and for other purposes.

H.R. 17619. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1971, and for other purposes; and

H.R. 17711. An act to amend the District of Columbia Cooperative Association Act.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 15733) entitled "An act to amend the Railroad Retirement Act of 1937 to provide a temporary 15 per centum increase in annuities, to change for a temporary period the method of computing interest on investments of the railroad retirement accounts, and for other purposes"; disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. EAGLETON, Mr. PELL, Mr. NELSON, Mr. HUGHES, Mr. SMITH of Illinois, Mr. SCHWEIKER, and Mr. SAXBE to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 17619) entitled "An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1971, and for other purposes," request a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BIBLE, Mr. BYRD of West Virginia, Mr. McGEE, Mr. BOGGS, and Mr. YOUNG of North Dakota to be the conferees on the part of the Senate.

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

S. 531. An act to establish the Capitol Reef National Park in the State of Utah;

S. 532. An act to establish the Arches National Park in the State of Utah;

S. 3074. An act to provide minimum disclosure standards for written warranties and guaranties of consumer products against defect or malfunction; to define minimum Federal content standards for such warranties and guaranties; and for other purposes;

S. 3366. An act to make banks in American Samoa eligible for Federal deposit insurance under the Federal Deposit Insurance Act, and for other purposes;

S. 3600. An act for the relief of Kyung Ae Oh;

S. 3649. An act relating to the rental of space for the accommodation of District of Columbia agencies and activities, and for other purposes; and

S. 3777. An act to authorize the Secretary of the Interior to enter into contracts for the protection of public lands from fires, in advance of appropriations therefor, and to twice renew such contracts.

HON. JOHN H. ROUSSELOT

Mr. SMITH of California. Mr. Speaker, I ask unanimous consent that the gentleman from California, Mr. JOHN H. ROUSSELOT, 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. ROUSSELOT appeared at the bar of the House and took the oath of office.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

JULY 1, 1970.

The Honorable the SPEAKER,
U.S. House of Representatives.

DEAR SIR: Pursuant to authority granted on June 30, 1970, the Clerk received from the Secretary of the Senate today the following message:

That the Senate agree to the Report of the Committee of Conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17868) entitled "An Act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1971, and for other purposes."

Respectfully yours,
W. PAT JENNINGS,
Clerk, U.S. House of Representatives.
By W. RAYMOND COLLEY.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

JULY 2, 1970.

The Honorable the SPEAKER,
U.S. House of Representatives.

DEAR SIR: Pursuant to authority granted on June 30, 1970, the Clerk received from the Secretary of the Senate today the following message:

That the Senate passed without amendment the Concurrent Resolution (H. Con.

Res. 669) entitled "Concurrent Resolution recognizing the importance of Honor America Day."

Respectfully,

W. PAT JENNINGS,
Clerk, U.S. House of Representatives.
By W. RAYMOND COLLEY.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to announce that pursuant to the authority granted him on Tuesday, June 30, 1970, he did on July 1, 1970, sign the following enrolled bill of the House:

H.R. 17868. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1971, and for other purposes.

INTELLECTUAL MYOPIA

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

Mr. WYMAN. Mr. Speaker, when the chairman of the Foreign Relations Committee in the other body calls the Vice President of the United States an "upstart" and talks of suggested "McCarthyism," all can see the depths of the infection of intellectual myopia that prevails in the legislative branch. It is a dangerous disease, for those who have it do not seem to be able to see the forest for the trees, whatever may have been their academic accomplishments.

The Vice President has spoken courageously and for the most part responsibly, in criticism of forces seeking to tear down the institutions of our land. His strongly anti-Communist stands, and his firm commitment to a position of U.S. strength in the conduct of foreign affairs backed by a continuing military defense capability, has invited attack from intellectuals of liberal persuasion of whom the chairman of the Foreign Relations Committee fancies himself a spokesman.

God save the United States of America should the myopic permissiveness of such men ever control U.S. foreign policy. It has had far too much influence upon it to date. America must stay strong, be of good faith and in common faith adhere to the principles of which the Vice President so ably speaks.

To call the Veep a McCarthyite upstart for his efforts to reconstitute our people's rightful pride in America's role of helping smaller nations remain free from the terror and slavery of Communist aggression and to stand firm at home against the violence-prone in our society, is to evidence a myopia that apparently has become a serious malady in high places.

REPORT OF SELECT COMMITTEE ON U.S. INVOLVEMENT IN SOUTHEAST ASIA

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

Mr. MONTGOMERY. Mr. Speaker, pursuant to House Resolution 976, the report of the Select Committee on U.S. Involvement in Southeast Asia has been filed with the Clerk of the House and copies sent to each Member.

I point up, Mr. Speaker, that only 28 days after this resolution was adopted, this committee has completed its work.

The committee hopes this report will serve as an updated reference for each Member. Later, an appendix of detailed supporting data will be released to the Members.

Next Monday, July 13, during a special order our committee will discuss its report in detail and would invite the Members to participate.

Mr. Speaker, I think this report will prove again to the American people that this House is vitally concerned wherever Americans are fighting and dying and this body will always search for more information to make comprehensive votes. We believe this report will help to do this.

LEGISLATIVE PROGRAM—CHANGE

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

Mr. ALBERT. Mr. Speaker, I take this time to advise of a change in the program. We had announced that House Resolution 1031 amending the rules of the House with respect to lobbying practices and campaign contributions, would be called up on Tuesday. At the request of the chairman of the Committee on Rules, the bill will go over and will be called up on Wednesday.

CONSENT CALENDAR

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

GOLD AND SILVER ARTICLES—CONSUMER PROTECTION

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

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

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

There was no objection.

U.S. PARTICIPATION IN THE 1972 UNITED NATIONS CONFERENCE ON HUMAN ENVIRONMENT

The Clerk called House Resolution 562, expressing the sense of the House of Representatives that the United States should actively participate in the 1972 United Nations Conference on Human Environment.

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

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

There was no objection.

AUTHORIZING PUBLIC PRINTER TO GRANT COMPENSATORY TIME TO CERTAIN EMPLOYEES OF GOVERNMENT PRINTING OFFICE

The Clerk called the bill (H.R. 14453) to authorize the Public Printer to grant time off as compensation for overtime worked by certain employees of the Government Printing Office, and for other purposes.

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

H.R. 14453

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 305 of title 44, United States Code (82 Stat. 1240; Public Law 90–260) be renumbered as section 305(a) and that the following new subsection be added:

"(b) The Public Printer may grant an employee paid on an annual basis compensatory time off from duty instead of overtime pay for overtime work."

With the following committee amendment:

On page 1, strike out lines 3 to 5, inclusive, and insert in lieu thereof the following:

"That section 305 of title 44, United States Code, is amended—

"(1) by inserting '(a)' immediately before 'The Public Printer may employ journeymen'; and

"(2) by adding at the end thereof the following new subsection:"

The committee amendment was agreed to.

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

FOREIGN ARBITRAL AWARDS

The Clerk called the bill (S. 3274) to implement the Convention on the Recognition and Enforcement of Foreign Arbitral Awards.

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

Mr. HALL. Mr. Speaker, reserving the right to object, I should like to inquire as to the estimated cost of these awards, if the bill should become law?

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

Mr. HALL. I yield to the gentleman from Indiana.

Mr. JACOBS. My understanding is that in essence there are no costs insofar as authorization is concerned. That is clear from the legislation itself.

So far as the expense to the country generally is concerned, it is estimated a great deal of money will be saved, because it will make possible the use of Federal courts here to order arbitration, rather than the use of Federal courts here, which is the present practice, to have full-blown trials. This in net effect would save money.

Mr. HALL. The gentleman does not believe, as I understand his remarks, Mr. Speaker, that this authorization would later lead to an appropriation, in order to effect these savings?

Mr. JACOBS. I really do not believe that would be the case. As I say, I believe there would be a net savings.

Under present circumstances, private parties who are foreign to the United

States, who have agreements with American nationals, can come into the American courts and file lawsuits to enforce their rights under their contracts. As I say, that involves a full-blown lawsuit, whereas if the arbitration convention were subscribed to and jurisdiction given to the Federal courts in the United States, the court could have a very summary proceeding and order arbitration under the terms of the contract.

Mr. HALL. Does the distinguished gentleman from Indiana feel that this would be in any way delegating the responsibility either of the legislative branch or of the judicial branch?

Mr. JACOBS. No. I do not believe that is a problem in this respect.

Mr. HALL. Mr. Speaker, I withdraw my reservation.

Mr. GROSS. Mr. Speaker, further reserving the right to object, I am not clear as to the relationship between this legislation and the United Nations. Can the gentleman explain if there is any relationship?

Mr. JACOBS. No. There is no relationship.

Mr. GROSS. I notice in the report the following:

> The Convention on the Recognition and Enforcement of Foreign Arbitral Awards was adopted at the conclusion of a United Nations conference which was held in New York from May 20 to June 10, 1958.

There seems to have been some connection in the past.

Mr. JACOBS. Let me try to clarify it. It was an outgrowth of the conference. So far as the law is concerned, a conference was held under the auspices of the United Nations and it made these recommendations. But so far as the convention itself and the legal aspects of it are concerned, it was a matter of negotiation among the member States and was not under the auspices of the United Nations.

Mr. GROSS. So there is no controlling factor insofar as the U.N. is concerned?

Mr. JACOBS. None whatever. As a matter of fact, as a practical arrangement, it was made among those who signed the convention to expedite the business among their countries and nations.

Mr. GROSS. Mr. Speaker, I thank the gentleman, and withdraw my reservation of objection.

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

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

S. 3274

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 9, United States Code, is amended by adding:

"Chapter 2.—CONVENTION OF RECOGNITION AND ENFORCEMENT OF FOREIGN ARBITRAL AWARDS

"Sec.
"201. Enforcement of Convention.
"202. Agreement or award falling under the Convention.
"203. Jurisdiction; amount in controversy.
"204. Venue.
"205. Removal of cases from State courts.
"206. Order to compel arbitration; appointment of arbitrators.
"207. Award of arbitrators; confirmation; jurisdiction; proceeding.
"208. Chapter 1; residual application.

"§ 201. Enforcement of Convention

"The Convention on the Recognition and Enforcement of Foreign Arbitral Awards of June 10, 1958, shall be enforced in United States courts in accordance with this chapter.

"§ 202. Agreement or award falling under the Convention

"An arbitration agreement or arbitral award arising out of a legal relationship, whether contractual or not, which is considered as commercial, including a transaction, contract, or agreement described in section 2 of this title, falls under the Convention. An agreement or award arising out of such a relationship which is entirely between citizens of the United States shall be deemed not to fall under the Convention unless that relationship involves property located abroad, envisages performance or enforcement abroad, or has some other reasonable relation with one or more foreign states. For the purpose of this section a corporation is a citizen of the United States if it is incorporated or has its principal place of business in the United States.

"§ 203. Jurisdiction; amount in controversy

"An action or proceeding falling under the Convention shall be deemed to arise under the laws and treaties of the United States. The district courts of the United States (including the courts enumerated in section 460 of title 28) shall have original jurisdiction over such an action or proceeding, regardless of the amount in controversy.

"§ 204. Venue

"An action or proceeding over which the district courts have jurisdiction pursuant to section 203 of this title may be brought in any such court in which save for the arbitration agreement an action or proceeding with respect to the controversy between the parties could be brought, or in such court for the district and division which embraces the place designated in the agreement as the place of arbitration if such place is within the United States.

"§ 205. Removal of cases from State courts

"Where the subject matter of an action or proceeding pending in a State court relates to an arbitration agreement or award falling under the Convention, the defendant or the defendants may, at any time before the trial thereof, remove such action or proceeding to the district court of the United States for the district and division embracing the place where the action or proceeding is pending. The procedure for removal of causes otherwise provided by law shall apply, except that the ground for removal provided in this section need not appear on the face of the complaint but may be shown in the petition for removal. For the purposes of chapter 1 of this title any action or proceeding removed under this section shall be deemed to have been brought in the district court to which it is removed.

"§ 206. Order to compel arbitration; appointment of arbitrators

"A court having jurisdiction under this chapter may direct that arbitration be held in accordance with the agreement at any place therein provided for, whether that place is within or without the United States. Such court may also appoint arbitrators in accordance with the provisions of the agreement.

"§ 207. Award of arbitrators; confirmation; jurisdiction; proceeding

"Within three years after an arbitral award falling under the Convention is made, any party to the arbitration may apply to any court having jurisdiction under this chapter for an order confirming the award as against any other party to the arbitration. The court shall confirm the award unless it finds one of the grounds for refusal or deferral of recognition or enforcement of the award specified in the said Convention.

"§ 208. Chapter 1; residual application

"Chapter 1 applies to actions and proceedings brought under this chapter to the extent that chapter is not in conflict with this chapter or the Convention as ratified by the United States."

"Chapter	Sec.
1. General provisions	1
2. Convention on the Recognition and Enforcement of Foreign Arbitral Awards	201"

SEC. 3. Sections 1 through 14 of title 9, United States Code, are designated "Chapter 1" and the following heading is added immediately preceding the analysis of sections 1 through 14:

"CHAPTER 1.—GENERAL PROVISIONS"

SEC. 4. This Act shall be effective upon the entry into force of the Convention on Recognition and Enforcement of Foreign Arbitral Awards with respect to the United States.

With the following committee amendment:

On the first page, line 4, strike out "OF" and insert "ON THE".

The committee amendment was agreed to.

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

Mr. FISH. Mr. Speaker, the bill before us today, S. 3274, is a measure which has broad support from industry, from labor, from the legal profession, and from the executive branch of our Government.

Under this proposal, our U.S. district courts will be given jurisdiction to enforce arbitration agreements covered by the Convention on the Recognition and Enforcement of Foreign Arbitral Awards. The convention, which is now in effect in 34 countries, was approved by the Senate in October 1968. The legislation which we are considering today represents the final step in implementing the convention, since participation by the United States will not officially begin until this legislation has been enacted.

In recommending this bill to my colleagues in the House of Representatives, there are two points which I would like to emphasize. First, it is important to note that arbitration is generally a less costly method of resolving disputes than is full-scale litigation in the courts. To the extent that arbitration agreements avoid litigation in the courts, they produce savings not only with the parties to the agreement but also for the taxpayers—who must bear the burden for maintaining our court system.

Second, under the proposal before us, no person would be compelled to enter into any arbitration agreement nor required to submit to the jurisdiction of any court under circumstances in which he himself had not voluntarily agreed to the court's jurisdiction. As a result, this bill is directed only toward implementing procedures which the parties to arbitration agreements have themselves agreed on.

Mr. Speaker, the broad support for the convention which has been evidenced by American citizens concerned with international commerce and by the adherence to the convention of a substantial number of countries, indicates the importance of this measure in fostering international trade. It is a measure which will reduce

the cost of administering our judicial system, as well as contribute to our Nation's commercial life. Under the circumstances, I believe it should be given the full support of the House of Representatives.

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

LANDS HELD BY UNITED STATES IN TRUST FOR MAKAH INDIAN TRIBE, WASHINGTON

The Clerk called the bill (H.R. 9311) to declare that certain lands shall be held by the United States in trust for the Makah Indian Tribe, Washington.

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

H.R. 9311

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That approximately seven hundred and nineteen acres of land, which were set apart by Executive order of April 12, 1893, as a reservation for certain Ozette Indians, are hereby declared to be held by the United States in trust for the use and benefit of the Hakah Indian Tribe, Washington.

Mr. HALEY. Mr. Speaker, the purpose of H.R. 9311 is to give to the Makah Indian Tribe in the State of Washington 719 acres of land that were set aside by Executive order in 1893 as a reservation for Ozette Indians not now residing upon any Indian reservation.

When the Ozette Reservation was first established, 64 Indans lived there. The number steadily decreased, and by 1908 most of the Indians had moved to the Makah Reservation. The Ozette village has been completely deserted for many years now, and the reservation land is used by the members of the Makah Tribe for hunting, fishing, and camping purposes.

Ozette is in the general area originally occupied by the Makah Indians, and the persons called Ozette Indians were in fact Makah Indians. The Ozette village is similar to four other tribal settlements in the area that were added to the Makah Reservation by Executive orders in the 1870's. There is no known reason for the establishment of Ozette as a separate reservation in 1893, rather than as an addition to the Makah Reservation as was done in the case of the other four villages. The action appears to be a historical accident. The Ozette Reservation was established for the benefit of Makah Indians, and it should be made a part of the Makah Reservation.

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

AMENDING FEDERAL YOUTH CORRECTIONS ACT TO PERMIT EXAMINERS TO CONDUCT INTERVIEWS WITH YOUTH OFFENDERS

The Clerk called the bill (S. 3564) to amend the Federal Youth Corrections Act (18 U.S.C. 5005 et seq.) to permit examiners to conduct interviews with youth offenders.

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

S. 3564

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5014 of title 18, United States Code, is amended by inserting ", or an examiner designated by the Division," after the words "of the Division".

SEC. 2. Section 5020 of title 18, United States Code, is amended by deleting the words "or a member thereof" and inserting in lieu thereof ", a member thereof, or an examiner designated by the Division".

Mr. HUNGATE. Mr. Speaker, the bill, S. 3564, would amend sections 5014 and 5020 of title 28 to authorize the Youth Corrections Division of the Board of Parole to utilize examiners to conduct hearings required by those sections as well as members of the division.

The Youth Corrections Division is composed of three members of the Board of Parole. In accordance with the Youth Corrections Act, the Attorney General designates members of the Board of Parole to serve as members of this Division of the Board. It is the responsibility of the Youth Corrections Division to make recommendations concerning the treatment and correction policies for committed youth offenders. It orders the release of offenders on parole and the return to custody for further treatment of those who do not succeed when conditionally released. The Division may also discharge a committed youth offender unconditionally who is successful for at least 1 year on parole.

Under the sections referred to in the bill, sections 5014 and 5020 of title 18, it is a function of the Division to interview youth offenders after initial commitment and also upon return to custody. These sections now require that members of the Division are to conduct the interviews. The amendments in the bill would permit the Division to either designate members or examiners to perform this function.

Examiners are used by the Board of Parole for interviews with adult offenders but the provisions of the two sections requiring interviews by division members make it necessary to obtain a waiver by an offender if an examiner is to conduct the interview. This requirement may delay interviews until a member can be sent to the correctional institution where an offender is confined. The Board of Parole contemplates a new program under which examiners would conduct the majority of interviews with both youth offenders and adult offenders with the board members remaining in Washington to confer and make final decisions. These amendments would implement this purpose.

The bill S. 3564 was introduced in accordance with the recommendations of the Department of Justice in an executive communication, and the Department urges its enactment. The amendments were recommended by the task force on corrections of the President's Commission on Law Enforcement and the Administration of Justice.

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

EXTENSION OF TIME FOR FINAL REPORT BY NATIONAL COMMISSION ON CONSUMER FINANCE

The Clerk called the joint resolution (H.J. Res. 1238) to extend the time for the making of a final report by the National Commission on Consumer Finance.

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

PARLIAMENTARY INQUIRY

Mr. HALL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HALL. The gentleman would like to know if the remainder of the bills filed on June 29, have met the requirements of clause 4, rule 13, insofar as 3 legislative days are concerned inasmuch as we were not here present last Thursday.

The SPEAKER. The Chair will state that in the opinion of the Chair, the bill is eligible at this time.

Is there objection to the present consideration of the joint resolution?

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

H.J. RES. 1238

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 404(b) of the Act of May 29, 1968 (Public Law 90-321) is amended by striking out "January 1, 1971" and inserting in lieu thereof "July 1, 1972".

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.

OHIO NORTHERN UNIVERSITY COMMEMORATIVE MEDALS

The Clerk called the bill (H.R. 15118) to provide for the striking of medals in commemoration of the 100th anniversary of the founding of Ohio Northern University.

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

H.R. 15118

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in commemoration of the one hundredth anniversary of the founding of Ohio Northern University on August 15, 1871, the Secretary of the Treasury is authorized and directed to strike and furnish to Ohio Northern University, Ada, Ohio, not more than sixteen thousand medals with suitable emblems, devices, and inscriptions to be determined by Ohio Northern University subject to the approval of the Secretary of the Treasury. The medals shall be made and delivered at such times as may be required by Ohio Northern University in quantities of not less than two thousand, but no medals shall be made after December 31, 1971. The medals shall be considered to be national medals within the meaning of section 3551 of the Revised Statutes (31 U.S.C. 368).

SEC. 2. The Secretary of the Treasury shall cause such medals to be struck and furnished

at not less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses, and security satisfactory to the Director of the Mint shall be furnished to indemnify the United States for the full payment of such costs.

SEC. 3. The medals authorized to be issued pursuant to this Act shall be of such size or sizes and of such various metals as shall be determined by the Secretary of the Treasury in consultation with Ohio Northern University.

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

Mr. McCULLOCH. Mr. Speaker, I rise in support of H.R. 15118, which would provide for the striking of medals in commemoration of the 100th anniversary of the founding of Ohio Northern University.

Ohio Northern University, of Ada, Ohio, will observe its centennial year from August 14, 1970, through August 13, 1971. The university has 2,300 students and is one of the few institutions in the country combining a liberal arts curriculum with colleges of engineering, pharmacy, and law.

Since it was founded in 1871 by Dr. Henry Solomon Lehr, Ohio Northern has graduated more than 20,000 persons. Today there are more than 11,000 living alumini serving their communities and the Nation in all 50 States and in many foreign countries. The devoted alumni include one-third of the pharmacists in Ohio, more than 1,100 attorneys serving in Ohio and neighboring States, in excess of 1,200 engineering graduates and many hundreds of teachers, business leaders, and housewives.

Four Ohio Northern University degree holders are currently serving in the U.S. House of Representatives from the State of Ohio; they are DELBERT L. LATTA, FRANK T. BOW, JACKSON E. BETTS, and myself. At one time four Ohio Northern University graduates were concurrently U.S. Senators: Frank B. Willis, Simeon D. Fess, Arthur J. Robinson, and John M. Robsion.

This independent university has grown from a small normal school serving northwest Ohio to one of the great private universities in the State of Ohio. In recent years, the university has grown at an unprecedented rate in every way: Academically, physically, and financially. In the decade of the 1960's more than $13 million of new buildings and equipment were added to the campus. Recently, the university's new liberal arts curriculum has gained widespread interest among educators.

It is only fitting, Mr. Speaker, that the Congress aid in honoring this great university on the occasion of her centennial anniversary by the passage of H.R. 15118.

Mr. BOW. Mr. Speaker, I rise in support of H.R. 15118, which was introduced by my colleague the gentleman from Ohio (Mr. McCULLOCH).

Ohio Northern University is my alma mater and I am proud of it.

This comparatively small university has a proud past and a promising future.

The years I spent on its campus were happy ones, as well as fruitful in my preparation for the practice of law, and in later years here in the House of Representatives.

Ohio Northern University devotes its full strength to the teaching and development of the undergraduate student. It seeks to remain a small university, offering a high quality education in a Christian environment. The institution is owned by the Methodist Church and encourages all students to confront the claims and obligations of the Judeo-Christian heritage.

Four of us in the House are degree holders from Ohio Northern. In addition to Mr. McCULLOCH and myself, Hon. DELBERT LATTA and Hon. JACKSON E. BETTS call ONU their alma mater. Also Dr. Laurence Woodworth, chief of staff of the Joint Committee on Internal Revenue, is a graduate of ONU.

It is interesting to note that this interest in public service has characterized Ohio Northern graduates for many, many years. At one time four graduates were serving together in the U.S. Senate. They were Frank B. Willis and Simeon D. Fess, of Ohio, Arthur R. Robinson, of Indiana, and John M. Robsion, of Kentucky.

It is interesting also to note that Ernest L. Nixon, an uncle of President Richard Nixon, attended Ohio University in 1902 and 1903 and among his instructors at that time were Mr. Willis and Mr. Fess, later to become Senators.

ONU offers students four areas of concentration:

To be eligible for freshman work in the college of liberal arts, including pre-pharmacy or prelaw, the student must present at least 16 acceptable units of credit. Four years of English and 2 years of mathematics are required. Six units may be in any combination of language, social studies, natural science, and additional credits in English and mathematics.

Students entering the college of engineering must have 4 years of English, 4 years of mathematics, and 2 years of science in their high school work. The mathematics should include a minimum of 2 years of algebra, one of plane geometry, one-half of solid geometry, and one-half of trigonometry. The sciences must include physics and should include chemistry. Two years of foreign langauge are recommended.

Students entering the pre-professional pharmacy program in their freshman year at Ohio Northern University must have completed 4 years of English; 2½ years of mathematics—algebra and plane geometry—with priority given to students with additional credits; 2 to 3 years of science—biology, general science and chemistry or physics, or both. Priority will be given to students with 4 years of science subjects. To enter the college of pharmacy, junior year students must have 90 quarter hours—60 semester hours—pre-pharmacy studies, and approval of the committee on admissions of the college of pharmacy. Transfer students must present a transcript and a certificate "in good standing."

To enter the college of law, a student must have a degree from an accredited college or university.

The Ohio Northern University physical plant includes 19 well-equipped major buildings, conveniently arranged on a compact campus. An area of 120 acres, immediately west of the present campus, is under development and will feature: A science center, an engineering building, a common lecture hall, a chapel, and a field house. The beautiful new McIntosh Center, the new college of pharmacy building, the Continuation Studies Center, and four new residence halls were completed and occupied in 1965 and 1966 and the Heterick Library in 1968.

Preserving the tradition of "Great Teaching" at Ohio Northern University, all classes are taught by regular faculty members. The ratio of student to faculty, presently 15 to 1, is kept as small as possible to provide maximum individual attention.

A genuinely friendly relationship between faculty and students prevails at all times. A student's problem is considered the university's problem, and every effort is made to overcome any difficulty the student may have, whether it be financial, academic or personal.

It is a pleasure to pay tribute to Ohio Northern University, as it enters its centennial year, and it is gratifying personally to me that the House has today authorized the commemorative medal for this occasion.

EXTENSION OF MARKETING ORDER AUTHORITY TO APPLES PRODUCED IN COLORADO, UTAH, NEW MEXICO, ILLINOIS, AND OHIO

The Clerk called the bill (S. 1455) to amend section 8c(2)(A) of the Agricultural Adjustment Act to provide for marketing orders for apples produced in Colorado, Utah, New Mexico, Illinois, and Ohio.

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

S. 1455

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That clause (A) of the first sentence of section 8c(2) of the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 and subsequent legislation, is amended by striking out "and Connecticut" and inserting in lieu thereof "Connecticut, Colorado, Utah, New Mexico, Illinois, and Ohio".

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

FEDERAL ASSISTANCE FOR RESOURCE CONSERVATION AND DEVELOPMENT PROJECTS

The Clerk called the bill (S. 3598) to amend section 32(e) of title III of the Bankhead-Jones Farm Tenant Act, as amended, to authorize the Secretary of Agriculture to furnish financial assistance in carrying out plans for works of improvement for land conservation and utilization, and for other purposes.

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

S. 3598

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 32(e) of title III of the Bankhead-Jones

Farm Tenant Act (7 U.S.C. 1011), as amended, is amended by adding at the end thereof the following: "In providing assistance for carrying out plans developed under this title, the Secretary shall be authorized to bear such proportionate share of the costs of installing any works of improvement applicable to public water-based fish and wildlife or recreational development as is determined by him to be equitable in consideration of national needs and assistance authorized for similar purposes under other Federal programs: *Provided*, That all engineering and other technical assistance costs relating to such development may be borne by the Secretary: *Provided further*, That when a State or other public agency or local nonprofit organization participating in a plan developed under this title agrees to operate and maintain any reservoir or other area included in a plan for public water-based fish and wildlife or recreational development, the Secretary shall be authorized to bear not to exceed one-half of the costs of (a) the land, easements, or rights-of-way acquired or to be acquired by the State or other public agency or local nonprofit organization for such reservoir or other area, and (b) minimum basic facilities needed for public health and safety, access to, and use of such reservoir or other area for such purposes: *Provided further*, That in no event shall the Secretary share any portion of the cost of installing more than one such work of improvement for each seventy-five thousand acres in any project; and that any such public water-based fish and wildlife or recreational development shall be consistent with any existing comprehensive statewide outdoor recreation plan found adequate for purposes of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897); and that such cost-sharing assistance for any such development shall be authorized only if the Secretary determines that it cannot be provided under other existing authority."

Mr. ZWACH. Mr. Speaker, I am pleased that we are today giving final consideration to S. 3598, which would provide cost sharing in resource conservation and development projects for public water-based fish and wildlife or recreational development.

The success of resource conservation and development projects in the past have been very gratifying and have shown what communities can do to better the total environment. At the same time, these efforts have shown the tremendous potential that exists for community action to bring about multiple-purpose resource developments.

The measure we have before us today is one in which I have been deeply interested for a long time. In the 90th Congress, I introduced H.R. 19948; early in the 91st Congress, I introduced H.R. 4879. Both of these are forerunners to the present legislation. Last November, I introduced H.R. 14793. This proposed legislation has favorable recommendation of the U.S. Department of Agriculture, and has already passed the Senate.

All communities need more public water-based recreation and fish and wildlife facilities for their residents and for visitors. Recreation fulfills one of man's major environmental needs, provides more available jobs, and brings an area increased income from expenditures for equipment, vehicle services, food and lodging, and other benefits.

Communities need to properly plan public water-based recreation and fish and wildlife developments to make best use of their natural resource base, blend recreation with other resource development potentials and with population patterns, and provide the needed water-based recreational facilities at a reasonable cost.

Many of the communities which have these needs for water-based recreation or fish and wildlife developments are not financially able to meet the costs because of a low tax base, heavy financial burden for public facilities and services, and low income of residents. This legislation, to provide cost sharing would help many rural communities acquire the water-based recreation or fish and wildlife developments that they need.

The enactment of this legislation would add to the already substantial contribution being made to resource development opportunity in 55 resource conservation and development projects in the country.

Of these 55 current projects, the first resource conservation and development project in the entire Nation was organized in 1964 in west-central Minnesota. It started with four counties and has now expanded to nine. It stretches for 120 miles across the Minnesota heartland, includes 5 million acres, and 20 percent of the water area in Minnesota is within the project area.

In this project, residents and communities have helped develop a major canoe trail; a wilderness saddle trail; a scenic drive; several lakes and camps; and other new recreation areas as part of a larger effort to increase job opportunities and community services and improve the natural resource base.

But these projects are not only concerned with recreation. They are designed to better the total environment. One good example of this, and a major contribution within the west-central resource conservation and development project, is the pilot program for eutrophication research currently being done at Eagle Lake in Kandiyohi County. This project is to find new techniques in nutrient control from all sources, including sewage, farm drainage and the natural water supply. The knowledge gained from this project can then be applied to all those lakes suffering from rapid deterioration.

Resource conservation and development districts have broadened their initial concern with soil erosion and water runoff on farmland to include measures dealing with air and water pollution, water supply and management, solid waste disposal, recreation resource development, and related activities. These efforts have shown the tremendous potential that exists for community action to bring about multiple-purpose resource developments. These projects have joined neighboring counties, districts, cities, and towns in a team seeking to advance the well-being of people within their total geographic area. Resource conservation and development projects have also led soil conservation districts to direct major efforts to meeting the economic and social needs of people as they are related to the use and management of physical resources.

This is also the first time that there has been an instrument in which the local people have control and can make decisions in getting things done. The resource conservation and development approach to dealing with the natural resource base also supports the comprehensive planning goals of such districts. Such a program serves as a catalyst in stimulating investments in agricultural developments, new businesses, private and community recreation facilities, improved housing, and other recognized needs. It has clearly demonstrated how planning on a multicounty basis can lead to better living in rural areas.

This bill would give resource conservation and development communities the benefit of cost sharing to assist them in starting this chain which will lead to growth of our rural economy. It is in the Nation's interest to provide cost sharing. A better balance of resources and people's needs will result, and at substantially lower costs.

I am proud of the broad community action being taken by local people in the west-central Minnesota Resource Conservation and Development project. I want to help make that action even more effective, and aid local efforts in the other 54 resource conservation and development projects in the country and the dozens of other communities which have applied for resource conservation and development project assistance.

I am grateful for the broad, bipartisan support that this legislation has already received, and I respectfully urge the favorable consideration of the House on final passage of this legislation.

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

APPLE ADVERTISING UNDER FEDERAL MARKETING ORDERS

The Clerk called the bill (S. 1456) to amend section 8c(6)(I) of the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 and subsequent legislation, so as to permit marketing orders applicable to apples to provide for paid advertising.

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

S. 1456

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proviso at the end of section 8c(6)(I) of the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 and subsequent legislation, is amended by striking out "or avocados" and inserting in lieu thereof "avocados, or apples".

SEC. 2. Section 2(3) of such Act is further amended by inserting ", such marketing research and development projects provided in section 8c(6)(I), and" immediately after "section 8c(6)(H)".

With the following committee amendment:

Page 1, line 7, insert the following:

"SEC. 2. Section 2(3) of such Act is further amended by inserting ', such marketing research and development projects provided in section 8c(6)(I), and' immediately after "section 8c(6)(H)'."

The committee amendment was agreed to.

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

The title was amended so as to read: "To amend sections 2(3) and 8c(6)(I) of the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, so as to permit marketing orders applicable to apples to provide for paid advertising."

A motion to reconsider was laid on the table.

ALMOND ADVERTISING UNDER FEDERAL MARKETING ORDERS

The Clerk called the bill (H.R. 13978) to amend the Agricultural Adjustment Act of 1933, as amended, and reenacted and amended by the Agricultural Marketing Act of 1937, as amended, to authorize marketing research and promotion projects including paid advertising for almonds.

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

Mr. HALL. Mr. Speaker, reserving the right to object, I would preface my remarks by stating that I am at a disadvantage inasmuch as I did not think these bills were eligible, under the interpretation of clause 4, rule XIII, as to the 3 requisite legislative days. However, I would like to inquire, Mr. Speaker, as to whether or not this is not a new departure and does not establish a precedent, insofar as marketing operations in research and promotional projects by brand name is concerned?

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

Mr. HALL. Yes, I yield to the gentleman from California.

Mr. SISK. I would like to be completely frank with my colleague from Missouri and state that this does set a precedent. This is a departure from the previous situation where advertising has been done by generic name only.

I might say that as I am sure my colleague has noted, the Department is supporting this bill. At the present time some brand advertising in connection with the Public Law 480 market promotion program is permitted. An example is the trade fair now going on in Japan. There are indications which lead the Department to believe that there are some very good points to be achieved through this departure.

This particular program in connection with almonds has been under consideration for the last 2 to 3 years looking to the idea of permitting a checkoff by those institutions or groups that are doing certain brand name advertising.

As I am sure my friend is familiar with the use of the word "diamond" in connection with brand name advertising but where they actually did not get credit for their contribution to the pool. But this is paid for by the producer and the processor marketing the product.

The Department felt this was a good commodity with which to experiment. No Government funds will be involved in the promotion activity. Almond handlers will simply be given a credit against their assessments levied under the Federal marketing order. We are not sure exactly how it is going to work, but we are hopeful it will be of assistance to this important industry.

This bill has the entire support of the almond industry which is a small and concentrated industry where you do not have a large number of people involved. The Department felt this was to be used more or less as a guinea pig and if it does not work out in an effective manner within a reasonable period of time, of course the industry itself will ultimately want to get rid of it, as well as the Department.

Of course, in the final analysis, as the gentleman knows, it will require a two-thirds vote of the almond industry to put it into effect in any case. But this does make it permissive to use brand advertising, as far as I know, for the first time. I want to be completely frank with my colleague.

Mr. HALL. Mr. Speaker, I thank the gentleman from California. I esteem the gentleman, and I know he is always forthright and frank not only with me but with all Members, and I want to be equally forthright in stating that I am not trying to be a nit-picker, and I have no fault to find with the almond industry, and certainly wish to state that as a matter of fact time has proved that these agricultural marketing acts and these promotional devices are quite all right in my opinion. My only question in raising this point is because of the unanimous consent that is involved, and the question of establishing a precedent. And I understand that this bill will permit domestic promotion of brand names, as we understand other laws now allow similar programs as in foreign overseas markets.

I would, I believe, at this time decry all of those who have marketing acts or promotional permissive orders coming in domestically to promote their products by brand names, for example, this dairy company versus that dairy company, with checking-off by the American Dairy Association, and I think we can open up a veritable Pandora's box if we do this. However, if I understand the assurances of the gentleman correctly, this is to be used by the Department of Agriculture and is still subject to a two-thirds vote of the almond producers as a pilot program or an experimental test program or, as the gentleman said, a guinea pig. However, I would certainly hate to mix the succulence of the almond with the dirty cages of the guinea pigs, although they are fine experimental animals; but this will be a test program, and then they will be back before the Congress before another checkoff is authorized, or for permission to use brand names domestic or foreign, would be automatically authorized, is that correct?

Mr. SISK. If the gentleman will yield further, I would say yes, that the gentleman has very well stated it, and quite explicitly, as to what the understanding was with the Department in connection with this.

Mr. HALL. Mr. Speaker, I thank the gentleman, and I withdraw my reservation of objection.

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

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

H.R. 13978

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section (8)(c)(6)(I) of the Agricultural Adjustment Act of 1933, as amended, and reenacted and amended by the Agricultural Marketing Act of 1937, is further amended as follows by—

(1) inserting "almonds," before the word "cherries"; and

(2) striking the period at the end of the proviso and inserting in lieu thereof: "and with respect to almonds may provide for crediting the pro rata expense assessment obligations of a handler with all or any portion of his direct expenditures for such marketing promotion including paid advertising as may be authorized by the order."

With the following committee amendments:

Page 1, line 7, insert a comma after the word "almonds".

Page 1, line 8, strike out the word "and".

Page 2, line 1, after the words "end of the" insert the word "first".

Page 2, line 7, after the words "the order." insert "; and".

Page 2, line 7, insert the following:

(3) amending the second proviso to read as follows: ": *Provided further,* That the inclusion in a Federal marketing order of provisions for research and marketing promotion, including paid advertising, shall not be deemed to preclude, preempt, or supersede any such provisions in any State program covering the same commodity."

The committee amendments were agreed to.

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

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

EXTENDING THE REPORTING DATE OF THE NATIONAL COMMISSION ON CONSUMER FINANCE

Mr. REUSS. Mr. Speaker, in connection with the joint resolution just passed, House Joint Resolution 1238, on behalf of the Committee on Banking and Currency, I ask unanimous consent that the Committee on Banking and Currency be discharged from further consideration of a similar Senate joint resolution (S.J. Res. 201) to extend the reporting date of the National Commission on Consumer Finance, and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

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

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. Res. 201

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 404(b) of the Consumer Credit Protection Act (82 Stat. 165) is amended by striking out "January 1, 1971" and inserting "July 1, 1972" in lieu thereof.

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

A similar House joint resolution (H.J. Res. 1238) was laid on the table.

STRATTON BILL WILL AMEND THE AIRPORT ACT TO PROVIDE FOR TRUTH IN TAXATION ON AIRLINE TICKETS

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

Mr. STRATTON. Mr. Speaker, I think many of the Members of the House may not be aware of the fact that the transportation users' tax, which we passed 2 months ago to improve the Nation's airports, contains a very unique provision, put in in conference, which actually makes it illegal and involves a fine of $100 for any travel agent or airline to include on an airline ticket the specific amount of the 8-percent tax which has to be paid by the customer to finance the new Federal airport expansion and safety program.

The same fine is also imposed by this act—in a section that never appeared in the House, and never appeared in the Senate, but was added in conference—for any airline travel ad that lists the specific amount of Federal tax required as part of an airline fare.

How did it happen that Congress ever passed such a strange provision? It first came to my attention from a young lady attending the American Legion Auxiliary Girl's State in Albany, N.Y. I confess I found it hard to answer her question. And I am afraid we never quite realized the impact of this section.

The purpose of this provision, so the conferees said, was simply to speed up the issuance of airline tickets by requiring the writing of only one figure instead of three; and also to prevent misleading travel advertisements which quote less than the full cost which the customer has to pay.

These are both laudable objectives, but we are certainly heading down the wrong road in trying to achieve them by making it a crime to tell the customer how much Federal tax he has to pay on his own airplane tickets. Our bill makes it look as though Congress were trying to hide from the people the amount of taxes we are asking them to pay. Nothing could be more disruptive of confidence in our Government procedure. After all, this is an age of truth-in-lending. Surely we cannot now try to enjoin similar candor as far as taxation is concerned.

So I have today introduced legislation to correct this situation. My bill would amend the law to make it permissible for ticket agents to show the amount of the tax on each ticket if they so desire, or, if a one-price arrangement does speed up the issuance of airline tickets and cut down on long waiting lines at airline ticket counters, then they can, if they prefer, simply indicate on the face of the ticket that the overall price includes an 8-percent Federal users tax for airport expansion and aviation safety purposes.

The same procedure would also be permitted under my bill in airline travel ads. As long as the customer knows how much the total cost of his trip will be, he surely ought to have a right to know how much he is paying in taxes too. This is what we do on every gasoline pump. Surely we cannot do less with our airline tickets.

I believe we need to act quickly to correct what clearly we never intended to do. Of course, we all want to speed up air travel procedures. But just as certainly we also want complete truth in advertising as well as complete truth in taxes.

HOW STUDENT RIOTING IS HANDLED IN ENGLAND

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

Mr. HAYS. Mr. Speaker, I passed through London, England, Saturday on the way home from a NATO meeting in Brussels. I picked up a newspaper which featured a story about the conviction of eight Cambridge University students for riot and destruction of property. They had attacked a dinner at the university about the aims of which they disagreed and had destroyed some $6,000 worth of university property—private property, at least.

The judge sentenced two of them to 18 months, two of them to 12 months in jail, two of them to 9 months and two of them to 6 months' borstal training, which I understand has to do with training in detention in a reformatory.

The judge apologized for the light sentences, but said that he did it because they were led by evil companions.

Perhaps a few such light sentences in this country might do a good deal toward instilling some respect for private property in the minds of some who have been trying to burn our universities down.

CAPITAL FLYER ROUTES

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

Mr. GUDE. Mr. Speaker, this morning the metropolitan council of governments instituted the fourth of the Capital Flyer routes which will do much to improve the quality of transportation and economic development for Metropolitan Washington. This coordinated two-way service is an example of what can be done with the cooperation of the several jurisdictions of our National Capital area to provide better access to jobs for both inner city residents and suburbanites alike.

Today along with Richmond M. Keeney, Montgomery County Councilman and vice chairman of the council of governments' transportation planning board and with other Montgomery Countians, I boarded the Capital Flyer at Montgomery Mall at 7:25 and in less than 50 minutes we were downtown at Fourth and C Streets SW., after discharging a number of passengers at other stops in the Washington business district. The morning bus service providing the flow out from the city also links the Cardozo and the Adams-Morgan sections of the District of Columbia with stops at the National Institutes of Health.

The possibility of a bus service to be truly "express" is limited when the entire route winds its way through stop-and-go residential and commercial streets. The recent linkup of the George Washington Parkway from Maryland into the District of Columbia has made possible an extended straight shot from Rockville into the District. With this problem overcome it was possible to inaugurate this service today.

If Washington's suburbs and the inner city are to be a healthy, economic unit we must have rapid, comfortable transportation. I commend the council of governments for their diligent work to achieve this through this new Capital Flyer service.

ROGERS EXPRESSES CONCERN OVER ACCURACY OF CENSUS

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

Mr. ROGERS of Florida. Mr. Speaker, more than 3 months have passed since the Bureau of the Census began its formal count of the number of persons living in the United States.

This decennial counting of heads has a significant impact on the lives of us all, and many Federal, State, county, and municipal programs and services are directly affected by the enumeration.

I have grave reservations about the accuracy of the count and the thoroughness with which it is being conducted in my congressional district.

My home county of Palm Beach was tabulated at 345,553, an increase of 51 percent over the 1960 figure of 228,106. Yet, the city of West Palm Beach, the largest city in the county, showed only a 1-percent increase in population from the 1960 figure of 56,208 to the 1970 count of 56,865.

Such results as these lead to increasing concern that many residents are not being counted, and that the enumerators are not being thorough in their coverage.

I have received numerous communications from officials in Martin County, Fla., expressing concern that the district census office serving that county would be closed with only 60 percent of that county enumerated.

After contacting the Bureau of the Census, I was assured that such would not be the case, but this has not allayed the fears of many that only 70 to 80 percent of that county will be counted.

I believe that in the case of the city of West Palm Beach and in the case of Martin County, a thorough review of the enumeration procedure is warranted and I am today requesting the Bureau of the Census to look into the situation in these particular areas.

If this pattern develops in other areas

of this Nation, then I believe the American people would have serious misgivings about the accuracy of the census, and the possibility exists that the census would have to be retaken.

EXPEDITING ACT AMENDMENTS

Mr. HUNGATE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 12807) to amend the act of February 11, 1903, commonly known as the Expediting Act, and for other purposes, as amended.

The Clerk read as follows:

H.R. 12807

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of February 11, 1903 (32 Stat. 823), as amended (15 U.S.C. 28; 49 U.S.C. 44), commonly known as the Expediting Act, is amended to read as follows:

"SECTION 1. In any civil action brought in any district court of the United States under the Act entitled 'An Act to protect trade and commerce against unlawful restraints and monopolies,' approved July 2, 1890, or any other Acts having like purpose that have been or hereafter may be enacted, wherein the United States is plaintiff and equitable relief is sought, the Attorney General may file with the court, prior to the entry of final judgment, a certificate that, in his opinion, the case is of general public importance. Upon filing of such certificate, it shall be the duty of the judge designated to hear and determine the case, or the chief judge of the district court if no judge has as yet been designated, to assign the case for hearing at the earliest practicable date and to cause the case to be in every way expedited."

SEC. 2. Section 2 of that Act (15 U.S.C. 29; 49 U.S.C. 45) is amended to read as follows:

"(a) Except as otherwise expressly provided by this section, in every civil action brought in any district court of the United States under the Act entitled 'An Act to protect trade and commerce against unlawful restraints and monopolies,' approved July 2, 1890, or any other Acts having like purpose that have been or hereafter may be enacted, in which the United States is the complainant and equitable relief is sought, any appeal from a final judgment entered in any such action shall be taken to the court of appeals pursuant to sections 1291 and 2107 of title 28 of the United States Code.

SEC. 2. Section 2 of that Act (15 U.S.C. 29; 49 U.S.C. 45) is amended to read as follows:

"(a) Except as otherwise expressly provided by this section, in every civil action brought in any district court of the United States under the Act entitled 'An Act to protect trade and commerce against unlawful restraints and monopolies,' approved July 2, 1890, or any other Acts having like purpose that have been or hereafter may be enacted, in which the United States is the complainant and equitable relief is sought, any appeal from a final judgment entered in any such action shall be taken to the court of appeals pursuant to sections 1291 and 2107 of title 28 of the United States Code. Any appeal from an interlocutory order entered in any such action shall be taken to the court of appeals pursuant to sections 1292(a)(1) and 2107 of title 28 of the United States Code but not otherwise. Any judgment entered by the court of appeals in any such action shall be subject to review by the Supreme Court upon a writ of certiorari as provided in section 1254(1) of title 28 of the United States Code.

"(b) An appeal from a final judgment pursuant to subsection (a) shall lie directly to the Supreme Court if:

"(1) upon application of a party filed within five days of the filing of a notice of appeal, the district judge who adjudicated the case enters an order stating that immediate consideration of the appeal by the Supreme Court is of general public importance in the administration of justice; or

"(2) the Attorney General files in the district court a certificate stating that immediate consideration of the appeal by the Supreme Court is of general public importance in the administration of justice; or

"(3) the district judge who adjudicated the case, sua sponte, enters an order stating that immediate consideration of the appeal by the Supreme Court is of general public importance in the administration of justice.

A court order pursuant to (1) or (3) or a certificate pursuant to (2) must be filed within fifteen days after the filing of a notice of appeal. When such an order or certificate is filed, the appeal and any cross appeal shall be docketed in the time and manner prescribed by the rules of the Supreme Court. That Court shall thereupon either (1) dispose of the appeal and any cross appeal in the same manner as any other direct appeal authorized by law, or (2) in its discretion, deny the direct appeal and remand the case to the court of appeals, which shall then have jurisdiction to hear and determine the same as if the appeal and any cross appeal therein had been docketed in the court of appeals in the first instance pursuant to subsection (a)."

SEC. 3. (a) Section 401(d) of the Communications Act of 1934 (47 U.S.C. 401(d)) is repealed.

(b) The proviso in section 3 of the Act of February 19, 1903, as amended (32 Stat. 848, 849; 49 U.S.C. 43), is repealed and the colon preceding it is changed to a period.

SEC. 4. The amendment made by section 2 shall not apply to an action in which a notice of appeal to the Supreme Court has been filed on or before the fifteenth day following the date of enactment of this Act. Appeal in any such action shall be taken pursuant to the provisions of section 2 of the Act of February 11, 1903 (32 Stat. 823), as amended (15 U.S.C. 29; 49 U.S.C. 45) which were in effect on the day preceding the date of enactment of this Act.

The SPEAKER. Is a second demanded?

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

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

There was no objection.

The SPEAKER. The gentleman from Missouri (Mr. HUNGATE) is recognized.

Mr. HUNGATE. Mr. Speaker, H.R. 12807 was proposed in an executive communication from the Attorney General dated July 14, 1969. Its enactment is unanimously recommended by the Committee on the Judiciary.

H.R. 12807 amends the Expediting Act of 1903. When first enacted in 1903, the Expediting Act was designed to insure speedy disposition of important civil antitrust cases brought by the United States. To that end, the Expediting Act empowered the Attorney General, if he certified that a Government civil antitrust case or a Government case under the Interstate Commerce Act was of general public importance, to require the designation of a three-judge Federal court. It was the duty of the judges to assign the case for hearing at the earliest practicable date and to cause the case to be in every way expedited.

In addition to the expedited procedures under a special three-judge court, the Expediting Act of 1903 provided that every civil action brought by the United States under the antitrust laws or the Interstate Commerce Act could be appealed only to the Supreme Court. In such cases, the U.S. courts of appeals, which normally review Federal district court decisions were bypassed.

In the early period of Sherman Act enforcement, the provisions of the Expediting Act of 1903 were necessary and appropriate. Direct appeals to the Supreme Court were needed to give uniform and speedy decisions on the numerous constitutional questions generated by the novel antitrust laws. The special three-judge court had unusual prestige and it was able to deal more satisfactorily with novel and complex legal and economic issues.

The provisions for a three-judge court, however, have rarely been invoked by the Government. Presumably the reluctance of the Attorney General to request the impaneling of a three-judge court results from recognition, as a practical matter, that the judiciary was understandably reluctant to concentrate judicial manpower in the presence of already overcrowded dockets. In the last 30 years, the Department of Justice has used a three-judge court procedure in antitrust cases only seven times. In the last 10 years, only one antitrust case has been tried before a three-judge court.

Section 2 of the Expediting Act of 1903, which provides for the direct appeal to the Supreme Court has generated a great deal of criticism in Supreme Court opinions. The Supreme Court has complained that direct appeals of antitrust cases place a great burden on the Supreme Court by virtue of the necessity to review extensive trial court records. It also deprives the Supreme Court of the valuable assistance of the court of appeals.

As a result of these criticisms, since 1949 a number of bills have been introduced to amend the Expediting Act, and to change these procedures. In April 1963, Attorney General Kennedy recommended amendment of the Expediting Act. In that year, the American Bar Association and the Judicial Conference of the United States each endorsed proposals to amend the Expediting Act. In the 90th Congress, the Senate passed a bill for this purpose. The House, however, took no action. In the 91st Congress the present bill, H.R. 12807, is again sponsored by the Attorney General and by the administration.

H.R. 12807 changes the Expediting Act to eliminate the provision that requires that a three-judge court be impaneled on certification by the Attorney General. The bill retains, however, present law that requires the court to assign antitrust cases for hearing at the earliest practicable date and to cause antitrust cases to be in every way expedited when the Attorney General files a certificate that, in his opinion, the case is of general public importance.

Section 2 of the Expediting Act is amended by H.R. 12807 to eliminate mandatory direct appeal to the Supreme Court in antitrust cases brought by the United States in which equitable relief is sought. H.R. 12807, however, retains the Expediting Act's direct appeal to the Supreme Court when a case is of general

public importance. An appeal from a final judgment in a civil antitrust case brought by the United States will continue to lie directly to the Supreme Court on a finding that immediate consideration of the appeal by the Supreme Court is of general public importance in the administration of justice by order of the district judge upon application of a party, by order of the district judge on his own motion, or when the Attorney General so certifies.

The Judiciary Committee in its consideration of H.R. 12807 adopted the amendment which permits the district judge who adjudicated the case on his motion to enter an order stating that immediate consideration by the Supreme Court is of general public importance in the administration of justice.

If the antitrust case is not certified for direct appeal to the Supreme Court, appeals from the district court judgment shall be taken to the courts of appeals in the normal procedures for judicial review. Court of appeals judgments shall be subject to review by the Supreme Court upon a writ of certiorari.

H.R. 12807 also eliminates the ambiguity in present law to make it clear that there can be appellate review of district court orders granting, modifying, or denying preliminary injunctions in antitrust cases brought by the Government. The circuits of the courts of appeals are split at the present time as to whether the interlocutory statute—28 U.S.C. 1292 (a)—is available in cases falling within the Expediting Act.

Antitrust enforcement officials for a number of years have sought clarification of the right of the Government to an interlocutory appeal from the grant or denial of a preliminary injunction in Government antitrust cases. Assistant Attorney General Richard W. McLaren stated that this amendment to the Expediting Act is needed to implement the Antitrust Division program against mergers and acquisitions by conglomerate corporations. In this connection he stated:

I might mention that in certain of our conglomerate merger cases, we believed that the records we had made entitled us to the issuance of a preliminary injunction, and if we had a clear right to an interlocutory appeal, we very probably would have taken such appeals in these cases. As a general proposition, it is my personal opinion that such appeals might result in somewhat fuller hearing records, and final disposition of many of these types of cases.

As I stated before, H.R. 12807 has support from all sides. It is a bill that provides necessary and clarifying procedures. The Judiciary Committee unanimously recommends that it be enacted.

The SPEAKER pro tempore (Mr. ALBERT). The Chair recognizes the gentleman from Ohio (Mr. MCCULLOCH).

Mr. McCULLOCH. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, I rise in support of House Resolution 12807, legislation to strengthen and modernize procedures for litigation in the Federal courts. To assist the tireless effort of the Nixon administration in improving the quality of justice in America, I introduced this important measure. Joining me as cosponsors were: Mr. GERALD R. FORD, Mr. JOHN ANDERSON, 11 Republican members of the Judiciary Committee, along with two of my Republican colleagues from Ohio. Moreover, the distinguished chairman of the House Judiciary Committee, Mr. CELLER, has introduced identical legislation.

H.R. 12807 would amend the Expediting Act of 1903—32 Stat. 823; 15 U.S.C. 28 ff—by tailoring it to the contemporary demands of litigation initiated by the United States. Under the present law, every civil antitrust action brought by the United States has only one exclusive avenue of appellate review of final judgments: Direct appeal to the Supreme Court. When this provision was enacted, 67 years ago, it was clearly justified. The antitrust laws were new and, for the most part, untested. Thus direct appeal to the Supreme Court achieved the salutary result of: First, providing an immediate and final determination of basic policy questions at a time when the general principles of the antitrust laws were unclear; and, second, insuring the development of a uniform set of precedents, upon which all could rely, from the Court which the Constitution had chartered to set national policy. For these reasons, at that time, every civil antitrust action brought by the United States arguably justified direct, expedited consideration by the Supreme Court.

Such justification is no longer relevant. Through the years, the Supreme Court has provided guidelines by developing a large body of precedents which stake out the contours of anticompetitive conduct. As a result, Government antitrust activities today concentrate more on regulation through settled legal principles than on the development of new theories of illegality. Moreover, the greatly increased caseload demands of the Supreme Court make it harder for the Court to exhaustively analyze the complex factual and legal issues involved in antitrust litigation. Further, the courts of appeals are now well recognized as competent tribunals, experienced in antitrust law, through their review of decisions of the Federal Trade Commission and of private antitrust litigation.

The Supreme Court itself, along with the American Bar Association, the American Law Institute and the Judicial Conference, has indicated the need for reform legislation. A similar bill passed the Senate in the 90th Congress. In 1962, Mr. Justice Clark, concurring in the case of *Brown Shoe Co.* v. *United States*, 370 U.S. 294, 355 (1962), said that:

The Act declares that appeals in civil antitrust cases in which the United States is complainant lie only to this Court. It thus deprives the parties of an intermediate appeal and this Court of the benefit of consideration by a court of appeals. Under our system a party should be entitled to at least one appellate review, and since the sole opportunity in cases under the Expediting Act is in this Court, we usually note jurisdiction.

Moreover, in 1963, Mr. Justice Clark, speaking for the Court in *United States* v. *Singer Manufacturing Co.*, 374 U.S. 174, 175 n.1 (1963) stated:

Whatever may have been wisdom of the Expediting Act in providing direct appeals in antitrust cases at the time of its enactment in 1903, time has proven it unsatisfactory. . . . Direct appeals not only place a great burden on the Court but also deprive us of the valuable assistance of the Court of Appeals.

See *United States* v. *duPont & Co.*, 366 U.S. 316, 324 (1961); cf. *Kennecott Copper Co.* v. *United States*, 381 U.S. 414 (1965) (Harlan and Goldberg, JJ., dissenting); but see *United States* v. *Singer Manufacturing Co., supra* at 197 (Opinion of White, J.). Thus the call for reform has been predicated on the assumption that today not every civil antitrust case instituted by the United States requires direct expedited consideration by the Supreme Court.

From time to time critics of legislation proposed to correct this situation have said that such reform would derogate from the importance of the antitrust laws in maintaining the vigor of competition in our economy. My reasoned judgment is to the contrary. Clearly the nature and extent of necessary appellate review of Government antitrust litigation can be divided into three fairly distinct classes. First, cases of paramount importance in the development and administration of the antitrust laws still, of course, require direct and immediate attention by the Supreme Court. Second, there are cases which should be reviewed by the courts of appeals but which, possibly, should ultimately be considered by the Supreme Court depending upon the issues involved, the decision rendered and the state of the record. Last, there are cases which properly should end in the court of appeals.

The legislation which we propose recognizes this relative importance of Government antitrust cases and is designed to implement much-needed reforms without weakening the effectiveness of the antitrust laws in promoting the vitality of the American economy. Section 2(a) of H.R. 12807 states that, except as otherwise provided, all appeals from final judgments entered in civil antitrust actions in which the United States is the complainant and equitable relief is sought shall be to the court of appeals pursuant to 28 U.S.C. 1291 and 2107. Thus this legislation contemplates that appellate review of Government antitrust litigation will be handled largely by the court of appeals rather than the Supreme Court. Of course, any judgment of the court of appeals may be reviewed by the Supreme Court pursuant to the discretionary writ of certiorari as provided in 28 U.S.C. 1254(1).

Section 2(b) contains the exception to the above general rule. It provides that appeals of actions in which the United States is the complainant and equitable relief is sought shall lie directly to the Supreme Court if the district court on its own motion or on application of a party enters an order or the Attorney General files a certificate stating that immediate consideration of the appeal by the Supreme Court is of general public importance in the administration of justice. The effectiveness of the antitrust laws is preserved by this expedited treatment of important cases.

The standard for direct expedited appeal, "general public importance in the

administration of justice," should not be confused with the change of venue provision in 28 U.S.C. 1404 permitting transfer of civil actions "for the convenience of the parties and witnesses, in the interest of justice." The latter standard implies questions of court congestion, speedy trials, and burden on the parties which are not relevant to determining whether an antitrust case should have direct review in the Supreme Court. The phrase "general public importance in the administration of justice," would seem to imply issues of significant public, not private, importance in the development of substantive antitrust law, or in the enforcement of the antitrust laws.

The Supreme Court will finally determine what standard to apply since, under section 2(b) of the bill it is given the power to deny, in its discretion, the direct appeal and remand the case to the court of appeals. It would only seem reasonable, however, that the Court's discretion to deny direct appeals under section 2(b) should, because of the importance of effective enforcement of the antitrust laws, be narrower than its discretion to grant or deny a petition for a writ of certiorari under 28 U.S.C. 1254(1).

In addition to the reform which I have outlined above, H.R. 12807 modernizes another provision of the Expediting Act. Presently, the law permits the Attorney General in a civil antitrust case in which the United States is the complainant to file a certificate stating that the case is of general public importance. Upon the filing of such a certificate, a three-judge court is required to be empaneled; the case is to be heard at the earliest possible date and to be in every way expedited. In light of enormous case backlogs that clog most Federal court dockets, the effect of convening a three-judge court to try a Government antitrust case can only be disruptive. While, perhaps, necessary when the antitrust laws were first enacted, the continued existence of this provision cannot be justified. Indeed, the Department of Justice has utilized this procedure only seven times in nearly 30 years and only once in the last decade.

Thus the legislation I propose discards the three-judge court provision and requires that civil antitrust cases brought by the United States be tried by a single Federal judge. However, H.R. 12807 still permits the Attorney General to file a certificate that the case is of general public importance and so require the case to be expedited in every way.

Similar provisions relating to direct appeals to the Supreme Court and to three-judge courts in cases brought by the Government under the Interstate Commerce Act and the Communications Act of 1934 are also repealed by H.R. 12807. See *Ambassador, Inc.* v. *United States*, 325 U.S. 317 (1945); see also H.R. 16479, 91st Congress, second session.

Last, H.R. 12807 clarifies the law with respect to appealability of interlocutory orders in civil antitrust cases brought by the Government. In virtually every antimerger action brought by the United States a preliminary injunction is sought to prevent the acquisition from being consummated until a final determination of the legality of the transaction is obtained. Whether interlocutory review in the court of appeals of district court orders granting, denying, or modifying preliminary injunctions may be achieved is unclear. Compare *United States* v. *Ingersoll Rand*, 320 F. 2d 509 (3d Cir. 1963) with *United States* v. *F.M.C. Corp.*, 321 F. 2d 534 (9th Cir.), application for temporary injunction denied, 84 S. Ct. 4 (1963) (Goldberg, J., in chambers); see also *Brown Shoe Co.* v. *United States*, 370 U.S. 294 at 305, n. 9 (1962); *United States* v. *California Cooperative Canneries*, 279 U.S. 553 (1929).

Regardless of what interpretation has been placed on the Expediting Act in this regard, interlocutory review of orders granting, modifying, or denying preliminary injunctions is very desirable. As Attorney General Mitchell stated in his letter, dated July 14, 1969, to the Speaker with respect to this matter:

> Such review is generally limited to the outset of a case and would not cause undue delay or disruption. The district court's discretion on injunctions can be reviewed, in substantial part separately from a determination of the ultimate merits of the case and court of appeals review is not, therefore, inconsistent with subsequent direct Supreme Court review of the final judgment in the event of certification. Moreover, the immediate impact of injunctive orders, whether the injunction is granted or denied, calls for appellate review as a matter of fairness. The public interest that possibly unlawful mergers not be consummated until their validity is adjudicated, in addition to the obvious desire of private business to avoid a costly and complicated unscrambling, would, in our view, benefit from making the provisions of section 1292(a)(1), title 28 of the United States Code, available in Expediting Act cases."

It should be made clear that the interlocutory review sanctioned here is limited only to review of orders under 28 U.S.C. 1292(a)(1) dealing with orders granting, denying, or modifying injunctions and not to any other interlocutory orders.

Mr. Speaker, in the last Congress I introduced similar legislation to make our antitrust laws more responsive to contemporary demands and I join now with the Nixon administration in their effort to improve the quality of justice available in the Federal courts by urging prompt action on this important measure.

Mr. McCULLOCH. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. TAFT).

Mr. TAFT. Mr. Speaker, I am happy to express my support for this legislation and to urge its passage by the House.

It would provide needed amendments to the longstanding Expediting Act applying to antitrust cases. As one who has had some experience as an attorney in quite a number of antitrust cases, I believe that the changes proposed will bring about simpler and quicker disposition of antitrust cases, while providing the Government and the private litigants prompter and more effective remedies.

The direct appeal to the Supreme Court would be available where justified and the three-judge trial court which has been rarely used, would be eliminated.

Most important, I believe, is the proposed change to make it possible to get quick appeals on temporary orders necessary to prevent proposed mergers without holding up the progress of the balance of the case.

As a matter of practical experience, I ran into this a number of times, and I think this change is much needed and overdue.

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

The SPEAKER pro tempore (Mr. ALBERT). The question is on the motion of the gentleman from Missouri that the House suspend the rules and pass the bill, H.R. 12807, as amended.

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

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES ON H.R. 16595, NATIONAL SCIENCE FOUNDATION AUTHORIZATION BILL

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 16595) to authorize appropriations for activities of the National Science Foundation, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and request a conference with the Senate thereon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California? The Chair hears none, and, without objection, appoints the following conferees: Messrs. MILLER of California, DADDARIO, DAVIS of Georgia, FULTON of Pennsylvania, and MOSHER.

There was no objection.

TAX TREATMENT OF INTEREST ON FARMERS HOME ADMINISTRATION INSURED LOANS

Mr. WATTS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 15979) to provide that the interest on certain insured loans sold out of the Agricultural Credit Insurance Fund shall be included in gross income.

The Clerk read as follows:

H.R. 15979

A bill to provide that the interest on certain insured loans sold out of the Agricultural Credit Insurance Fund shall be included in gross income

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 306(a)(1) of the Consolidated Farmers Home Administration Act of 1961, as amended (7 U.S.C. 1926(a)(1)), is amended by adding at the end thereof the following new sentence: "When any loan made for a purpose specified in this paragraph is sold out of the Agricultural Credit Insurance Fund as an insured loan, the interest or other income thereon paid to an insured holder

shall be included in gross income for purposes of chapter 1 of the Internal Revenue Code of 1954."

(b) The amendment made by subsection (a) shall apply to the insured loans sold out of the Agricultural Credit Insurance Fund after the date of the enactment of this Act.

The SPEAKER pro tempore. Is a second demanded?

Mr. BYRNES of Wisconsin. Mr. Speaker, I demand a second.

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

There was no objection.

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

Mr. Speaker, the purpose of the pending bill, which was introduced by our colleague on the Committee on Ways and Means, the Honorable JOHN W. BYRNES of Wisconsin, is to provide that the interest on certain insured loans sold out of the Agricultural Credit Insurance Fund shall be included in gross income.

The Consolidated Farmers Home Administration Act of 1961 authorizes the Farmers Home Administration to make loans both to local governmental units and to private bodies for such purposes as conservation, land use, water, and so forth, and to resell this debt to private parties as federally insured loans. The Internal Revenue Service has ruled that in those cases where the security originates with a local governmental unit the interest or other income paid on it continues to be exempt from Federal tax even after it is resold as a loan insured by the Federal Government. Because the Federal Government has concluded that the exemption of interest on these loans is costly and has inequitable results, it in recent years has been reluctant to make and then resell these loans on an insured basis to provide credit assistance to local governmental units. As Congressman BYRNES advised the House when he introduced this legislation on February 18, 1970, with the exception of $50 million of bonds sold in the fall of 1968, no tax-exempt bonds have been sold out of the Agricultural Credit Insurance Fund since July of 1967, and because of this, constructon of water and sewer treatment facilities urgently needed by smaller communities is being delayed.

H.R. 15979 would overcome this problem by providing that interest or other income paid to an insured holder on an insured loan out of the Agricultural Credit Insurance Fund is for income tax purposes to be included in gross income of the recipient of the interest. The effect of this action will be to make it practical to use federally insured loans to finance credit assistance to local governmental units for the purposes specified in the Consolidated Farmers Home Administration Act, and we can move forward in meeting the vital needs of small communities with respect to clean water and waste disposal.

This legislation is favored by the Department of the Treasury, and the Committee on Ways and Means unanimously recommends its enactment. I may also say, Mr. Speaker, that among the organizations supporting the pending bill are the American Farm Bureau Federation and the National Rural Electric Cooperative Association.

Mr. BYRNES of Wisconsin. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, this bill is vitally necessary if we are to help our small rural communities proceed with water and sewer and waste treatment facilities.

We provided a program in 1965 under the Consolidated Farmers Home Administration Act to give assistance to small rural communities of fewer than 5,500 inhabitants, to help them borrow money for sewer and waste treatment facilities. At that time the Agriculture Committee noted that the establishment of adequate water and waste disposal systems was one of the crying needs of rural America. The committee stated in its report:

> City dwellers take these facilities for granted. All of their lives they have merely turned on a tap or flushed a toilet in a system provided by the community, which made water appear or waste disappear. They forget—or probably do not even realize—that no such magic takes place in the rural areas.
>
> If a rural resident wants these, he must provide them for himself at great expense and often with frustrating results of having systems that just do not quite work.

We adopted this program, the general approach being to permit the Farmers Home Administration to market bonds they purchase from rural communities. By permitting these funds to be revolved, additional funds are made available to meet the water and sewer needs of these rural communities.

Since these are loans to local communities, interest on the note or bond given by the local community is tax exempt under the Internal Revenue Code. If the Farmers Home Administration sells the bond subject to a Federal guarantee of principal and interest, this particular note would enjoy a higher preference than a U.S. Treasury bond, because the person buying it would not have to pay tax on the interest earned.

In view of this, the Treasury and the administration adopted a recommendation of the President's Committee on Federal Credit Programs against the Federal Government guaranteeing tax-exempt bonds. As a result, we no longer have a revolving fund for assisting small rural communities to finance vitally needed water and sewer facilities. As of April 30, we had over 2,000 applications from rural communities pending and we had over 4,000 communities that had submitted requests and were told that the funds were simply not available.

The purpose of this bill to remove this obstacle by making the interest on the federally guaranteed obligation taxable. When a loan is made to these rural communities under this program and the Federal Government resells that obligation to the public subject to a Federal guarantee, the holder will pay taxes on the interest received. The idea is that the guarantee of the U.S. Government has converted it into a new type of obligation. It is also clear that the cost to the Federal Government will be less if we remove the tax exemption from these bonds when they are resold, since the increased subsidy required by selling them on a taxable basis should be less than the additional tax revenue derived. All we are doing here is simply removing an obstacle to a program Congress has enacted to meet the great demand that exists and the great need that exists in our rural communities for waste treatment and water facilities.

Let me make it clear—because it seems there are some people who misunderstand it—that this does not affect the capacity of the municipalities to issue tax exempt securities. Any community that goes into the general market and sells its bonds to get money to build a waste treatment facility can do so, and that interest will continue to be tax exempt. The interest will be taxable only when the obligation is sold to the Farmers Home Administration and then resold by the Federal Government under the plan that Congress set up in 1965 to help these small communities that do not have the same access to the money markets that the bigger cities have.

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

Mr. BYRNES of Wisconsin. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I appreciate the distinguished gentleman yielding and I appreciate the gentleman's explanation.

Do I understand therefrom that when these bonds are rolled over that they remain tax exempt unless they are sold back or dealt in by the FHA itself?

Mr. BYRNES of Wisconsin. No; what happens is this: When a small community of 5,500 or less cannot float a bond issue at 5 percent or less, the FHA will make a loan, if they have the money, to that community and take the community's note or bond. At the present time they just hold this bond since they cannot sell it to the public, and the inability to resolve these obligations has dried up the source of funds for these communities.

Mr. HALL. Mr. Speaker, if the distinguished gentleman will yield further, that of course is tax exempt?

Mr. BYRNES of Wisconsin. They would be tax exempt. The interest would be tax exempt to the holder, but there is a new element added when the obligation is resold by the FHA subject to a guarantee by the U.S. Government of both the principal and the interest in the same market that general Treasury obligations are sold.

We are saying that, when it goes through that process it takes on the nature of a Federal obligation which does not bear interest that is tax exempt. That is what this bill does.

Mr. HALL. Mr. Speaker, if the gentleman will yield further, and I thank the gentleman for his explanation, I have two additional questions. No. 1, why is this type security, alone in this particular agency the only one affected, although it is now available to the purchaser on the market and, No. 2, in his opinion as the distinguished ranking minority member of the Committee on Ways and Means, will this subsequently

be applied to other agencies' tax-exempt bonds?

Mr. BYRNES of Wisconsin. This is completely aside, I would say to my colleague from Missouri, from the right of the municipality to go into the market and sell its tax-exempt bonds and get the lower interest rate. We are saying when the obligation carries on the back of the note the endorsement of the United States then it no longer has those characteristics of a municipal bond that entitled it to tax exemption. The note in this case takes on the nature of a Federal Government obligation which is not tax exempt. By doing this we make it possible for FHA to sell these bonds in the market. At the present time these bonds are not sold in the market because they would have a higher status than U.S. Government bonds which are not tax exempt.

Mr. HALL. The gentleman from Missouri full well understands the backing of the full faith and credit of the United States and I believe the purchaser would appreciate that. But let us take a farmers' cooperative bank bond which now turns over at something like 7.62 percent. It is not backed by the good faith and confidence of the United States of America. Would it later be anticipated that this exemption—and, incidentally, I know that they are now not tax exempt—but would it be, in the opinion of the gentleman from Wisconsin, true that this failure to waive the exemption would apply to like cases that are tax exempt at the present time?

Mr. BYRNES of Wisconsin. No, I think it would not. I think there is a complete misunderstanding that this is a foot in the door to take away the tax-exempt status of municipal bonds. It is not.

This bill is directed at bonds sold by the Farmers Home Administration because they do have a Federal guarantee. That is all we are trying to do.

Mr. HALL. Mr. Speaker, I think this is a very important legislative record to make, and I appreciate the gentleman's response.

Mr. BYRNES of Wisconsin. Mr. Speaker, I appreciate the gentleman's comments.

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

Mr. BYRNES of Wisconsin. I yield to the gentleman from Ohio.

Mr. TAFT. Mr. Speaker, I thank the gentleman for yielding.

The questions I had to ask of the gentleman are basically the same as those asked by the gentleman from Missouri; however, I would like to carry on the discussion a little further, and I would like to ask the gentleman if he regards this bill in any extent as a precedent, and if not, why not?

And why can we not extend this to the other agencies? Why will we not come in next year and do something like this for the other agencies? And why have we not treated similarly all municipal bonds and other subdivisions of Government's bonds so that they might be built into such a guarantee system, even though I understand their tax problems. But in 1969 this very question was faced by Ways and Means and this House and was turned down.

Mr. BYRNES of Wisconsin. I cannot say what is going to be done in the future as far as the general area of tax exempt interest is concerned. I cannot tell you what Congress will do 2 years from now, or 3 or 4 years from now.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. BYRNES of Wisconsin. Mr. Speaker, I yield myself 3 additional minutes.

This certainly is not a foot in the door because that would relate to municipal bonds in general. The municipal bonds that this bill is concerned with are related to this specific program and take on the nature of a Federal bond by reason of the Federal guarantee underlying their sale by the FHA to the public. This, to me, is entirely different from the issue of whether or not interest on municipal bonds should continue to be tax exempt.

I think they both have to stand on their own feet. They are not interrelated.

Mr. TAFT. Mr. Speaker, I thank the gentleman.

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

Mr. BYRNES of Wisconsin. I yield to the gentleman from New York.

Mr. FISH. Mr. Speaker, I would like to commend the gentleman from Wisconsin for his initiative in this legislation. I come from a village, Millbrook, N.Y., of under 5,500 people which sorely needs and has been deprived of funds for sewage service.

Mr. BYRNES of Wisconsin. We thought we were doing something for these communities back in 1965, but the obstacles this bill will remove have thwarted what the Congress intended to do. All we are trying to do now is make the program work again.

Mr. FISH. I commend the gentleman, and I certainly hope the other body will act promptly on this needed legislation.

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

Mr. WATTS. Mr. Speaker, I have no further requests for time on this side.

Mr. BYRNES of Wisconsin. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio (Mr. BROWN).

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

Mr. BROWN of Ohio. I yield to the gentleman from Kansas.

Mr. SKUBITZ. Mr. Speaker, I rise in support of H.R. 15979—which is similar to a bill I introduced, H.R. 4607, January 27, 1969. This bill provides that the interest on certain insured loans sold out of the Agricultural Insurance Fund shall be included in gross income.

The proposed legislation would permit the use of insured funds to finance water and waste disposal projects for public bodies. Investors purchasing insured bonds from the Farmers Home Administration would pay Federal income tax on the interest earned on such bonds.

The proposed legislation would in no way affect the right of public bodies to issue tax-exempt bonds. The legislation will greatly enhance the ability of the Farmers Home Administration to finance water and waste disposal facilities for rural public bodies.

Under the proposed legislation, the program would be funded through the sale of insured notes to private investors and thus not be dependent on appropriations.

Mr. Speaker, I urge passage of this bill. This is the only way that rural America is going to carry out its water programs. Certainly the farmers of this country are entitled to a few luxuries, such as drinking water in their homes and indoor plumbing.

Mr. BROWN of Ohio. Mr. Speaker, there are several issues involved in this bill which I think should have been more broadly debated. There can be little argument with the desirability of the good works to be performed by the FHA loans covered by this act. But I also feel a fundamental question is the desirability of a legislative fiat which empowers an agency to change securities which are currently exempt from Federal taxes into taxable ones. Such a power is a most significant alteration in the relationship between the Federal Government and the governments of the several States and their subdivisions. I do not think that such an alteration is wisely extended on a program-by-program basis, if, indeed, it should be or can be extended at all.

But, aside from the legal difficulties with this selective abrogation of the doctrine of reciprocal tax immunity, I am most distressed by the financing mechanism that H.R. 15979 makes possible. I believe that the "loan brokering" which FHA plans to undertake, in an effort to fund an expenditure program outside the budget, represents yet one more attempt for an "easy way out" of the financial mess into which the Federal Government has progressively gotten itself. But this "easy way" may make the road longer and tougher in the end.

Certainly the distinction between repackaging direct loans and selling them as assets and the previously attempted device of selling loan participation certificates is a very fine one indeed. Moreover, the whole concept of financing deficit spending through selling agency securities, is questionable and very contrary to a restrictive credit policy we supposedly are following. It is only when we consider all these devices together that we have an accurate picture of the Federal demand for credit. Often—as last year—the demands for credit by Federal agencies and by the Treasury are moving in different directions. But when the two are added together, they have invariably shown an overall deficit and an intensifying of pressures on the credit market. Most discouraging of all, these agency demands are greatest when the markets are least able to absorb their securities.

All this is particularly lamentable, because such end runs around the Federal debt ceiling not only confuse almost everyone as to the extent of Federal credit demands, but also they have shown themselves to be a very expensive means of financing. As the Committee on

Government Operations recently reported in "Marketing or Federal Obligations—Participation Certificates"—House Report No. 91–772—asset sales such as participation certificates and agency financing always cost more than general Treasury borrowings. The interest rates are higher—one-half to 1 percent higher—and sales commissions and fees must be paid to private agents and dealers. But of greater consequence than the immediate costs of selling agency debt instruments and assets is the impact which they have on the credit markets.

The notion has somehow been perpetuated that by replacing tax-exempt obligations with taxable, insured obligations, such as the FHA wants to do, the Treasury is going to save money. Yet, the sad experience with participation certificates should have taught us that such tortured extensions of Federal credit are extremely expensive and can be largely self-defeating. An ever-growing pressure exerted by greater Federal credit demands, punctuated by new devices supposedly to lessen the impact on a particular sector, simply inflates the rates that must be paid on all obligations. And the competition is especially strong among the U.S. Government securities—those of Treasury and its agencies—as they force up one another's interest rates. The individual investor is increasingly pulled into the market when money is so scarce. Individuals withdraw their funds from the savings institutions. This disintermediation occasions a ratcheting upward of interest rates, brings on a new fringe of unsatisfied borrowing demands and, consequently, additional demands for a "Federal cushion" to insulate another hapless would-be borrower. And the above cycle is ready to be repeated.

My point is that our absorption with the impact on the budget of a particular program can blind us to the fact that it is the entire economy with which we should be concerned. The restraint must be total Federal monetary restraint—the Federal agencies' borrowings and asset sales included.

It is a perilous form of accountancy which leads us to the conclusion that the Federal Government can preempt the pool of credit by the strength of its guarantees and subsidies and yet somehow be held not accountable because these financial transactions do not appear in the budget. The practice can be subject to abuse and subverts the stewardship we must exercise for the entire economy. Who knows what we owe or have pledged the Government's good faith to repay in case of default—or how much Uncle Sam is really borrowing at any one time. The answers: No one knows. I cannot support measures which paper over fiscal irresponsibility by shucking the problem off to the capital markets and which, accordingly, add to the financial woes of the homeowner, State and local governments and small businessmen. Alternatives—straight-forward and sound ones—must be found so that priorities may be examined and chosen on a more rational basis.

The article follows:

[From the Wall Street Journal, May 18, 1970]

APPRAISAL OF CURRENT TRENDS IN BUSINESS AND FINANCE

Now that it has so little hope left for scoring a budget surplus any time soon, the Nixon Administration is understandably backing away from its earlier emphasis on the need for one. What was heresy a few months ago suddenly is doctrine: A few billion dollars of deficit can't make much real difference to an economy approaching the trillion-dollar mark, and shouldn't matter much psychologically.

The financial impact of a return to deficit is something else, officials admit, because the Treasury would have to cover it by extra borrowing. They are concerned that a deficit of, say, $3 billion would require the Treasury to divert about that much money away from competing borrowers in the marketplace. The concern is certainly valid, as far as it goes. But it is becoming clear that the annual arithmetic of the Federal budget only begins to hint at the Government's total financial impact.

One reason (which money market participants can overlook only at their own risk) is that the Treasury has temporary seasonal needs to borrow even in years in which the budget ends up balanced. And these borrowings can far overshadow whatever turns out to be the much more widely publicized net amount. The last fiscal year ended in mid-1969 with a $3.2 billion surplus, but in the July-December first half the Treasury nonetheless had to borrow $11.4 billion new cash.

In the first half of the fiscal year which will start July 1, the Treasury will have to raise between $13 billion and $15 billion new cash estimates Henry Kaufman of Salomon Brothers & Hutzler in New York, the major Government bond house. However, temporary those borrowings will prove to be, such a sum would roughly equal a whole year's net borrowings by all U.S. business corporations on the bond market.

In those same six months, besides the new borrowings, the maturing of an immense amount of securities will confront the Government. Presumably these must be replaced, so the Treasury faces the chore of coming up with attractive substitutes for about $12 billion of existing issues now in private hands.

The less-noticed part of its refunding task is even more massive. Every Monday, the Treasury routinely replaces $3 billion of maturing three-month and six-month bills, and once a month it auctions substitutes for another $1.5 billion of expiring nine-month and one year bills. If it continues to borrow a little extra each time, this would mean some $90 billion of churning in the coming half-year, as much money as all our state and local governments net on the bond markets during a decade.

That the Treasury's financing pace long will remain frenzied is almost guaranteed, moreover, by the awesome shortening of the length of the public debt. A World War I law forbids the Treasury to pay more than 4¼% interest on long-term marketable bonds, so the inflated interest rates of the Vietnam era have limited its new borrowings to shorter issues, those of no more than seven years' maturity.

Here's what the politically immovable ceiling has done. (The 1970 figures are as of March.)

[Dollars in billion]

	Average maturity, marketable debt	Amount due in 1 year
1965	5 years, 4 months	$87.6
1967	4 years, 7 months	89.6
1969	4 years	103.9
1970	3 years, 6 months	121.3

Many analysists believe the short securities are inherently inflationary, being so liquid that holders tend to behave as if they had that much cash in the bank. Moreover, most any Treasury financing these days can compel the Federal Reserve Board to suddenly pump out new money, as was demonstrated anew this month; when the Cambodian incursion undermined market as well as campus morale, the Fed had to buy up huge batches of old Treasury issues to make room in private portfolios for the new ones.

Even so, the Federal Government's financing demands might seem more or less manageable—if they were fully summed up by the budget and were coped with solely by the Treasury. However, that's not the case, as Congress has chartered a whole flotilla of Federal agencies which are empowered to do their own fund-raising. Some are inside the budget but others are out (on grounds that they are privately owned), and even the authorities are having trouble fathoming their impact.

A run through the roster readily shows why. Ranging from the Federal National Mortgage Association with its $11.7 billion debt down to the District of Columbia Stadium Fund with $20 million, the Treasury lists 11 Federal entities with about $44 billion of their own securities outstanding. The others: Commody Credit Corp., Export-Import Bank, Federal Housing Administration, Government National Mortgage Association, Tennessee Valley Authority, Banks for Cooperatives, Federal Home Loan Banks, Federal Intermediate Credit Banks and Federal Land Banks.

Their borrowing can cause confusing countercurrents in Federal finance. For instance, while the Treasury whittled down its marketable debt outstanding by $1 billion in 1969, the Federal National Mortgage Association alone flooded out an extra $4 billion.

If various Nixon Administration and Congressional proposals come to pass, the number of agencies free to forage for themselves in the capital market will expand further: The postal corporation, the Environmental Financing Authority (antipollution) and the National Development Bank (for housing) could easily generate billions of dollars worth of additional securities favored with some form of Federal status. Already, the new "mortgage-backed securities" which private lenders can issue come complete with a Government guarantee.

One day last week, Assistant Treasury Secretary Murray L. Weidenbaum reported that an Administration panel is "taking a fresh look at some of the implications for financial markets," and for the economy, of all this activity.

What the panelists will come up with isn't clear, but one thing is: It won't be a day too soon.

(Mr. BROWN of Ohio asked and was given permission to revise and extend his remarks and include extraneous matter.)

Mr. SEBELIUS. Mr. Speaker, I appreciate this opportunity to discuss H.R. 15979, legislation that I cosponsored to provide that interest on certain insured loans sold out of Agricultural Credit Insurance Fund shall be included in gross income for tax purposes.

Since 1967, the Treasury Department and the Bureau of the Budget have decreed that FHA cannot make insured loans to rural public bodies. It was determined that it cost the Government more to buy and sell tax-exempt bonds than to handle taxable bonds. Since insured funds have been available only to nonprofit corporations, a principle source

of revenue for rural water district development has been eliminated.

Although many rural water and waste disposal systems have been aided by FHA grants, in Kansas alone, 31 water and waste disposal projects are stalled due to a lack of funds.

This legislation directly affects the quality of life in our rural and small town areas. This legislation would directly benefit the 35,000 towns under 5,500 population that lack water systems and the 44,000 towns that lack waste disposal facilities.

Without adequate water and sewage facilities, small towns have little chance of attracting new industry and will continue to see their citizens leave for our Nation's overcrowded cities.

Recently, the Department of Economics at Kansas State University studied the economic impact of a rural water district in Kansas. The report prepared by Mr. Patrick E. Smythe, extension economist, states:

> Based on information provided by members who returned questionnaires, the economic impact of this water district on the area for a five-year period totaled $1,194,156 or an average increase of $238,831 per year . . . Thus, a $125,000 investment resulted in an economic impact of 191 per cent to the area each year.

Secretary of Agriculture Clifford M. Hardin has stated:

> It is not enough that we think in terms of improving conditions and opportunity for the people living today in rural America, and thereby stemming the flow of people to the cities. We must do much more. We must make it a matter of urgent national policy that we create in, and around, the smaller cities and towns sufficiently good employment opportunity and living environments that large numbers of families will choose to rear their children there.

Development and completion of water systems and waste disposal systems made possible by enactment of H.R. 15979 will be a major step toward developing and revitalizing our communities in rural and small town areas.

Population estimates project a 100-million increase in the next 30 years. The population increase of 54 million in the last 20 years has all taken place in our urban areas. I urge passage of H.R. 15979 as a major step toward hastening the rural migration back to our rural and small town areas, and toward revitalizing the economy of rural and small town America.

Mr. RANDALL. Mr. Speaker, I rise in enthusiastic support of H.R. 15979, a measure to provide that the interest or other income paid to an insured holder on an insured loan sold out of the agriculture credit insurance fund is for income tax purposes to be included in the gross income of the recipient of the interest.

While this bill is considered under suspension of the rules, it is a very important matter. In fact, it is so important that failure to pass this bill can delay many rural communities that do not have adequate water systems and also many rural communities that are without adequate sewer facilities.

My own bill, H.R. 16706, is identical in every particular to H.R. 15979 being considered today. I salute the gentleman from Wisconsin (Mr. BYRNES), a member of the Ways and Means Committee, for his excellent research which led to the preparation of and introduction of H.R. 15979.

About as simple an explanation of the situation as I can provide is that without this bill most of the funding for rural water districts and sewer facilities for smaller communities would have to come from appropriations, if grants and loans to these smaller communities and rural areas were to continue.

The objective of this bill is to get the maximum amount of mileage out of the minimum amount of appropriated moneys to update water and sewer systems in America. The tax being imposed by this bill is merely an equalizing measure. It simply says that income derived from private investors in FHA water and sewer bonds should be taxable at the same rate as other income. In so doing, we will establish a fund that will replenish itself.

It is difficult in these times to support almost any kind of tax increase, but the purpose here is not really a tax increase but a tax equalizing measure. Moreover, it is for a most unusual cause surrounded by exceptionally meritorious circumstances.

GENERAL LEAVE TO EXTEND

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that all Members may be permitted to extend their remarks on the bill H.R. 15979.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Kentucky that the House suspend the rules and pass the bill H.R. 15979.

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

A motion to reconsider was laid on the table.

DUTY TREATMENT OF CERTAIN PREVIOUSLY EXPORTED AIRCRAFT

Mr. CORMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 17068) to amend the Tariff Schedules of the United States to provide for a partial exemption from duty for certain transportation vehicles manufactured or produced in the United States with the use of foreign components imported under temporary importation bond, as amended.

The Clerk read as follows:

H.R. 17068

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) schedule 8, part 1A, of the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by striking out item 804.00 and inserting in lieu thereof the following:

	"Articles previously exported from the United States which— except for headnote 1 of this subpart—would qualify for free entry under one of the foregoing items and are not otherwise free of duty:		
804.10	Aircraft exported from the United States with benefit of drawback or item 864.05	A duty equal to the duty upon the importation of like articles not previously exported, but in no case in excess of the sum of (a) any customs drawback proved to have been allowed upon such exportation, and (b) the duty which would have been payable on any articles used in the manufacture or production of such aircraft had they not been entered and exported under item 864.05.	A duty equal to the duty upon the importation of like articles not previously exported, but in no case in excess of the sum of (a) any customs drawback proved to have been allowed upon such exportation, and (b) the duty which would have been payable on any articles used in the manufacture or production of such aircraft had they not been entered and exported under item 864.05.
804.20	Other, except articles excluded by headnote 1(c) of this subpart.	A duty (in lieu of any other duty or tax) equal to the sum of any duty and internal-revenue tax imposed upon the importation of like articles not previously exported, but in no case in excess of the sum of (a) any customs drawback proved to have been allowed upon such exportation of the article, and (b) any internal-revenue tax imposed, at the time such article is entered, upon the importation of like articles not previously exported.	A duty (in lieu of any other duty or tax) equal to the sum of any duty and internal-revenue tax imposed upon the importation of like articles not previously exported, but in no case in excess of the sum of (a) any customs drawback proved to have been allowed upon such exportation of the article, and (b) any internal-revenue tax imposed, at the time such article is entered, upon the importation of like articles not previously exported."

(b) Headnotes 1 and 2, schedule 8, part 1A of such Schedules are each amended by striking out "item 804.00" and inserting in lieu thereof "items 804.10 and 804.20".

SEC. 2. The amendments made by the first section of this Act shall apply to articles entered, or withdrawn from warehouse, for consumption on or after the date of the enactment of this Act.

The SPEAKER pro tempore. Is a second demanded?

Mr. BYRNES of Wisconsin. Mr. Speaker, I demand a second.

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

There was no objection.

Mr. CORMAN. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, the purpose of H.R. 17068, as reported by the Committee on Ways and Means, is to amend the Tariff Schedules of the United States (TSUS) to provide for a partial exemption from duty for returned American aircraft which were manufactured in the United States with the use of foreign components which had previously been admitted free of duty under bond. Under the bill as reported, the returned American aircraft would in general be subject to a duty equal to the amount of the duty which would have been payable on the foreign components had they not been entered free of duty under bond.

Under present customs practice, articles produced in the United States with the use of foreign articles and exported with the benefit of drawback may be imported under item 804.00 as American goods returned upon repayment of the drawback. However, under present customs practice, if the foreign articles used in producing a finished product in the United States were entered under a temporary duty-free bond arrangement, the entire value of the finished product after having been exported and reentered is dutiable on the basis of its total value rather than the value of the foreign components used in its production.

The committee is informed that in the manufacture of aircraft in the United States, it is fairly common practice to use some materials from abroad. Export sales of aircraft produced in the United States are significant, and normally, the duty paid on foreign articles used in the manufacture of such aircraft is subject to the drawback procedure under which 99 percent of the duty is refunded upon export of the completed aircraft. In some instances, however, foreign articles for aircraft have been entered under tariff item 864.05 free of duty under bond. Such temporary duty-free entry arrangement is apparently preferred by some manufacturers since no large amount of capital is committed to duty payment for the period between the original entry of the foreign component and the drawback of the duty upon exportation of the aircraft.

Over the years, both provisions, that is, drawback and temporary importation bond, have been used with respect to eliminating the cost of U.S. duty on foreign articles used in the domestic manufacture of aircraft which will subsequently be sold abroad. Your committee is informed that trade-in allowance for old aircraft is an important factor in obtaining contracts for sales of new aircraft abroad. Further, competition in the sales of new aircraft in world markets is rising. Under these circumstances, the dutiable status of the old aircraft being traded in and returned to the United States becomes important.

Your committee is of the opinion that in view of the growing importance of the trade in of aircraft to sales of aircraft abroad, it is important to provide similar customs treatment to aircraft produced in the United States which are sold abroad and returned whether the drawback or temporary import bond procedure was used with respect to foreign components. H.R. 17068, as amended, would provide such customs treatment for aircraft.

H.R. 17068 would also make certain technical amendments in the provisions of item 804.00 for the sake of clarity and such changes reflect existing customs practices.

As introduced, the bill would have applied to "vehicles' aircraft, and boats" manufactured with the use of foreign components imported under bond. In view of the lack of information on the applicability of the provisions to articles other than aircraft, the bill was amended by the Committee on Ways and Means to apply only to aircraft. In addition, H.R. 17068 is amended so that the new provision is to apply only to entries of aircraft made on or after the date of enactment of the bill.

No objection to the enactment of the bill as amended was received from any interested executive branch agency, and the bill is favorably reported by the Committee on Ways and Means.

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

Mr. CORMAN. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. Who will be the principal beneficiaries of this legislation?

Mr. CORMAN. The major airframe manufacturers, who have in the past had portions of their airplane imported from abroad, assembled in the aircraft, and then they have sold those aircraft abroad, and who are now in a position to sell new aircraft abroad and take in, in trade, those older airplanes which prior to this time had been exported. It is, though much larger in size, somewhat like trading an old car in for a new car.

The equity here lies in the fact that the manufacturer in the initial production had two methods of avoiding paying duty on foreign products which will be sold abroad. He could either pay the duty and get it back, or assemble the aircraft in what is the equivalent of a bonded warehouse. As it turns out now, if he paid the duty on the foreign components and got it back, he has an advantage. If he merely imported the components in bond and used them in the assembly of the aircraft and then exported it, he would have to pay the duty on the total value of the aircraft and not just on the value of the foreign components.

Mr. GROSS. Is it proposed to do the same thing with respect to foreign automobiles?

Mr. CORMAN. No, I am not aware of the fact that a similar circumstance prevails. I am not at all aware that there are partial assemblies coming from abroad, being imported, and being made a part of an American automobile, which is subsequently then sent abroad. A rather substantial amount of money per airplane is involved, and it puts the American airframe industry at a disadvantage with respect to how much they can allow for a trade-in airplane and so, for example, a 747 or an L-1011, as compared to the purchaser abroad buying from a British, Russian, or Japanese company.

Mr. GROSS. I thank the gentleman.

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

Mr. CORMAN. I yield to my colleague from California.

Mr. COHELAN. I thank the gentleman for yielding to me. I would like to take this opportunity to thank him and the distinguished members of his committee for bringing this matter to the floor.

I should like to associate myself with the remarks of the gentleman and urge passage of this legislation.

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

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

Mr. HALL. Mr. Speaker, would the gentleman explain to the Members of the House whether or not this takes into due consideration Government furnished equipment, for example, engines, and, second, where parts of planes are provided in part by a foreign national government or a manufacturer located in a sovereign foreign country which receives that Government's subsidies?

Mr. CORMAN. No, sir, this does not involve that. Let us take the manufacture of an airplane. Ten years ago possibly the tail assembly was manufactured in Canada. That tail assembly came in and was attached to an aircraft made in the United States. There would be no consideration as to how that was made. But if that airplane when finished was to be sold abroad, there would have to be a duty paid just on the foreign tail assembly. This is just to treat the manufacturers the same regardless of which method is used when the tail assembly is imported. As we said, at that moment 10 years ago he did not know this issue was going to arise. If he took it in under bond and paid no duty, it was treated differently than if he brought it in and paid a duty. Of course, it would be dutiable if it was to be sold in the United States, and duty would not be refunded. So it involves only those planes which are ultimately to be sold in a foreign market.

Mr. HALL. If the gentleman will yield further, I understand by the gentleman's analogy and know the CL-144 and others, but would the same thing apply, for instance, to a Rolls Royce engine or a U.S. patented Canadair—Pratt and Whitney—engine that was used in assembly, either in a bonded warehouse or otherwise with duty withheld in the United States, if it was then brought back for parts or reclamation, then would this bill apply only to that?

As the gentleman knows, part of my inquiry is based on the fact that I have been concerned regarding the gradually deteriorating engine capability of the United States reduced now to one and one-half manufacturers, and I can explain that further if need be, the one-half being on the part of a subsidy by a friendly nation—as I said, the example of the tail assembly the gentleman gave

would be equally applicable to engines and would not further deteriorate the domestic based jet engine manufacturing capability?

Mr. CORMAN. Yes. That would be my understanding of the situation.

Mr. Speaker, I reserve the balance of my time.

Mr. BYRNES of Wisconsin. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I support H.R. 17068, a bill providing for a partial exemption from duty for airplanes produced in the United States with the use of foreign components when these aircraft are returned to the United States from abroad as trade-ins on new aircraft.

Under existing law, when an aircraft is produced in the United States with foreign parts, the duty on the foreign parts is forgiven when the new aircraft is exported. This result may be accomplished either by paying the duty and getting a "drawback" or refund when the new plane is exported, or importing the aircraft parts under bond, which insures that the duty will be paid if the parts are used for domestic aircraft. However, if aircraft sold abroad under these circumstances are returned in the future to the United States as trade-ins on new aircraft, the aircraft taken as trade-ins will be subject to a higher duty where the bonding procedure rather than the drawback procedure was originally used. Under present law, the entire value of the aircraft is subject to duty where the bonding procedure was used, while where the drawback procedure was used, only the duty that would have originally been owed on the foreign parts must be paid.

The committee felt that the rules should be the same in either case since the same end result is produced regardless of the procedure utilized. The bill therefore provides parallel treatment in these cases where domestically produced aircraft containing some foreign parts are sold abroad and subsequently returned to the United States as a trade-in on new planes. The committee was unanimous in recommending this improvement, and no objection was made to the bill as reported by any interested executive agency.

The SPEAKER pro tempore. The question is on the motion of the gentleman from California that the House suspend the rules and pass the bill H.R. 17068, as amended.

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

The title was amended so as to read: "A bill to amend the Tariff Schedules of the United States to provide for a partial exemption from duty for aircraft manufactured or produced in the United States with the use of foreign components imported under temporary importation bond."

A motion to reconsider was laid on the table.

DISTILLED SPIRITS

Mr. WATTS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 10517) to amend certain provisions of the Internal Revenue Code of 1954 relating to distilled spirits, and for other purposes, as amended.

The Clerk read as follows:

H.R. 10517

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5008(c)(1)(A) of the Internal Revenue Code of 1954 is amended by striking out "; or" and inserting in lieu thereof ", or (iii) by reason of accident while on the distilled spirits plant premises and amounts to 10 proof gallons or more in respect of any one accident; or".

SEC. 2. (a)(1) The first sentence of section 5008(b)(2) of the Internal Revenue Code of 1954 is amended to read as follows: "Any distilled spirits withdrawn from bond on payment or determination of tax for rectification or bottling may, before removal from the bottling premises of the distilled spirits plant to which removed from bond or after return to such bottling premises, on application to the Secretary or his delegate, be destroyed after such gauge and under such supervision as the Secretary or his delegate may by regulations prescribe."

(2) The second sentence of such section 5008(b)(2) is amended by striking out "the tax imposed under section 5001(a)(1)" and inserting in lieu thereof "the taxes imposed under section 5001(a)(1) or under subpart B of this part".

(b) Section 5008(c)(5) of such Code is amended to read as follows:

"(5) DISTILLED SPIRITS RETURNED TO BOTTLING PREMISES.—Distilled spirits withdrawn from bond on payment or determination of tax for rectification or bottling which are removed from bottling premises and subsequently returned to the premises from which removed may be dumped and gauged after such return under such regulations as the Secretary or his delegate may prescribe, and subsequent to such gauge shall be eligible for allowance of loss under this subsection as though they had not been removed from such bottling premises."

(c)(1) Section 5215(a) of such Code is amended to read as follows:

"(a) GENERAL.—On such application and under such regulations as the Secretary or his delegate may prescribe, distilled spirits withdrawn from bonded premises on payment or determination of tax (other than products to which any alcoholic ingredients other than such distilled spirits have been added) may be returned to the bonded premises of a distilled spirits plant. Such returned distilled spirits shall be destroyed, denatured, or redistilled, or shall be mingled as authorized in section 5234(a)(1) (other than subparagraph (C) thereof). All provisions of this chapter applicable to distilled spirits in bond shall be applicable to distilled spirits returned to bonded premises under the provisions of this section on such return."

(2) Section 5215(b) is repealed.

(3) Subsection (c) of section 5215 is redesignated as subsection (b).

SEC. 3. (a) Subpart E of part 1 of subchapter A of chapter 51 of the Internal Revenue Code of 1954 is amended by redesignating section 5066 as section 5067 and by inserting after section 5065 the following new section:

"SEC. 5066. DISTILLED SPIRITS FOR USE OF FOREIGN EMBASSIES, LEGATIONS, ETC.

"(a) ENTRY INTO CUSTOMS BONDED WAREHOUSES.—

"(1) DISTILLED SPIRITS BOTTLED IN BOND FOR EXPORT.—Under such regulations as the Secretary or his delegate may prescribe, distilled spirits bottled in bond for export under the provisions of section 5233 may be withdrawn from bonded premises as provided in section 5214(a)(4) for transfer to customs bonded warehouses in which imported distilled spirits are permitted to be stored in bond for entry therein pending withdrawal therefrom as provided in subsection (b). For the purposes of this chapter, the withdrawal of distilled spirits from bonded premises under the provisions of this paragraph shall be treated as a withdrawal for exportation and all provisions of law applicable to distilled spirits withdrawn for exportation under the provisions of section 5214(a)(4) shall apply with respect to spirits withdrawn under this paragraph.

"(2) BOTTLED DISTILLED SPIRITS ELIGIBLE FOR EXPORT WITH BENEFIT OF DRAWBACK.—Under such regulations as the Secretary or his delegate may prescribe, distilled spirits stamped or restamped, and marked, especially for export under the provisions of section 5062(b) may be shipped to a customs bonded warehouse in which imported distilled spirits are permitted to be stored, and entered in such warehouses pending withdrawal therefrom as provided in subsection (b), and the provisions of this chapter shall apply in respect of such distilled spirits as if such spirits were for exportation.

"(3) TIME DEEMED EXPORTED.—For the purposes of this chapter, distilled spirits entered into a customs bonded warehouse as provided in this subsection shall be deemed exported at the time so entered.

"(b) WITHDRAWAL FROM CUSTOMS BONDED WAREHOUSES.—Not withstanding any other provisions of law, distilled spirits entered into customs bonded warehouses under the provisions of subsection (a) or domestic distilled spirits transferred to customs bonded warehouses under section 5521(d)(2) may, under such regulations as the Secretary or his delegate may prescribe, be withdrawn from such warehouses for consumption in the United States by and for the official or family use of such foreign governments, organizations, and individuals who are entitled to withdraw imported distilled spirits from such warehouses free of tax. Distilled spirits transferred to customs bonded warehouses under the provisions of this section shall be entered, stored, and accounted for in such warehouses under such regulations and bonds as the Secretary or his delegate may prescribe, and may be withdrawn therefrom by such governments, organizations, and individuals free of tax under the same conditions and procedures as imported distilled spirits.

"(c) WITHDRAWAL FOR DOMESTIC USE.—Distilled spirits entered into customs bonded warehouses as authorized by this section may be withdrawn therefrom for domestic use, in which event they shall be treated as American goods exported and returned.

"(d) SALE OR UNAUTHORIZED USE PROHIBITED.—No distilled spirits withdrawn from customs bonded warehouses or otherwise brought into the United States free of tax for the official or family use of such foreign governments, organizations, or individuals as are authorized to obtain distilled spirits free of tax shall be sold, or shall be disposed of or possessed for any use other than an authorized use. The provisions of section 5001(a)(5) are hereby extended and made applicable to any person selling, disposing of, or possessing any distilled spirits in violation of the preceding sentence, and to the distilled spirits involved in any such violation."

(b) The table of sections for such subpart E is amended by striking out—

"Sec. 5066. Cross reference."

and inserting in lieu thereof

"Sec. 5066. Distilled spirits for use of foreign embassies, legations, etc.

"Sec. 5067. Cross reference."

SEC. 4. (a) Section 5173(b) of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new paragraph:

"(4) INVOLUNTARY LIEN.—In the case of a judgment, or other lien imposed on the property subject to lien under section 5004(b)(1)

without the consent of the distiller, the distiller may file bond, approved by the Secretary or his delegate, in the amount of such judgment or other lien to indemnify the United States for any loss resulting from such encumbrance."

(b) Section 5173(b)(1) of such Code is amended by inserting "or to any judgment or other lien covered by a bond given under paragraph (4)" after "bond given under subparagraph (C)" in the first parenthetical matter.

(c) Section 5173(b)(2) of such Code is amended by inserting "or (4)" after "paragraph (1)(C)".

SEC. 5. Section 5178(a)(4)(A) of the Internal Revenue Code of 1954 is amended to read as follows:

"(A) The proprietor of a distilled spirits plant authorized to store distilled spirits in casks, packages, cases, or similar portable approved containers on bonded premises—

"(i) may establish a separate portion of such premises for the bottling in bond of distilled spirits under section 5233 prior to payment or determination of tax, or

"(ii) may elect to use facilities on his bottling premises established under subparagraph (B) or (C) for bottling in accordance with the conditions and requirements of section 5233 and under the supervision provided for in section 5202(g), but after determination of tax.

Distilled spirits bottled after determination of the internal revenue tax under clause (ii) shall be stamped and labeled in the same manner as distilled spirits bottled before determination of tax under clause (i)."

SEC. 6. This Act shall take effect on the first day of the first calendar month which begins more than 90 days after the date of the enactment of this Act.

The SPEAKER pro tempore. Is a second demanded?

Mr. BYRNES of Wisconsin. Mr. Speaker, I demand a second.

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

There was no objection.

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

Mr. Speaker, the bill, H.R. 10517, has been reported unanimously by the Ways and Means Committee. The Treasury Department has indicated that it has no objection to the bill's enactment.

This bill makes a series of amendments to the distilled spirits provisions of the Internal Revenue Code. In general, the changes are designed to remove restrictions that are no longer needed for effective enforcement of the revenue and regulatory aspects of the code. Briefly, the amendments make the following changes:

First, the bill extends the circumstances under which refunds of tax may be made if distilled spirits are lost through accident while on the distilled spirits plant premises. This change applies only to accidental losses of spirits physically in the area where existing law already permits refunds for losses resulting from flood, fire, or other disaster.

Second, the bill permits voluntary destruction of distilled spirits on the distilled spirits plant premises—the same area involved in the accidental loss situations I have just referred to. This voluntary destruction—which is authorized under present law if done before completion of the bottling process—must be accomplished under whatever supervision the Internal Revenue Service requires by Treasury regulations.

Third, present law makes the basic distilled spirits tax refundable where voluntary destruction is permitted, because the destroyed distilled spirits cannot be used. The same reasoning applies to the much smaller rectification tax, which can be as small as 30 cents per gallon or as high as $1.92 per gallon. The basic tax, which is already refundable, is $10.50 per gallon. The bill, then, allows this small rectification tax to be refunded where the basic tax is refundable in voluntary destruction situations.

Fourth, the bill provides that the accidental loss, casualty loss, and evaporation loss provisions will apply to distilled spirits returned to their original bottling premises, as well as to distilled spirits that have never left those premises. This provision applies only after the returned distilled spirits have been measured in accordance with Treasury regulations.

Fifth, the bill provides a method under which foreign embassies can purchase domestic distilled spirits tax free in the same way they can purchase imported distilled spirits tax free and free of customs duties. It provides the same safeguards against abuse of this privilege that present law provides in the case of foreign distilled spirits. The purpose of this provision is to enable domestic producers to compete on an equal basis with foreign producers for the Embassy market inside the United States.

Sixth, the bill provides that the Internal Revenue Code's penal bond provisions are to operate so as to protect the Federal Government's interest without being unreasonably burdensome to the distiller. For example, under present law if a $100 mechanic's lien is imposed on a distillery the distiller may be required to post—and to pay for—a $300,000 bond. Under the bill, the distiller would have to file only a $100 bond to cover the $100 mechanic's lien. That $100 bond would be subject to approval of the Internal Revenue Service so that the Government's interest would be protected.

Seventh, and last, the bill permits more efficient use of bottling facilities by authorizing bottled-in-bond treatment of distilled spirits bottled in the regular bottling plant premises, if the bottling is done under strict Internal Revenue Service supervision and if the appropriate proof requirements and other requirements are met.

Mr. Speaker, as I have indicated, the Ways and Means Committee was unanimous and the Treasury joined with us. The bill accomplishes a series of minor but desirable modernizations of the Internal Revenue Code's distilled spirits provisions. The bill should be approved.

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

Mr. WATTS. Yes, sir. I yield to the gentleman.

Mr. GROSS. I thank the gentleman for yielding.

We were getting along pretty well until the gentleman read the No. 5 paragraph to exempt foreign Embassies from paying tax on American liquor. How much revenue are we going to lose by that?

Mr. WATTS. Not a bit.

Mr. GROSS. Not a bit?

Mr. WATTS. No, sir.

Mr. GROSS. If there is any revenue accruing from the purchase by foreign Embassies of whisky in this country that is about the only source of revenue we have from them; about the only way we have of getting anything back for the billions we have expended in foreign aid.

I would not want to see that forfeited.

Mr. WATTS. I would not, either.

Mr. GROSS. There is a lot of outflow to the foreigners but not much income.

Mr. WATTS. I would like to answer the gentleman. At the present time it is possible to send into this country all the Scotch and all the Canadian whisky you want to and you put it in a custom bonded warehouse. You can also send out of this country all of the bourbon whisky you want to Canada or Nassau, for example, and send it back into this country and keep it in the same bonded warehouse. Then the State Department can issue a letter to the custom bonded warehouse that in substance says a certain Embassy is entitled to order a certain amount of whisky. The Embassy may specify the amount of either bourbon or other imported spirits. Present law provides that there is no tax paid on that which is withdrawn from that custom bonded warehouse under the above circumstances, no tax paid either to the Federal Government or to the District government. Last year there were approximately 4,000 cases of bourbon whisky shipped out of this country and reshipped right back into this bonded warehouse so that these Embassies could get possession of it without having either to pay the District government or the Federal Government any tax. The only chance that the District government has to get any tax at all is if an Embassy should suddenly run out of imported whisky or should suddenly run out of bourbon whisky and have to run down to a liquor store and buy it.

But you know good and well, since they are going to get this for about $15 a case under their diplomatic privileges, they are not going to a regulary dispensary and pay $40 to $75 a case.

The only thing this bill does is it makes it possible for the bourbon manufacturer to take his whisky directly and put it in this customs warehouse and not have to ship it on to Nassau or to Canada—and that is what is going on and I have the figures on the amount of whisky shipped out of the country and shall be glad to furnish them to the gentleman from Iowa—but what happens is that under the bill he would not have to ship to Canada and then ship it back.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, do they not collect a tariff on it?

Mr. WATTS. No.

Mr. GROSS. Well, that is a good deal like the oil deal between the United States and Mexico.

Mr. WATTS. I do not know whether it is or not. But the only thing I am saying is let us not give foreign whiskies, foreign distilled spirits, more favorable treatment than we treat our own folks. What this bill does is put it exactly on par. I have in my hand a letter——

Mr. GROSS. Let us put that another

way. Let us do the home folks as we do the foreigners.

Mr. WATTS. We cannot do that, sir.

Mr. GROSS. I see. I thank my friend from Kentucky for yielding.

Mr. WATTS. I wish we could. If the gentleman will draw up a bill that will stick, I will join the gentleman in supporting it. However, it is impossible to do it. What I am pleading for is justice for the local people.

Mr. Serr, head of the Alcohol, Tobacco, and Firearms Directorate states in his letter of July 2, 1970, as follows in the next to the last paragraph:

In view of the substantial difference in cost between tax free distilled spirits removed from customs custody and fully taxpaid domestic spirits available in the local market, it is reasonable to expect that embassies presently primarily purchase distilled spirits which they can obtain free of tax. Accordingly, this proposed provision is not expected to result in any significant loss in revenue.

Mr. BYRNES of Wisconsin. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I take this time simply to say that I believe the explanation of the gentleman from Kentucky (Mr. WATTS) amply covers the various provisions of the bill.

For the most part, the changes remove technicalities and provide greater equity in terms of repaying the tax when the distilled spirit has been destroyed by reason of an accident or similar events.

The other item relates to the conditions under which foreign embassies can purchase distilled spirits made in the United States. This is intended to create equity between domestically produced distilled spirits and foreign produced distilled spirits.

Mr. Speaker, the bill was unanimously reported by the Committee on Ways and Means and I urge its adoption.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Kentucky that the House suspend the rules and pass the bill H.R. 10517, as amended.

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

A motion to reconsider was laid on the table.

SEA GRANT AUTHORIZATION

Mr. LENNON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 11766) to amend title II of the Marine Resources and Engineering Development Act of 1966.

The Clerk read as follows:

H.R. 11766

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title II of the Marine Resources and Engineering Development Act of 1966 is amended as follows:

(1) Section 203(b)(1) of the Marine Resources and Engineering Development Act of 1966 is amended by inserting immediately after "for the fiscal year ending June 30, 1970, not to exceed the sum of $15,000,000," the following: "for the fiscal year ending June 30, 1971, not to exceed the sum of $20,000,000, for the fiscal year ending June 30, 1972, not to exceed the sum of $25,000,000, for the fiscal year ending June 30, 1973, not to exceed the sum of $30,000,000.".

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

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

Mr. Speaker, H.R. 11766 has as its purpose the extension of authorization for the sea grant program of the National Science Foundation for an additional 3 years. It would authorize funding up to $20 million for fiscal year 1971, $25 million for fiscal year 1972, and $30 million for fiscal year 1973.

The National Sea Grant College and Program Act was enacted in 1966 as title II or the Marine Resources and Engineering Development Act. This title authorized grants to qualified institutions not to exceed two-thirds of total costs to educate and train marine scientists, engineers, and technicians; to create programs of applied research in marine resource development; and for programs for basic education and research and dissemination of the results of that research to the user public. The program is somewhat analogous to the highly successful lend-grant program and has begun to do for marine affairs what that program has done for agriculture.

The program is presently administered by the National Science Foundation. It provides support through full-scale institutional grants, grants for individual research projects, and through a third category called "coherent area support" for institutions seeking full-scale support, but have not yet satisfied all of the criteria.

Last year, sea grant supported 63 organizations in 27 coastal and Great Lakes States. Eight institutions now have full institutional support: Oregon State University, the University of Rhode Island, the University of Washington, Texas A. & M. University, the University of Michigan, and the University of Hawaii. The State University of New York has been awarded a planning grant directed toward this end.

One of the notable characteristics of the sea grant program is that it is interdisciplinary in nature and enjoys wide geographical support. It concentrates its efforts heavily on coastal zone and environmental problems related to the oceans as well as pure scientific research.

The program is structured to stimulate State and private participation by requiring that the grantee furnish at least one-third of the total costs in cash or facilities.

I might point out that sea grant has produced many highly significant benefits. For example, scientists at the University of Hawaii, working through sea grant, have aided the Hawaiian tuna fishermen by prolonging bait life from 3 to 10 days, thereby extending the time that fishing vessels can remain at sea. University of Miami grantees have developed shrimp culture to a point where commercial firms have started pilot operations to utilize this information. University of Wisconsin and Rochester grantees have defined manganese deposits in Green Bay, and sand and gravel deposits in Lake Ontario which collectively provide a potential $300 million in value. The list of accomplishments is long, and it includes research in the social sciences as well as the more traditional oceanographic inquiries.

Your committee concluded from the testimony that the national sea grant program has contributed greatly to the national goals outlined in the Marine Science and Engineering Development Act of 1966. It is now well established as a necessary and viable part of our educational system having implications that are far reaching. In view of the recent announcement of the President's proposal to create a new National Oceanic and Atmospheric Agency within the Department of Commerce, it is even more apparent that our manpower needs for this legislation is accordingly stronger than ever before. In addition, Mr. Speaker, I might emphasize that the success of the sea grant program depends upon the ability to provide reasonable assurance of institutional support on a more or less continuing basis, thus we are requesting a 3-year authorization to encourage longer range planning.

All of the departmental reports were extremely favorable to this legislation. The only amendment suggested by these reports or in testimony was the suggestion by the National Science Foundation and the Council on Marine Resources and Engineering Development that the sea grant program be authorized "such sums as may be necessary." Your committee, however, does not favor open-ended funding, and recommends the bill as written.

Mr. Speaker, this legislation was unanimously reported by the Committee on Merchant Marine and Fisheries, and I wholeheartedly endorse the measure and urge its prompt passage as a part of a continuing and important educational program.

Mr. ROGERS of Florida. Mr. Speaker, will the gentleman yield?

Mr. LENNON. Mr. Speaker, I am now delighted to yield to one of the authors of this legislation, which was first passed in 1966, the distinguished gentleman from Florida (Mr. ROGERS), the ranking member of the committee.

Mr. ROGERS of Florida. Mr. Speaker, I thank the gentleman for yielding, and I appreciate the gentleman's remarks.

Mr. Speaker, I rise in strong support of this legislation.

Mr. Speaker, I rise in support of H.R. 11766, a 3-year extension of the Sea Grant College Act.

For many years we have heard from scientists of high repute that the United States has a vast storehouse of untapped wealth just off our shores. This wealth comes in the form of food from the sea, medicine from sea creatures, minerals, oil, and plant life that will supply us with a variety of resources.

Indeed, so evident has been these ocean resources that I cannot recall even one voice of dissent. No one can challenge that the oceans offer great potential.

Yet we have been very tardy in beginning our adventure with the seas. If we look at all our national programs, we see that we have not even invested in the seas in proportion to what we have already taken out of the seas. The oceans have been putting money into the Federal Treasury for many years, but the Government has not reinvested proportionally.

The legislation which we are considering here today is one of the very few marine programs which the Government has supported. The Sea Grant Act is designed to produce manpower in the areas of marine science, engineering, and oceanography. It is designed to give us a greater interest and store of information from the seas. Through the sea grant college program we have moved to take advantage of our marine resources and increase our capabilities in the oceans.

I think that this program is the flagship of the Nation's marine efforts at this time so far as specific legislation is concerned.

The interest in this program has spread nationwide. Every State in the Union has sent in at least one inquiry from an institution or college. Possibly the only thing which we might fault the program for is the modesty of funding which the Congress has given it.

As of June 1, 1970, 63 institutions, organizations, colleges, or junior colleges were involved in the sea grant program. This covered 25 States, the District of Columbia, and the Virgin Islands.

Through education, research, training, and consultation, the Sea Grant Act has developed into one of the most productive and exciting programs in the National Science Foundation. Under the directorship of Robert Abel, the program is just reaching maturity and I hope that the additional funds which are proposed in this bill will greatly help satisfy the demand for more marine technology and manpower.

As many of my colleagues know, the President has recommended that a National Oceanic and Atmospheric Administration be formed to bring together a number of our marine programs. This would, if implemented, include the sea grant program.

I feel that if NOAA is organized properly, so that it includes all the necessary agencies, then the sea grant program will play a very vital and important role in this new agency. In the meantime, we should continue with this program and I ask that all my colleagues join with the 17 sponsors of H.R. 11766 for speedy passage.

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

Mr. LENNON. I will be delighted to yield to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Speaker, I am somewhat disturbed by what seems to me to be the fast takeoff in terms of money with respect to this legislation. If I understand it correctly the increase is from $9 million to $30 million in the third year, fiscal year 1973.

Mr. LENNON. That is true, I will say to the distinguished gentleman. The program started in fiscal year 1968, and the legislative committee made it crystal clear to the National Science Foundation which was handling this legislation that no university and no college and no technical institute or any institution of any kind could qualify for this funding unless it demonstrated the capacity and the capability. That is the reason the funds were so restricted in 1968, because it was a new program. It started off with $5 million, then it went to $6 million, and then the authorization for fiscal 1970 went to $15 million. But due to the fiscal restraint that the gentleman from Iowa knows about, the Committee on Appropriations only allowed $9 million for fiscal year 1970.

I might say further to the gentleman that the Committee on Appropriations has already considered, although they have not passed it in the general omnibus appropriation bill, and is including the sum of $13 million for 1971. It has grown, and it has grown until, as I indicated earlier, there are today, as I know the gentleman heard me say, 63 colleges, universities and technical institutions in 27 Coastal and Great Lakes States actively participating in this program today.

It has already in two instances through exploration located manganese deposits in certain areas of this country where they were not thought to exist and it will bring into the Treasury in these respective States and to the Federal Government something in excess of $300 million.

We think this is one of the most viable programs in existence today for complete exploration and ultimately to a greater economical exploitation of our coastal zones and our oceans and seas and estuaries.

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

Mr. LENNON. I yield to the gentleman.

Mr. GROSS. I am not prepared to raise very much opposition to this bill, if any. But I am becoming alarmed by the amount of expenditures on oceanography, by the National Science Foundation, and a variety of other endeavors along these lines.

I just want to be sure we are getting value received for the money that has been expended in the past and that will be expended in the future.

Mr. LENNON. I know of the gentleman's feelings with respect to open ended authorizations. We were requested to make each of the fiscal years we are discussing an open ended authorization. We did not agree to that and I hope the gentleman will agree with our opposition to that. I would rather authorize something in excess of the amount that actually could be expended and leave it up to the Committee on Appropriations to make the final determination rather than to leave it an open ended authorization—and I believe the gentleman would agree with me.

Mr. GROSS. I commend the committee for putting specific amounts and dates in this bill rather than leaving it open ended as it was originally.

Mr. LENNON. I thank the gentleman.

The SPEAKER pro tempore. The gentleman from North Carolina (Mr. LENNON) has consumed 8 minutes.

Mr. MOSHER. Mr. Speaker, I join the gentleman from North Carolina and the gentleman from Florida in urging support of this legislation.

I think the gentleman from Iowa very wisely asks whether there is value received in this program. I think the testimony before our committee demonstrates that there is a value received. As he points out, it is a growing program, because there seems to be universal approval of the program and universal recognition of the fact that the national interest deserves a greater effort in the seas.

I think all of us in the House can take a lot of pride because of the fact that it was here that this program was initiated. It is not a program that was initiated by the executive branch of the Government, but it was here in the Congress that we created this program 3 years ago. I think it deserves our continued support.

H.R. 11766 will continue the sea grant college program through fiscal year 1973 and will authorize funds to support the program on an increasing scale beginning with $20 million for fiscal year 1971 and reaching $30 million for fiscal year 1973.

The $5 million was originally authorized for the sea grant college program for fiscal year 1967. The authorization for the year just ended was $15 million. Beginning slowly and with a modest authorization, the sea grant college program under the auspices of the National Science Foundation has become a model of Federal assistance to our institutions of higher learning, technical institutions and State agencies. Title II of the Marine Resources and Engineering Development Act was enacted in recognition of this Nation's great need to foster the training of scientific and technical personnel in the ocean sciences and to stimulate greater participation by private institutions in the expansion of our knowledge of the oceans and their resources.

The National Science Foundation has utilized this program to encourage a multidisciplinary approach to the development of knowledge of the oceans and our coastal zones, furthering team efforts with specialists from many different fields working together. This breaking down of traditional discipline barriers has now spread beyond the field of marine affairs into other scientific pursuits. Not only has the program brought about efforts which cross traditional lines within our institutions, but it has contributed significantly to the involvement of groups of universities cooperating under a joint grant.

Most sea grant programs involve the coastal zone where the principal scien-

tific, engineering, economic, and social problems involving the marine environment are found. This area where our coastal lands and the oceans meet has the greatest concentration of people, and it is in the coastal zones where the most serious problem of pollution and environmental degradation exist.

Federal support under the sea grant college programs has been awarded to institutions in 25 States, the District of Columbia, and the Virgin Islands. Applications for assistance have far exceeded the funds available, and all too often the National Science Foundation has been compelled to award only a small fraction of the assistance sought.

The increased authorization for the sea grant program as provided in H.R. 11766 is entirely justified in light of the success which has been achieved since its establishment in 1966. Again, I urge my colleagues to support the passage of H.R. 11766.

Mr. LENNON. Mr. Speaker, I am delighted to yield to the distinguished chairman of the full Committee on Merchant Marine and Fisheries, the gentleman from Maryland (Mr. GARMATZ).

Mr. GARMATZ. Mr. Speaker, the House has many times over indicated its support for valuable continuing education programs in the United States. It has also been a leader in the development of a wise and progressive policy for the utilization of the oceans and seabeds within the area of the control of the United States. This interest has extended to the development and rehabilitation of the fisheries of the United States, the orderly development of the natural resources of the subsoil and seabed, and the rational use of these wet areas in such a way as to conserve this last great national resource.

For more than 10 years now, the House, through the Subcommittee on Oceanography of the Committee on Merchant Marine and Fisheries has guided and nurtured a coherent national policy which will soon, if all expectations are realized, come to fruition. But, as the Stratton Commission pointed out in its landmark report, "Our Nation and the Sea," a meaningful national program for marine affairs must include a way to satisfy the manpower needs for oceanography and related sciences, and for the development of social scientists trained in the disciplines necessary to create new policies.

The sea grant program, Mr. Speaker, has in my judgment been an unqualified success. The returns, both tangible and intangible, of this educational and research effort far exceed any conceivable drawbacks and these returns are growing at a rapid rate, far out of proportion to cost.

The educational and research institutions of the Nation have responded to it with tremendous enthusiasm and the list of sea grant directors of the various institutions receiving full-support include the leading men of U.S. marine affairs, including members of the Stratton Commission and the President's Task Force on Oceanography.

The sea grant program, under the capable leadership of its director, Dr. Robert Abel, is a necessary tool for uncovering and utilizing the secrets of the sea, and it deserves the enthusiastic support of the House.

Mr. Speaker, I support this most important bill and urge its rapid passage.

The SPEAKER pro tempore. The question is on the motion of the gentleman from North Carolina that the House suspend the rules and pass the bill H.R. 11766.

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

A motion to reconsider was laid on the table.

JELLYFISH CONTROL

Mr. DINGELL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 12943) to amend section 3 of the act of November 2, 1966, to extend for 3 years the authority to make appropriations to carry out such act.

The Clerk read as follows:

H.R. 12943

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act entitled "An Act to provide for the control or elimination of jellyfish and other such pests in the coastal waters of the United States, and for other purposes", approved November 2, 1966 (16 U.S.C. 1203), is amended by striking out "for the fiscal year ending June 30, 1970" and inserting in lieu thereof "for the period beginning July 1, 1969, and ending June 30, 1973".

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

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

The SPEAKER pro tempore. The gentleman from Michigan is recognized.

Mr. DINGELL. Mr. Speaker, this bill was reported unanimously by the Committee on Merchant Marine and Fisheries to this body.

Mr. Speaker, the purpose of H.R. 12943 is to extend for an additional 3 years the program to provide for the control or elimination of jellyfish and other such pests in the coastal waters of the United States.

The need for this legislation arises from the fact that thousands of vacationers are being robbed of water-recreational opportunities and hundreds of businessmen are being deprived of untold revenues because of the large presence of jellyfish—sometimes known as Portuguese man-of-war in our coastal bays and estuaries. Unfortunately there is no known method of controlling these pests and their invasion each year affects a large segment of our economy and population.

As many of my colleagues will recall, in 1966 the Congress enacted Public Law 89-720, which authorized the Secretary of the Interior to cooperate with and provide assistance to the States—on a 50-50 matching fund basis—for a period of 3 years to discover ways to control or eliminate these pests in the coastal waters of the United States. Although much progress has been made, by necessity, project activities during the past 3 years have been directed toward research. This research has produced valuable technical information that will be needed to develop possible solutions to these problems in the future.

For example, Florida and Puerto Rico have developed information on the occurrence, seasonal distribution, abundance, and life history of the Portuguese man-of-war; Maryland has experimented with physical barriers and chemical control agents; Mississippi has discovered that jellyfish consume large quantities of larval menhaden, an important commercial resource to both Atlantic and gulf coast fisheries; New York has taken advantage of that part of the program which authorizes research for the purpose of controlling floating seaweed. There is an abundance of marine algae in Long Island Sound which is severely hampering the growth and harvesting of several species of shellfish. In addition, the algae is causing propellers and hooks to be fouled, thereby making sport fishing practically impossible. The States of Virginia and Connecticut have also taken advantage of the act and are making a valuable contribution toward this worthwhile program.

Mr. Speaker, the 1966 act authorized to be appropriated $500,000 for fiscal year 1968, $750,000 for fiscal year 1969, and $1 million for fiscal year 1970. During the 3-year period $100,000 was appropriated in fiscal year 1968, $225,000 in fiscal year 1969, and $267,000 in fiscal year 1970.

H.R. 12943 would merely extend the act for an additional 3-year period—until June 30, 1973—and, in addition, would authorize the balance of the unappropriated authorization for fiscal year 1970 to be available to be appropriated over the next 3 years of the program. More simply stated the bill would provide no new authorization of funds; it would simply authorize a total of $733,000 to be appropriated during the 3-year extension of the program, which authorization has been previously approved by the Congress.

Mr. Speaker, the legislation was unanimously reported by the Merchant Marine and Fisheries Committee. All departments reporting on the legislation and all witnesses testifying at the hearings strongly supported H.R. 12943, and I would like to urge its prompt passage.

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

Mr. DINGELL. I yield to my good friend, the gentleman from Iowa.

Mr. GROSS. I thank my friend from Michigan. Tell me, what are the States doing by way of contributing to this program? For example, what is the great State of Maryland doing to eliminate the jellyfish and whatever other pests are interfering with swimmers in Chesapeake Bay?

Mr. DINGELL. I would tell my good friend that on page 4 of the report of the bill, which I will be happy to make available to my good friend, outlines the level of Federal-State expenditures for the fiscal years 1968, 1969, and 1970, and that the States are expending approximately one-half—not approximately but exactly one-half of the funds which are being expended.

I would tell my good friend that there are no programs in being for control. There are merely research programs. The reason is that we do not have the knowledge at this time to engage in active control measures, and in my opinion, it will be extremely unwise at this time, without more information, to try and engage in control measures.

Mr. GROSS. But once the research is carried out and means of control are found, I would assume that the bordering States will then take over, as well as the boatowners who like to jump off the rear ends of their boats and swim in the Chesapeake Bay, for instance. Will they be expected to contribute to the elimination of the sting rays, the jellyfish, and what have you?

Mr. DINGELL. It is hoped that when we finally evolve some control devices, we might be able to come forward with something of this kind. I would have to tell my good friend that one of the things that is coming from this program is a series of lotions and creams and things of that kind that may have the effect of eliminating the sting, which is quite noxious to those who do use the bay.

Mr. GROSS. The association of boatowners would be expected to contribute would they not, to the elimination of nettles in the Chesapeake Bay and other waters?

Mr. DINGELL. I would have to tell my good friend that we have not come that far yet. I do not anticipate that in the life of this bill, which is only 3 years, we will have arrived at the point at which we can actually begin any real control measures.

Mr. GROSS. I would hope that they would all be cut in so that the taxpayers of Iowa would not have to take care of the beaches of Maryland and Lake Michigan.

Mr. DINGELL. I will promise my good friend from Iowa that when we get to that point, we will bear his thoughts in mind.

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

Mr. DINGELL. I yield to my friend, the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I appreciate my friend, the gentleman from Michigan, yielding, and I appreciate the inquiry of my friend, the gentleman from Iowa, but I wonder if, in view of those remarks, the gentleman has ever encountered the startling spectacle of a phosphorescent jellyfish being flushed through the head in the middle of the night when one least expects it?

Mr. DINGELL. I have never had that experience.

Mr. HALL. If the gentleman will yield further, I would say this is a frightening enough experience to the boat owners, from which perhaps the boat owners should be relieved and the landlubbers should be protected.

Mr. DINGELL. I will bear the thought of my friend, the gentleman from Missouri, well in mind, as well as the thoughts of my friend, the gentleman from Iowa.

Mr. Speaker, I yield to the distinguished chairman of the Committee on Merchant Marine and Fisheries, the gentleman from Maryland, such time as he may consume.

Mr. GARMATZ. Mr. Speaker, my bill, H.R. 12943, proposes to extend the so-called Jellyfish Act—or Public Law 89-720—for another 3 years. The original legislation, which I also introduced, became law November 2, 1966. Basically, it was designed to authorize $2.25 million for a 3-year research program into the problem of the stinging jellyfish—also known as sea nettles—and it includes the more toxic Portuguese man-of-war.

To some extent, the bill may be a misnomer, since it would also provide Federal aid for research into other forms of noxious marine pests, including undesirable forms of aquatic plantlife, such as algae and floating seaweed.

In general, this law authorized the Secretary of the Interior to make Federal funds available to the States on a 50-50 matching fund basis. I would like to emphasize, Mr. Speaker, that this has been a very popular program. Under Public Law 89-720, a total of $510,664 in Federal funds was expended in the following manner: Virginia, $194,827; Maryland, $100,000; Mississippi, $82,081; Florida, $67,760; New York, $30,475; and Puerto Rico, $27,776.

I am especially happy to note that this new bill to extend the act another 3 years does not require any more Federal funds than those already authorized under the original act. There remains a balance of $733,000 in unused money from the original authorization, and this is expected to be sufficient to fund all necessary research programs in new 3-year periods.

The committee held 2 days of hearings on H.R. 12943, and the members were pleased at the progress that is being made by the scientists working on jellyfish research. All of these programs are closely coordinated by the Department of Interior, so that there is no overlapping, or wasteful redundancy of research.

Despite the fact that these sea creatures have pestered man for years, no method of effectively controlling them has yet been found, and little has been known about the ecology of these marine organisms. Now, for the first time, information on the life cycle of the jellyfish and on its role in the total marine environment is being uncovered and documented, and the research made possible under the act is making a definite contribution to our knowledge of marine life.

Scientists from several States—especially Maryland and Virginia—are conducting a coordinated yet varied research program. Research includes experimenting with mechanical barriers to protect bathers, searching for a weak link in the jellyfish's life cycle, and the use of natural predators which could be used to control the water pests.

It should also be emphasized that Federal funds from this act have been aiding valuable research on several forms of harmful algae, an undesirable form of aquatic plant growth that is reproducing at an alarming rate in many of our valuable marine areas—including the Chesapeake Bay and other bays and tributaries. The presence of various forms of algae in our lakes, rivers, and bays is often closely associated with major pollution problems, usually from excessive nutrients of nitrates, phosphates, and so forth. These organisms have an adverse impact upon the shellfish industry and upon the recreational potential of many estuarine areas. In other words, this legislation will help to combat one of our major problems—pollution of our natural resources.

Mr. Speaker, this is a worthwhile piece of legislation, and I enthusiastically urge its rapid passage.

Mr. PELLY. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, I rise to join the distinguished chairman of the Fisheries and Wildlife Conservation Subcommittee, the gentleman from Michigan (Mr. DINGELL), in support of H.R. 12943, a bill to extend the jellyfish control program for an additional 3 years. The bill does not, of course, alter the scope of the program nor the authorized level of funding.

Public Law 89-720 was enacted in 1966 in recognition of the fact that the jellyfish or sea nettle had become a serious problem in many of our recreational waters along the eastern seacoast, particularly in the Chesapeake Bay of Maryland and Virginia. Further south in the waters of Florida, Puerto Rico, and the gulf areas, the Portuguese man-of-war is a serious threat to bathers and skindivers. Very little was known about the life cycle of these creatures, and there was no effective control program.

This legislation authorized the Secretary of the Interior in cooperation with the States concerned and the Commonwealth of Puerto Rico to conduct directly or by contract such studies and investigations as he deems advisable in order to bring about effective measures of control. The legislation provides that the cost of such programs shall be borne equally by the several States and the Federal Government.

The sum of $500,000 was authorized to be appropriated for the initial year of study. This sum increased to $750,000 for fiscal year 1969 and $1 million for fiscal year 1970.

The Department of the Interior and the States have made significant strides in furthering our knowledge of the jellyfish but effective control measures still remain to be developed. The basic scientific knowledge of the life cycle of these creatures is, however, a necessary starting point, and this has in large measure been accomplished. Hopefully, the additional 3 years' research under this program will see the effective development and application of means to rid our coastal waters of this pest. I therefore

urge my colleagues to support the passage of H.R. 12943.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Michigan that the House suspend the rules and pass the bill H.R. 12943.

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

A motion to reconsider was laid on the table.

CALL OF THE HOUSE

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

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

Mr. HAYS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

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

[Roll No. 198]

Adams	Ford, William D.	Murphy, N.Y.
Anderson, Ill.	Foreman	Nichols
Anderson, Tenn.	Frelinghusen	Obey
Ashbrook	Frey	O'Neal, Ga.
Ashley	Gallagher	O'Neill, Mass.
Aspinall	Gilbert	Ottinger
Baring	Goldwater	Passman
Barrett	Green, Pa.	Pettis
Bell, Calif.	Griffiths	Pickle
Berry	Halpern	Poage
Betts	Hansen, Wash	Pollock
Bevill	Harrington	Powell
Biaggi	Harsha	Pryor, Ark.
Bingham	Hastings	Purcell
Blatnik	Hawkins	Rarick
Boggs	Hébert	Reid, Ill.
Bolling	Hogan	Roberts
Brasco	Hosmer	Robison
Brock	Ichord	Roe
Brooks	Johnson, Pa.	Rogers, Colo.
Broomfield	Jonas	Rooney, N.Y.
Brown, Calif.	Jones, Tenn.	Ruppe
Burleson, Tex.	Kirwan	St Germain
Burlison, Mo.	Landrum	Sattlefield
Burton, Utah	Leggett	Saylor
Bush	Lloyd	Schadeberg
Cabell	Long, La.	Scheuer
Carey	Lowenstein	Shipley
Cederberg	Lujan	Shriver
Celler	McCulloch	Sikes
Clark	McDade	Stanton
Clay	McDonald, Mich.	Steed
Collier	McEwen	Sullivan
Colmer	McFall	Symington
Conyers	Macdonald, Mass.	Talcott
Corbett	Madden	Teague, Calif.
Coughlin	Mann	Tunney
Daddario	Martin	Udall
Dawson	Mathias	Vander Jagt
de la Garza	May	Watkins
Delaney	Meskill	Watson
Diggs	Michel	Weicker
Edmondson	Mikva	Whalley
Edwards, Ala.	Mills	Whitten
Edwards, Calif.	Minshall	Widnall
Edwards, La.	Mollohan	Wiggins
Eilberg	Morton	Williams
Farbstein	Moss	Wilson, Charles H.
Findley		Wold
Flowers		Wright
		Wyatt

The SPEAKER. On this rollcall 282 Members have answered to their names, a quorum.

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

CURBING TEXTILE IMPORTS

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

Mr. BROYHILL of North Carolina. Mr. Speaker, I would like to place in the CONGRESSIONAL RECORD the following column by James J. Kilpatrick regarding the need for the passage of legislation to curb textile imports. I would like to recommend Mr. Kilpatrick's comments to my colleagues and to express my hearty agreement with his views.

The article follows:

HIGH TIME TO PLACE CURBS ON IMPORTS FROM JAPAN

(By James J. Kilpatrick)

With the collapse last week of textile trade agreement talks with Japan, Congress has but one course left open to it: This is to smack the Japanese with what is known in the trade as the Mills bill. And high time!

Granted, this is not a pleasant prospect for members of Congress who are dedicated to reducing trade barriers, not to raising them. Approval of the Mills bill would be a step backward from the lofty goal of free commerce envisioned under the International General Agreement on Trade and Tariffs. If protective quotas are granted to the textile-apparel industry, other industries hurt by foreign competition will be crying, "me, too."

There is this further objection, that by imposing even the mild and reasonable restraints proposed in the Mills bill, the United States would subject its diplomatic relations with Japan to additional strain. The leaders of last week's massive anti-government riots in Tokyo, protesting extension of the two nations' security treaty, presumably would pick up wider popular support.

Yet the case for a quota system, intended to protect the domestic textile-apparel industry, is supported by compelling evidence. And the record of patient efforts to reach a voluntary agreement suggests that the Japanese propose to stall indefinitely.

Time has run out. The U.S. industry is in deep trouble. Its profits are down. Employment has declined by 65,000 workers in the past 15 months. New capital investment has dropped sharply over the past year. The number of closed plants is increasing. The gloomy picture is almost entirely the result of one cause: The dramatic increase in textile imports.

Dramatic is the word for it. The picture began to change as far back as 1957, when textile imports for the first time exceeded our exports. Now the imbalance amounts to $1.4 billion annually; and more than a third of this imbalance winds up in the hands of Japanese. In the past five years, the volume of textile imports has tripled. If the increase is merely alarming in cotton and wool, it is staggering in the field of man-made fibers.

Several elements account for the situation. Primarily, the imbalance results from wage differentials. The typical American textile worker earns $2.43 an hour; his counterpart in Japan gets 53 cents. In Korea and Taiwan, the figure is 11 cents. The suit that is mail-ordered from Hong Kong is sewn together by tailors paid 25 cents an hour.

Another significant factor lies in trade policies here, and trade policies there. The Japanese, while they adamantly oppose quotas anywhere else, impose relentless import restrictions of their own. Within the European Economic Community, the same picture obtains. No nation in the world has a freer policy on imports than the U.S. As a consequence, one-third of Japanese production goes to American buyers.

Finally, Japanese manufacturers operate without the restraints of anti-trust law. Nothing prevents them from entering into price and market agreements that would be patently illegal here. It is a great convenience not to have a Justice Department breathing down one's neck.

The Mills bill, sponsored by Rep. Wilbur Mills, D-Ark., and 200 other members of the House, would put a ceiling on imports of textiles, apparel and footwear geared to the levels of 1967–68. These limits would be adjusted annually to reflect increases or decreases in domestic consumption. A more reasonable or more generous policy scarcely could be proposed.

Opponents of the Mills bill contend that the effect of even thes mild limitations would be to raise the price of goods to the American consumer. It could happen, but the remarkable record of price stability within our domestic industry suggests otherwise. In any event, the consequences of continued inaction are as visible as a mini-skirt but much less attractive. Free trade is like peace: it is wonderful. But peace at any price is no bargain, and neither is free trade that imposes a ruinous cost on industry here at home.

CUSTOM SLAUGHTER EXEMPTION UNDER FEDERAL MEAT INSPECTION ACT

Mr. FOLEY. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3592) to amend the Federal Meat Inspection Act, as amended, to clarify the provisions relating to custom slaughtering operations.

The Clerk read as follows:

S. 3592

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Meat Inspection Act (34 Stat. 1260, as amended by the Wholesome Meat Act, 81 Stat. 584), is hereby amended by deleting the proviso from paragraph (a) of section 23 of the Act, and the colon preceding said proviso, and substituting therefor the following: "; nor to the custom preparation by any person, firm, or corporation of carcasses, parts thereof, meat or meat food products, derived from the slaughter by any person of cattle, sheep, swine, or goats of his own raising, or from game animals, delivered by the owner thereof for such custom preparation, and transportation in commerce of such custom prepared articles, exclusively for use in the household of such owner, by him and members of his household and his nonpaying guests and employees: *Provided,* That in cases where such person, firm, or corporation engages in such custom operations at an establishment at which inspection under this title is maintained, the Secretary may exempt from such inspection at such establishment any animals slaughtered or any meat or meat food products otherwise prepared on such custom basis: *Provided further,* That custom operations at any establishment shall be exempt from inspection requirements as provided by this section only if the establishment complies with regulations which the Secretary is hereby authorized to promulgate to assure that any carcasses, parts thereof, meat or meat food products wherever handled on a custom basis, or any containers or packages containing such articles, are separated at all times from carcasses, parts thereof, meat or meat food products prepared for sale, and that all such articles prepared on a custom basis, or any containers or packages containing such articles, are plainly marked 'Not for Sale' immediately after being prepared and kept so identified until delivered

to the owner and that the establishment conducting the custom operation is maintained and operated in a sanitary manner."

The SPEAKER. Is a second demanded?

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

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

There was no objection.

The SPEAKER. The gentleman from Washington is recognized for 20 minutes.

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

Mr. Speaker, in 1967 Congress passed landmark consumer legislation in the enactment of the Wholesome Meat Act. That act, which updated the Federal Meat Inspection Act in its first major amendment since 1906, contained a provision relating to custom slaughtering operations. That provision permitted custom slaughtering to be carried on for the benefit of private customers for their use, the use of their families, nonpaying guests, and employees.

But the exemption for custom slaughtering contained a restriction that prohibited, as later interpreted by the Department, such custom slaughterers from engaging in the sale of any meat or meat products.

In many areas of the United States especially in rural areas so-called locker plants, and other custom slaughtering operations have been carried on side-by-side with the sale of inspected meat and meat products. This act would clarify the 1967 act and permit such simultaneous operations in the sale of inspected meat products, if certain conditions are met. The conditions are that the custom slaughterer must provide complete separation in his facility of those meat and meat parts that are slaughtered for the custom customer and those inspected meat products for sale to the public. In addition the custom slaughtered or processed meat must be clearly identified as "not for sale." Proper sanitation standards must be met at all times and proper records kept for examination.

This bill also provides authority for the custom slaughtering of game animals so that hunters and sportsmen who may wish to have game animals slaughtered in this fashion will be able to do so.

This amendment is not a weakening of the 1967 act, but indeed in providing continued opportunity for safe sanitary custom slaughtering of farm and game animals this amendment aids consumer protection, a clarification of it; hearings were held before the Subcommittee on Livestock and Grains of the Agriculture Committee without any opposition. A similar bill has been passed by the Senate and is the bill before the House today. When the Senate bill was considered by the committee of the other body, various consumer groups testified in support of it.

I am sure that many Members of the House will note with approval that the gentleman from Iowa (Mr. SMITH) who is perhaps the leading advocate of tight Federal meat inspection in the Congress and who was the principal sponsor of the 1967 Wholesome Meat Act, is a cosponsor of this legislation. I think it is a useful amendment to the law. It would clarify the position of the custom slaughterers so that they may continue to perform services that are needed in many rural areas, doing so under proper conditions that will be supervised by the Secretary of Agriculture for the full protection of the public.

Mr. Speaker, I reserve the balance of my time.

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

Mr. FOLEY. I yield to the gentleman from Nebraska.

Mr. DENNEY. Mr. Speaker, I rise in support of this bill. In my district there are 17 of these custom slaughterers. I think there was an oversight. I agree with the Clean Meat Inspection Act we passed before, but definitely the local people will police these small quality plants.

I think this is an excellent bill. I rise in support of it and urge all Members to vote in favor of it.

Mr. FOLEY. Mr. Speaker, I thank the gentleman from Nebraska.

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

Mr. FOLEY. I yield to the gentleman from Minnesota.

Mr. QUIE. Mr. Speaker, I rise in support of this bill.

Passage of this bill is essential if smaller communities across the Nation are to continue having the services of custom meat slaughterers.

I have introduced similar legislation, H.R. 16908, which was the subject of subcommittee hearings.

The custom meat slaughterer often sells inspected meat in a meat market and also operates a locker freezing plant where community resident and area farmers can have livestock butchered and frozen for their own personal use. There is not enough financial gain in either portion of the business to maintain it alone. Therefore, if the prohibition against custom slaughterers and the sale of inspected meats contained in the Wholesome Meat Act were allowed to stand, these small businessmen would have to close their doors.

Mr. Speaker, this legislation has brought letters of support from all across my congressional district. I submit for the consideration of my colleagues a letter I received from the president of the Minnesota Farm Bureau and letters from two Farmers' Union locals:

MINNESOTA FARM BUREAU FEDERATION,
Saint Paul, Minn., January 29, 1970.

HON. ALBERT H. QUIE,
House of Representatives,
Washington, D.C.

DEAR AL: We are concerned with present federal laws pertaining to meat inspection. I am referring to the Wholesome Meat Act of 1967.

As is sometimes the case, we feel it is too far-reaching. Although legislation in this area has been long overdue, it does overlook the inability of many states to get geared up in the alloted length of time to meet requirements, which can cause us in Minnesota many problems where the small, private, custom slaughter is concerned. We feel these people do fill a very necessary need in our communities, therefore, I would appreciate your considering the Curtis amendment, or a similar one, dealing with this most important matter. Many thousands of rural people are affected; plus the fact that hosts of city people have learned of the satisfactory dealing with these small-town and community shops.

I would appreciate your giving this area your careful consideration.

Thank you, Al.

Very truly yours,

CARROLL G. WILSON,
President.

FARMERS UNION, HAYFIELD LOCAL,
DODGE COUNTY,
Hayfield, Minn., February 5, 1970.

DEAR REPRESENTATIVE QUIE: I understand that the Wholesome Meat Act of 1967 has a section in it that prohibits farmers from having their slaughtering and meat processing done as a custom service in small town locker plants. Is this so?

If this is so, how do these law makers expect us farmers to process our animals for our own eating? Are we going to have to go back to the days when we did our own butchering and cut the meat up on the kitchen table, or hung a half a beef in the woodshed to freeze in the winter?

I am asking you to look into this matter and do your best to change that section in the bill so we as farmers can continue to get the custom service for meat processing we have had in the past from these small town locker plants. Thank you.

Sincerely,

ROBERT BEAVER.

FARMERS UNION, A. & M. OF ADAMS
LOCAL, MOWER COUNTY,
Taopi, Minn., February 10, 1970.

HON. ALBERT QUIE,
House of Representatives,
Washington, D.C.

DEAR SIR: We, the members of the A and M Adams Local, Mower County, Minnesota, wish to submit our signatures to show our interest and concern in the Wholesome Meat Act Amendment, Section 23(a) introduced in Congress Identified in the Senate as S. 2983 Identified in the House of Representatives as H.R. 14457.

Will you please act in favor of these bills. Thank you.

Sincerely,

Mrs. Maxine Minnihan, Secretary of A. & M. Adams Local; Mr. W. J. Minnihan, Mr. Henry Himebaugh, Mr. and Mrs. David Gilderhus, Mr. and Mrs. Merle Hatle, Mr. and Mrs. Otto Flo, Mr. and Mrs. George Adams, Mr. and Mrs. Vernon Smith, Mr. Art Peterson.

I am also submitting a letter from a housewife who makes a very strong case for continued operation of small meat market custom slaughterer operations:

FEBRUARY 6, 1970.

DEAR SIR: Why are you people in Washington trying to pass laws forcing our meat markets in small towns to close. I'm sure they're just as sanitary as any meat market in the larger cities or people would not patronize them.

Where are the farmers and local people supposed to get their meat processed? We haven't the time and certainly can't afford to drive 40 or 50 miles every week for meat. Why not help these small towns to stay alive or do you people think we should all move to the big city ghettos?

We elect you people to help us—not to help the big to get bigger and richer.

Why don't you stop by Wabasha and see all the improvements our local meat market did about a year ago and we were so proud—now that isn't even good enough.

Another reason why I think they outrate our big city meat market; we have quite a few friends and relatives who come here and like to buy sausage and meat because it tastes so much better. What they buy seems so old and tough.

And that's how our Congressmen are helping us. Please try to work harder for us in small towns and localities as we do pay our share of taxes also.

Sincerely yours,

MRS. NORBERT MARX.

WABASHA, MINN.

In conclusion, Mr. Speaker, I submit a letter from the president of the Brownsdale Meat Service, Inc., and a copy of the advertisement he placed in local newspapers. This advertisement was very effective and brought many letters, of which I am submitting three examples:

BROWNSDALE MEAT SERVICE,
January 31, 1970.

Representative AL QUIE,
House of Representatives,
Washington, D.C.

DEAR MR. QUIE: As an owner of a small meat processing plant I am concerned for the future of my business and that of thousands of other locker and freezer provisioning establishments throughout the country. This industry has been of service to its small communities for many years and are now forced with regulations that could force many of us to close our doors. We are now and have been providing our customers with a wholesome product.

The Wholesome Meat Act of 1967 unwittingly included a provision, known as Section 23(a) that effectively prohibits us from engaging in the meat business if we perform custom services for farmers. This provision can be changed by the proposed amendment, Senate bill S. 2983 and House bill H.R. 14457. The adoption of these amendments in no way would weaken the purpose of the meat inspection program i.e.: to provide clean wholesome meat, processed in a sanitary manner. It would allow thousands of small independent businesses to exist and be of service to their communities in Rural America.

Our Minnesota State Inspection Program incorporates some of the provisions that are in these two amendments and allows us to sell inspected meats and perform custom services for the farmers of Minnesota. But we need this provision included in the Wholesome Meat Act so that our Minnesota program will be excepted by USDA and our State will share in the funds available for the administration of the State Program.

If you are concerned in the future of many of the nation's small businesses that are the main enterprise in many small towns I ask your support in getting these bills out of committee and for their passage on the floor.

Yours truly,

EUGENE GERHARDT,
President.

A MESSAGE FROM THE BROWNSDALE MEAT SERVICE

DEAR FRIENDS: We are faced with a very serious situation that we would like you to know about.

For many years our firm, like the thousands of other locker and freezer provisioning establishments throughout the country, has been serving its customers in various ways. Two things that all of us in the industry have in common are the following:

(1) *We sell inspected meat,* supplying sides, quarters and various other cuts of meat to household customers according to their instructions.

(2) *We perform custom services* for farmers, processing and freezing meat from farm-slaughtered animals so that farm people may consume animals they raise.

Selling inspected meat and performing custom services for farmers naturally go together. The combination of these activities, which involve the use of the same personnel, facilities and equipment, has made it possible for us to operate at a reasonable profit through the years while serving our customers.

Now, the very existence of our business and that of thousands of locker and freezer provisioners is threatened. When Congress passed the Wholesome Meat Act of 1967, it unwittingly included a provision, known as Section 23(a), that effectively prohibits us from engaging in the meat business if we perform custom services for farmers. This means that our firm and thousands like us throughout the nation are being forced to discontinue one or the other of our traditional services. Since we can't possibly exist on only part of our business we will be forced to close our doors.

A proposed amendment to Section 23(a) of the Wholesome Meat Act that would solve this problem has been introduced into Congress. In the Senate, the bill is sponsored by Senators Carl Curtis and Roman Hruska of Nebraska and is identified as S. 2983. A similar bill has been introduced into the House of Representatives by Congressman Tom Kleppe of North Dakota, and is known as H.R. 14457. If we can convince Congress to act favorably on these bills, our problem will be solved without in any way weakening the meat inspection program.

If *you are concerned about this* and are interested in seeing to it that our services continue to be available to you, we ask that *you assist us by writing to your Congressman and Senators about this matter.*

We hope that we can count on you for help.

Sincerely yours,

BROWNSDALE MEAT SERVICE.

FIRST AMERICAN STATE BANK OF BROWNSDALE, MINN.,
February 5, 1970.

Representative ALBERT H. QUIE,
House of Representatives,
Washington, D.C.

DEAR AL: We have a meat locker in our village that performs custom services for farmers in the area, such as processing their meat for them from their own animals that they have slaughtered; and they also sell inspected meat to household customers.

It is my understanding that under the Wholesome Meat Act of 1967, Section 23A, they would be prohibited from performing both these services. It is also my understanding that there has been an amendment to Section 23A that could correct this problem.

I am sure that many small communities in our state are similar to us in the respect that this is one of our main industries, and it would be a severe handicap to our community if they could not continue to perform both services.

I would therefore urge you that the best interest of the people in the State of Minnesota could best be served by your favorable support on this amendment.

Sincerely yours,

FIRST AMERICAN STATE BANK,
DALE C. MADISON, *President.*

SARGEANT, MINN.

Congressman QUIE.

DEAR SIR: I am sending you an article, which was in our small local paper.

Will you please look into this and use your influence in helping to pass these bills.

If we lose these small lockers, and our big chain stores get to sell the meat, then we will have to pay more for it, and it seems to me it is high enough as it is.

Thank you.

Sincerely,

MRS. OSCAR JOHNSON.

WALTHAM, MINN.,
February 5, 1970.

Hon. ALBERT QUIE:

As a farmer's wife I am concerned that we are able to receive the services of our local locker and freezer plant in the future as we have in the past years. It is by far better that we have our meat processed by the methods of an experienced plant than to try to do our own at home under much less desirable conditions. It is also important that the Brownsdale Meat Service can continue selling meat to customers that don't wish to buy their meat in a super market because as a farm raised boy yourself, I am sure you have noticed the difference in quality and also the variety one gets from a whole beef or hog compared to the few cuts one would purchase in a super market. I would appreciate whatever you can do in Congress so that we can continue having our own farm raised animals processed at our local locker plant and that they can also continue to serve the people who wish to purchase processed meat from the locker plant.

Sincerely yours,

MRS. RAEBURN HANSON.

I urge approval of this legislation so that these communities will not lose the services of a custom slaughterer.

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

Mr. FOLEY. I yield to the gentleman from Minnesota.

Mr. NELSEN. Mr. Speaker, I thank the gentleman for yielding.

I would like to point out that when the original bill was passed, some of us had some concern about the fact that the bill might be detrimental to the interests of some of the small processors that give rural America great assistance. True enough, it did. The interpretation was too strict.

Under the terms of this bill, as pointed out, none of the sanitation measures are overlooked. It is a matter of trying to accommodate this situation, that will permit small processors to serve rural America as they have been served in the past.

I have introduced a companion bill to the one now under discussion. I congratulate the gentleman on the floor who has introduced this bill along with the gentleman from Iowa (Mr. SMITH) and others, we hope proper accommodations have been provided and clarified.

Mr. BELCHER. Mr. Speaker, I yield 5 minutes to the gentleman from North Dakota (Mr. KLEPPE).

Mr. KLEPPE. Mr. Speaker, I compliment the gentleman from Washington for his remarks in explaining the bill and I wish to indicate very specifically that this does not weaken our meat inspection law.

The amendment to the Wholesome Meat Act of 1967 which is before us today was unanimously approved by the House Agriculture Committee following its passage by the Senate.

Essentially what the amendment does is to permit plant operators to engage in both custom slaughtering and retail meat sales, if they keep the products segregated and meet sanitary standards. I emphasize that it would not lower sanitary standards.

Without this amendment, many North Dakota freezer locker operators may have to close down because they cannot operate profitably if they are restricted solely to custom slaughtering or retail meat sales. There are 193 such small operators in our State who would be subjected to the law who will be taken care of under this amendment.

North Dakota is the first State in

which all meat offered for sale must be federally inspected. The Federal takeover of inspection became effective June 23. Many other States, which were given an additional year to raise their meat inspection standards to the Federal level, face the prospect of Federal takeover of all meat inspection at the end of 1970. Within those States, literally thousands of small plant operators may be forced out of business unless this amendment is approved.

North Dakota meat processors had sought an injunction in Federal district court to prevent the Federal meat inspection takeover. This was denied. The Eighth Circuit Court of Appeals subsequently turned down a motion for a stay order pending appeal of the district court ruling. As the Members will notice in the report:

> The committee is also aware of the imminent deadline of June 23, 1970, when Federal inspection is scheduled to go into effect in the State of North Dakota. The committee, therefore, urges the Secretary to exercise reasonable administrative discretion in enforcing the custom slaughter provisions of the act until such time in the near future when the House has an opportunity to work its will upon this legislation.

Mr. Speaker, I think this is a very important provision and a very important statement in the report. This makes it especially urgent that the amendment to the Wholesome Meat Act be approved by the House today and sent along to the President for his signature. I know of no serious opposition to the amendment itself, which has the approval of the U.S. Department of Agriculture. Therefore, I strongly urge that the amendment be adopted.

Mr. ANDREWS of North Dakota. Mr. Speaker, will the gentleman yield?

Mr. KLEPPE. I yield to the gentleman from North Dakota.

Mr. ANDREWS of North Dakota. Mr. Speaker, I wish to associate myself with the remarks of my distinguished colleague, the gentleman from North Dakota, and point out to the House that at issue here is the basic right of the small businessman to continue in operation. This is about the small man who makes a net income of $5,000 or $6,000 a year, half from the retail sales and half from the custom slaughtering. He is forced under the present act—which was certainly not the intent of Congress—to close his doors. If he has to close his doors, it means poor quality meat will be sold in these communities.

This was certainly not the intent of the Congress when the Federal Meat Inspection Act originally passed.

This amendment is vitally needed.

The purpose of the amendment is simply to allow meat processors who are custom slaughterers to buy and sell meat at retail on the same premises as they slaughter.

It is, of course, the clear intent of this bill that nothing in it will be construed to weaken in any way the protection that the act affords consumers, and all the meat that is sold must be Government inspected.

On June 23, North Dakota was the first State in which the Federal Government took over meat inspection duties. The purpose of the Wholesome Meat Act as passed by the Congress in 1967 was to protect the health of the consumer by insuring that the meat that was sold across the counter was indeed clean. As happens so often with acts of Congress, however, the administration of the law in its early application has revealed weaknesses and drawbacks which could not have been envisioned beforehand. The law has created undue hardships and penalties for small meat processors that surely were not the intent of Congress.

I have received assurances of cooperation from USDA with regard to application of that section of the Wholesome Meat Act to be affected by this amendment. In the House Agriculture Committee report which accompanied the bill to the floor, the committee urged that the Secretary of Agriculture exercise reasonable administrative discretion in enforcing the custom slaughter provisions of the act until such time in the near future when the House has an opportunity to work its will upon this legislation.

The government of North Dakota was not able to provide evidence to the Federal Government that it was able to move in compliance with Federal regulations. The Federal Government therefore took over the job of meat inspection in our State, making us a proving ground for the act. The act is proving to be a ruinous and tragic law for many small, custom slaughterers whose livelihood rests jointly on the business of custom slaughtering and retail sale of meat. Forbidden to engage in both practices, these small operators are finding they cannot make a living in either one alone. As they are forced out of business, they and the communities they serve, are the victims of this testing period that all major legislation must go through.

The Wholesome Meat Act was passed to help insure wholesome meat products for consumers. It was not the intent of Congress to put small meat processors who are providing an essential service to their communities out of business.

The passage of the amendment would not impair the thrust of the law, but it will help the small meat processor in North Dakota or any other State that, in the future, fails to meet Federal regulations to stay in business to continue to serve the consumer with a high quality product.

Mr. KLEPPE. I thank the gentleman for his comments.

Mr. ZWACH. Mr. Speaker, I rise in support of S. 3592, the custom slaughter exemption under the Federal Meat Inspection Act.

The Federal Meat Inspection Act, dating back more than a half century and amended from time to time to meet changing conditions, is an excellent law. When we added the Wholesome Meat Act, we did not exempt custom operations from inspection if the person doing custom work engages in the business of buying or selling any meat or meat food products. However, in the district I represent, as well as in many other areas of the country, both these functions—custom slaughtering and custom processing, and the buying and selling of inspected meat products—are carried out at a single establishment. Such an establishment, which may well depend on both types of operations for survival, is often the only source of meat products of custom service in the community.

Without diluting the consumer protection provided in the Wholesale Meat Act, the amendment provided in S. 3592 would improve the effectiveness of the Federal meat inspection program. It would permit custom slaughterers to buy and sell inspected meat and meat products without losing the exemption for custom slaughtering. It also recognizes and protects the special needs of the custom slaughterer while maintaining the standards of consumer protection. This technical amendment makes the custom slaughterer exemption for retail and businesses dependent on those businesses buying and selling inspected meat and meat products. It also requires the slaughterer to physically segregate the custom-slaughtered meat and the inspected meat and meat products offered for sale to the public.

We need to protect the livelihood of these small businessmen in our communities and I urge the House to act favorably on this legislation.

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

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

Mr. GROSS. I, too, join the gentleman from North Dakota in saying this is a proviso that ought to have been in the original law. I am glad that is now being adopted.

Mr. KLEPPE. I thank the gentleman for his statement.

Mr. BELCHER. Mr. Speaker, I yield such time as he may consume to the gentleman from Kansas (Mr. SEBELIUS).

Mr. SEBELIUS. Mr. Speaker, I appreciate this opportunity to discuss proposed amendments to the Federal Meat Inspection Act included in S. 3597.

Presently, the Federal Meat Inspection Act provides an exemption for custom slaughtering—the slaughter of an animal and the preparation of its meat by one person for another. This exemption, however, is contingent upon the custom slaughterer not engaging in the business of buying or selling any meat or meat products whatsoever.

S. 3592 simplifies administration of this act without reducing consumer protection. This legislation changes the exemption to permit custom slaughterers to conduct a separate inspected meat business. It also provides that the Secretary of Agriculture could exempt custom slaughtering and processing performed by an inspected establishment. For consumer protection, the custom-slaughtered articles must be marked "Not for Sale!" and separated at all times from articles prepared for sale.

In many areas of the country, a single establishment provides both custom slaughtering and custom processing. They also purchase inspected carcasses from larger federally inspected plants and process the carcasses for wholesale and retail trade. Many such establish-

ments depend on both types of operations for survival.

In many cases, the volume in these locker plants is not sufficient for them to continue operation as a processor alone. Without enactment of this legislation, many communities will be deprived of a frozen food locker facility. This development would have yet another adverse effect on our rural areas, another step in hastening the rural migration of our citizens to our overcrowded urban areas.

Everyone supports the principle of a clean, wholesome product as specified in the Wholesome Meat Act. Approval of S. 3592 would mean absolutely no loss of consumer protection. The effect would sustain a vital community service and would protect the consumer's local outlet for fully inspected meat and meat food products.

Mr. BELCHER. Mr. Speaker, this is a good bill. It has been needed ever since the meat inspection act was passed. I am completely in support of this bill.

Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT. Mr. Speaker, I rise in support of the bill.

I appreciate the gentleman's yielding. The bill under consideration is similar to H.R. 16895 which I sponsored. It is intended to correct an oversight in the Federal Meat Inspection Act which at present prevents a person performing custom slaughtering from selling any meat or meat product. This change, it is hoped, will be of benefit to the person who raises his own livestock and takes it to the local locker plant to be butchered. Under the changes brought about by the bill under consideration, the Secretary of Agriculture could exempt the locker plant which butchered animals from the current prohibition on custom slaughtering and allow him to continue processing, buying, and selling inspected meat products. His public customers, of course, would continue to be protected as any meat prepared for a private individual would have to be clearly marked as "not for sale" and would have to be clearly separated from inspected meat and meat products that are offered for sale to the public.

As previously stated, this bill will be of benefit to the person who raises his own stock as well as to the hunter who desires to have his game animals suitably prepared by a custom slaughterer. I hope the House will act favorably upon the measure.

Mr. BELCHER. Mr. Speaker, I yield such time as he may consume to the gentleman from Idaho (Mr. McCLURE).

Mr. McCLURE. Mr. Speaker, I rise in support of the bill. I want to express my very strong support of this bill. The so-called Clean Meat Act has imposed hardships on small operators, many of whom were wholly or substantially serving the custom slaughter trade. While those who supported that bill now claim that it is regulations and interpretation that have caused the difficulties which this bill seeks to correct. I think it is only fair to remind them that many of us tried to tell them then what would happen. In their messianic zeal they blinded themselves to the facts and refused to listen to any warnings. Their bill was perfect, we were told, and our fears unjustified. Today they are conceding that correction is needed but are unwilling to admit their own responsibility for the problem.

This bill is both justified and needed. It does correct one of the glaring errors of the original legislation.

Mr. BELCHER. Mr. Speaker, I yield such time as he may consume to the gentleman from Kansas (Mr. WINN).

Mr. WINN. Mr. Speaker, I am very pleased that we are today correcting an inequity in the Wholesome Meat Act which, had it been allowed to remain, would have forced a number of small meat processors in my district out of business. I refer to that provision which restricted the custom slaughterer from engaging in the business of buying or selling any meat or meat products.

After we had passed the Wholesome Meat Act, I was advised by several freezer and locker provisioners in my district that they would be forced to close because of the need to make a choice of whether to do custom work exclusively, eliminating all selling of meat, or doing commercial work, eliminating custom work. This provision had nothing whatever to do with improving the sanitary conditions in the industry which was the overall intent of the legislation but appeared to be an oversight in the preparation of the bill. I vigorously support the enactment of S. 3592, providing for this corrective amendment to the Federal Meat Inspection Act.

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

Mr. FOLEY. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Iowa (Mr. SMITH).

Mr. SMITH of Iowa. Mr. Speaker, I support this legislation. I want to commend the members of the committee, the gentleman from Washington (Mr. FOLEY) and the gentleman from Oklahoma and others for the work that has been done on this. It has been carefully worked out so as to cure a defect in the interpretation of the law and at the same time to give the protection and relief that is needed to those concerned.

Mr. Speaker, I support H.R. 16485, a bill I have cosponsored to amend the Wholesome Meat Act.

This bill clarifies the 1967 law and writes into law some strengthening or protective provision which might otherwise have been in regulations. H.R. 16485 would not change the intent of that law. It would not cost any additional money. It would, in fact, do what the U.S. Department of Agriculture originally stated that it could do by regulation. Passage of this bill is needed, however, to avoid working an unnecessary hardship on establishments which sell meat and meat food products to the general public and also engage in custom slaughtering operations—that is, the slaughtering of livestock for the owner who plans to consume it on the family table.

After the Wholesome Meat Act became law, a number of locker plant operators who handle meat on a custom basis and also sell some inspected meat at retail made inquiries regarding how it would apply to custom slaughtering operations. The Department's original position was that custom slaughtering would be permitted, by regulation, under section 5 of the act, which provides general authority for the entry into inspected plants of "carcasses, parts of carcasses, meat and meat food products, and other materials" under such conditions as are consistent with the purposes of the act. The Department later decided, however, that the term "carcasses" in section 5 applies only to livestock slaughtered prior to entry into the plant and, therefore, that a live animal cannot be allowed into a plant for custom slaughtering operations where meat is also sold even though the meat sold is handled in full compliance with the Federal meat inspection standards and came from an inspected slaughterer.

The Department also has given a strict interpretation to section 11 of the 1967 law, which added a new section 23(a) to the original Federal Meat Inspection Act. Section 23(a) now provides, in part, that custom slaughtering operations shall be exempt from inspection provided the custom operator does not engage in the buying or selling of meat or meat food products capable of use as human food. Many locker plants are engaged in both custom slaughtering and in preparing and selling meat to the general public, and because of the Department's present interpretation of the law it is necessary to revise section 23(a). Otherwise, those plants selling meat to the general public will be able to handle custom meat slaughtered outside the plant under less than high standards but not be able to handle meat slaughtered in the plant under top sanitary conditions.

This legislation will also protect the consumers who purchase meat from such an establishment. H.R. 16485 specifically provides that all meat prepared on a custom basis shall be kept separate at all times from meat prepared for sale to the general public, and that the custom-prepared meat be marked "not for sale" until it has been delivered to its owner. These provisions could have been included in regulations but were not spelled out in the 1967 law, and so the bill does contain an added measure of consumer protection.

As the subcommittee knows, the Senate has already passed legislation, S. 3592, which deals with custom slaughtering operations. The Senate-passed bill is identical to H.R. 16485, except for one technical amendment which makes clear that all custom operations, whether conducted at inspected or noninspected establishments, shall be subject to regulations requiring separation and marketing of custom-prepared meat. This will provide added assurance that meat prepared on a custom basis is returned to the owner and not sold to the general public, and I recommend to the subcommittee that H.R. 16485 be amended to conform to the bill as passed by the Senate.

Since the provisions of the Wholesome Meat Act relating to intrastate operations become fully effective on December 15 of this year and since some States

are already affected, this legislation should be passed as quickly as possible so that operators who are bringing their plants up to Federal standards will know where they stand with regard to custom slaughtering operations and so that State officials will be aware of the requirements in advance. This bill has broad support and contains nothing which could be considered controversial except by someone who still opposes the 1967 act or hopes that preventing this clarification will help to secure an extension of the effective date. I do oppose any extension of the effective date of December 15, 1970, but I am hopeful that H.R. 16485 will be given prompt and favorable consideration.

Thank you.

Mr. PRICE of Texas. Mr. Speaker, as a representative of a major beef producing section of the Nation, I am greatly interested in the bill before the House today which would amend the Federal Meat Inspection Act and clarify its provisions relating to custom slaughtering operations.

The purpose of this bill is to improve the effectiveness of the Federal meat inspection program. It would, among other things, permit custom slaughterers to buy and sell inspected meat and meat food products without losing the exemption they currently have under the act.

The present law provides an exemption for custom slaughtering. This exemption is, however, dependent on the custom slaughterer not engaging in the business of buying or selling any meat or meat products whatsoever.

My colleagues on the Livestock and Grains Subcommittee, of which I am a member, have been quite concerned about the operation of this particular law. We feel its application works undue hardships in many instances. For my part, I have found this to be particularly true in the Texas Panhandle because there it is a common practice for small businessmen who employ standards equivalent to the Federal regulations to kill and dress animals for local customers.

In my opinion, the Federal Government has acted with precious little vision in applying the provisions of the Federal Meat Inspection Act to custom slaughterers. For under this law as it is now written, these small businesses would have to either cease providing this local and personal service or they would have to submit to the disproportionately costly and unwieldy Federal inspection process for their custom slaughtering operations. I believe this state of affairs serves neither the interest of the consumer nor the businessman.

It is significant to note this problem is such that both the subcommittee and the full committee unanimously approved the bill. They did so because the bill accomplishes two major objectives. It recognizes and protects the special needs of the custom slaughterer. And it continues to maintain the standards of consumer protection established by the Federal Meat Inspection Act. Among other things, the bill makes the custom slaughterer exemption for retail and businesses dependent on those businesses buying and selling inpected meat and meat products. It also requires the slaughterer to physically segregate the custom-slaughtered meat, the inspected meat and meat products offered for sale to the public.

Mr. Speaker, I urge my colleagues to support the bill before the House. It is fairly drawn and is reasonably calculated to meet the needs of both private enterprise and the American consumer. It is nonpolitical and nonpartisan. It is a bill which in justice and in equity should be passed by this Congress.

Mr. MIZELL. Mr. Speaker, I rise today in support of S. 3592, the Custom Slaughter Exemption under Federal Meat Inspection Act. This legislation, which will permit custom preparation of slaughtered livestock in the same business where inspected meats are sold, is vitally needed by many meathandlers in my district in North Carolina, as well as in other parts of the country.

Under the law as it is now written, it is illegal to custom slaughter animals for individual customers in conjunction with the selling of any meat products—even canned soup. In many areas, this law would require a small business to cease providing custom service or discontinue other sales of meat, even if this market is the only source of meat in the region. Many custom slaughterers would find it impossible to remain in business if they could not provide custom preparation of meat as well as general sale of meat products.

Under the provisions set down in S. 3592, sanitary standards must be maintained in custom slaughtering, and all articles handled on a custom basis will be designated "not for sale." Custom preparation would clearly operate as a separate part of the producer's business.

As custom slaughtering is an operation which helps provide a livelihood for many small businessmen, as well as a service enjoyed by customers, I urge the House to act favorably on this legislation and allow this service to continue.

Mr. MacGREGOR. Mr. Speaker, I rise is support of this bill to clarify the provisions relating to custom slaughtering operations contained in the Federal Meat Inspection Act.

At the time the wholesale meat act was passed, some of us in the Congress were concerned that it might be detrimental to the small meat processors who perform a valuable service for rural America. A very strict interpretation of the Wholesome Meat Act of 1967, which was the first major amendment of the Federal Meat Inspection Act since 1906, has in fact prohibited custom slaughterers from engaging in the sale of any meat or meat products.

The custom meat slaughterer generally operates a freezer locker for the convenience of butchering and storing meat for area farmers, as well as selling inspected meat on the retail market. Many of the small meat processors will be forced out of business if they are not allowed to continue both custom slaughtering and retail meat sales.

The bill which is before us today would permit both custom slaughtering and retail meat sales by the plant operators, if they keep the products separated and meet sanitary standards. I want to emphasize that this legislation in no way lowers sanitary standards.

This amendment to the Wholesale Meat Act of 1967 has been unanimously approved by the House Agriculture Committee following its passage by the Senate. It also has the approval of the U.S. Department of Agriculture.

I strongly urge the passage of this legislation so that small communities across Minnesota do not lose the services of the custom meat slaughterer.

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

The SPEAKER. The question is on the motion of the gentleman from Washington that the House suspend the rules and pass the bill S. 3592.

The question was taken.

Mr. O'KONSKI. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 297, nays 2, not voting 132, as follows:

[Roll No. 199]

YEAS—297

Abbitt
Abernethy
Adair
Addabbo
Albert
Alexander
Anderson, Calif.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ayres
Beall, Md.
Belcher
Bennett
Biester
Blackburn
Blanton
Blatnik
Boland
Bolling
Bow
Brademas
Bray
Brinkley
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Button
Byrne, Pa.
Byrnes, Wis.
Caffery
Camp
Carter
Casey
Chamberlain
Chappell
Chisholm
Clancy
Clark
Clausen, Don H.
Clawson, Del
Clay
Cleveland
Cohelan
Collins
Conable
Conte
Corbett
Corman
Cowger
Cramer
Crane
Culver
Cunningham
Daniel, Va.
Daniels, N.J.
Davis, Ga.
Davis, Wis.
de la Garza
Dellenback
Denney
Dennis
Dent
Derwinski
Devine
Dickinson
Dingell
Donohue
Dorn
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fallon
Fascell
Feighan
Fish
Fisher
Flood
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Garmatz
Gaydos
Gettys
Giaimo
Gibbons
Gonzalez
Goodling
Gray
Green, Oreg.
Griffin
Gross
Grover
Gubser
Gude
Hagan
Haley
Hall
Hamilton
Hammer-schmidt
Hanley
Hanna
Hansen, Idaho
Harvey
Hathaway
Hays
Hébert
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Hogan
Holifield
Horton
Howard
Hull
Hungate
Hunt
Hutchinson
Jacobs
Jarman
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Karth
Kastenmeier
Kazen
Kee
Keith
King
Kleppe
Kluczynski
Koch
Kuykendall

Kyl	O'Konski	Slack
Kyros	Olsen	Smith, Calif.
Landgrebe	Patman	Smith, Iowa
Langen	Patten	Smith, N.Y.
Latta	Pelly	Snyder
Lennon	Pepper	Springer
Long, Md.	Perkins	Stafford
Lujan	Philbin	Staggers
Lukens	Pike	Steiger, Ariz.
McCarthy	Pirnie	Steiger, Wis.
McClory	Podell	Stephens
McCloskey	Poff	Stokes
McClure	Preyer, N.C.	Stratton
McCulloch	Price, Ill.	Stubblefield
McKneally	Price, Tex.	Stuckey
McMillan	Pucinski	Taft
Macdonald, Mass.	Quie	Taylor
	Quillen	Teague, Tex.
MacGregor	Railsback	Thompson, Ga.
Mahon	Randall	Thompson, N.J.
Mailliard	Rees	Thomson, Wis.
Marsh	Reid, N.Y.	Tiernan
Matsunaga	Reifel	Udall
Mayne	Reuss	Ullman
Meeds	Rhodes	Van Deerlin
Melcher	Riegle	Vanik
Michel	Rivers	Vigorito
Miller, Calif.	Rodino	Waggonner
Miller, Ohio	Rogers, Fla.	Waldie
Minish	Rooney, Pa.	Wampler
Mink	Rosenthal	Watts
Mize	Rostenkowski	Whalen
Mizell	Roth	White
Monagan	Roudebush	Whitehurst
Montgomery	Rousselot	Wilson, Bob
Moorhead	Roybal	Winn
Morgan	Ruth	Wolff
Morse	Sandman	Wydler
Mosher	Scherle	Wylie
Murphy, Ill.	Schmitz	Wyman
Myers	Schneebeli	Yates
Natcher	Schwengel	Yatron
Nedzi	Scott	Young
Nelsen	Sebelius	Zablocki
Nix	Sisk	Zion
O'Hara	Skubitz	Zwach

NAYS—2

Burton, Calif.	Ryan

NOT VOTING—132

Adams	Foreman	Passman
Anderson, Ill.	Frey	Pettis
Anderson, Tenn.	Gallagher	Pickle
	Gilbert	Poage
Ashbrook	Goldwater	Pollock
Ashley	Green, Pa.	Powell
Aspinall	Griffiths	Pryor, Ark.
Baring	Halpern	Purcell
Barrett	Hansen, Wash.	Rarick
Bell, Calif.	Harrington	Reid, Ill.
Berry	Harsha	Roberts
Betts	Hastings	Robison
Bevill	Hawkins	Roe
Biaggi	Hosmer	Rogers, Colo.
Bingham	Ichord	Rooney, N.Y.
Boggs	Jones, Tenn.	Ruppe
Brasco	Kirwan	St Germain
Brock	Landrum	Satterfield
Brooks	Leggett	Saylor
Broomfield	Lloyd	Schadeberg
Brown, Calif.	Long, La.	Scheuer
Burleson, Tex.	Lowenstein	Shipley
Burlison, Mo.	McDade	Shriver
Burton, Utah	McDonald, Mich.	Sikes
Bush		Stanton
Cabell	McEwen	Steed
Carey	McFall	Sullivan
Cederberg	Madden	Symington
Celler	Mann	Talcott
Collier	Martin	Teague, Calif.
Colmer	Mathias	Tunney
Conyers	May	Vander Jagt
Coughlin	Meskill	Watkins
Daddario	Mikva	Watson
Dawson	Mills	Weicker
Delaney	Minshall	Whalley
Diggs	Mollohan	Whitten
Edmondson	Morton	Widnall
Edwards, Ala.	Moss	Wiggins
Edwards, Calif.	Murphy, N.Y.	Williams
Edwards, La.	Nichols	Wilson, Charles H.
Eilberg	Obey	
Farbstein	O'Neal, Ga.	Wold
Findley	O'Neill, Mass.	Wright
Flowers	Ottinger	Wyatt

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Mr. O'Neill of Massachusetts with Mr. Anderson of Illinois.

Mr. Passman with Mr. Ashbrook.

Mr. Rooney of New York with Mr. Cederberg.

Mr. Gilbert with Mr. Broomfield.

Mr. Sikes with Mr. Pettis.

Mr. Shipley with Mr. Burton of Utah.

Mr. Roberts with Mr. Pollock.

Mr. Delaney with Mr. McDonald of Michigan.

Mr. Daddario with Mr. Meskill.

Mr. Celler with Mr. Halpern.

Mr. Brooks with Mr. Findley.

Mr. Biaggi with Mr. Bell of California.

Mr. Madden with Mr. Collier.

Mr. Boggs with Mr. McDade.

Mr. Barrett with Mr. Williams.

Mr. Aspinall with Mr. Martin.

Mr. Brasco with Mr. Harsha.

Mr. Burleson of Texas with Mr. Bush.

Mr. Cabell with Mr. Berry.

Mr. Mills with Mr. Morton.

Mr. Nichols with Mr. Edwards of Alabama.

Mr. Murphy of New York with Mr. McEwen.

Mr. O'Neal of Georgia with Mr. Mathias.

Mr. Pickle with Mr. Foreman.

Mr. Edwards of California with Mr. Hosmer.

Mr. Edmondson with Mr. Lloyd.

Mr. Gallagher with Mrs. Reid of Illinois.

Mr. Rogers of Colorado with Mr. MacGregor.

Mr. Wright with Mr. Betts.

Mrs. Sullivan with Mrs. May.

Mr. Charles H. Wilson with Mr. Goldwater.

Mr. Ashley with Mr. Minshall.

Mr. Bevill with Mr. Brock.

Mr. Casey with Mr. Hastings.

Mr. Colmer with Mr. Frey.

Mr. Eilberg with Mr. Coughlin.

Mr. Jones of Tennessee with Mr. Stanton.

Mr. Adams with Mr. Weicker.

Mr. Long of Louisiana with Mr. Talcott.

Mr. Tunney with Mr. Powell.

Mr. Whitten with Mr. Shriver.

Mr. Mann with Mr. Teague of California.

Mr. Mikva with Mr. Conyers.

Mr. Burlison of Missouri with Mr. Vander Jagt.

Mr. Anderson of Tennessee with Mr. Whalley.

Mr. Pryor of Arkansas with Mr. Wiggins.

Mr. Purcell with Mr. Watson.

Mr. St Germain with Mr. Watkins.

Mr. Green of Pennsylvania with Mr. Robison.

Mrs. Hansen of Washington with Mr. Ruppe.

Mrs. Griffiths with Mr. Saylor.

Mr. Steed with Mr. Widnall.

Mr. Satterfield with Schadeberg.

Mr. Moss with Mr. Wold.

Mr. Mollohan with Mr. Hawkins.

Mr. Symington with Mr. Diggs.

Mr. Ichord with Mr. Wyatt.

Mr. Farbstein with Mr. Harrington.

Mr. Flower with Mr. Ottinger.

Mr. Obey with Mr. Scheuer.

Mr. McFall with Mr. Kirwan.

Mr. Baring with Mr. Bingham.

Mr. Brown of California with Mr. Lowenstein.

Mr. Leggett with Mr. Landrum.

Mr. Edwards of Louisiana with Mr. Rarick.

Mr. Roe with Mr. Dawson.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

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

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

There was no objection.

NUMBER OF CIVILIANS KIDNAPED BY VIETCONG SHOWS SHARP RISE

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

Mr. BUCHANAN. Mr. Speaker, according to an article in the Baltimore Sun by John Woodruff, the number of civilians kidnaped by the Vietcong has shown a sharp rise this year. So far in 1970, 3,700 Vietnamese civilians have been abducted. This compares to 2,800 during the same period last year.

Many of these people are community leaders who are temporarily abducted and then returned to their villages. During the time of their abduction the Communists attempt to sell them on the virtues of the Communist life.

This is half of the carrot and the stick approach by the Communists. The other half—the stick approach—is the callous and ruthless policy of force and terrorism, which the Communists also use to try to persuade those leaders to follow them, including frequent assassinations of noncooperating local leaders, and occasional mass murders.

A number of those who are kidnaped are young people. They are taken to North Vietnam, where there is a double hostage program carried out in which the young people are ordered to cooperate under the threat of harm to their families back home and their families back home are ordered to cooperate under threat of harm to their youngsters. This is a disturbing new development by the Vietcong, but it shows their weakness and their desperate need for more recruits.

The article referred to is as follows:

NUMBER OF CIVILIANS KIDNAPED BY VIETCONG SHOWS SHARP RISE

(By John E. Woodruff)

SAIGON, June 13.—The Viet Cong have vastly stepped up their kidnapings of Vietnamese civilians in recent months to a rate that could make 1970 by far their record-setting year.

Analysts here regard the increase in kidnapings as a demonstration both of the Communists' growing shortage of native South Vietnamese workers and of their continuing determination and ability to go on doing whatever is necessary to replenish their slowly thinning organizational ranks.

RATE COMPARABLE TO 1968

In the first five months of this year, the Communists abducted civilians at a rate comparable with that of 1968, the record year for kidnapings. They thus reversed the downward trend that had prevailed through most of 1969.

By the last two weeks of May, abductions had reached a rate which, if maintained for the rest of this year, would push the final 1970 total far beyond the 1968 record.

As usual, the vast majority of the kidnaped civilians are being returned to their home communities within days or at most weeks of their abduction.

COURTESY AND CONCERN

These people are often respected peasants or natural leaders of the villagers' poor. They are taken into the jungle for a few days of indoctrination and sent home, apparently mainly in the hope that at a minimum they will report on the courtesy they were shown and the impressive degrees of organization and concern for the people that purposely are made evident in the jungle camps.

This short-term kidnaping apparently constitutes the "carrot" in the Communist carrot-and-stick terror formula, giving villagers a glimpse of the prospects that await them if only they will help throw off the Saigon government.

The "stick" in this formula is the continuing assassinations and bombings and the rare massacre, such as the recent one at Thanh My, all designed to show how fragile life is under Saigon's tutelage, particularly for those who co-operate with the government.

The kidnapings also serve a longer-term purpose for the Communists. A substantial minority of the civilians abducted is taken to North Vietnam or to jungle bases to be molded into young revolutionaries for return to their home communities or other parts of South Vietnam at a vital moment probably some time after most American troops have gone home.

Vietnamese familiar with this operation say most of these youngsters are talked into going "voluntarily." The government regards all these departures as kidnapings, on the grounds that the teen-agers are not old enough to make such a decision on their own and that parental consent is rarely or never sought.

These youngsters become part of the Viet Cong's highly effective "double hostage" system, whereby they are ordered to cooperate on pain of harm to their families and their families are ordered to co-operate on pain of harm to the youngsters. They thus play a key role in the Communists' program of rebuilding their political structure by putting agents in place to lie low and prepare to strike again in the future.

THE 3,700 ABDUCTIONS

By late May, more than 3,700 Vietnamese civilians had been abducted, according to national police figures. This compares with about 2,800 in the similar period last year. The total kidnaped in the record year of 1968 was 8,759.

In the last two full weeks of May, with the campaign reaching what many here consider its maximum potential speed, 492 civilians were abducted. If this rate were maintained for the rest of 1970—probably a questionable assumption at least for the moment—the 1970 total could pass 11,000.

Even merely maintaining the over-all rate of the first months would slightly exceed the 1968 record.

TRUTH IS AGAIN A CASUALTY

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

Mr. COHELAN. Mr. Speaker, since its inception as the Nike-X I have seriously questioned our need for an ABM system. My concern has been directed to the political advisability of the ABM as well as its technical competence. For over 5 years I have sought to clarify this issue and have tried to determine the necessity for ballistic missile defense. My research has led me to oppose the various ABM systems from the beginning, and nothing has transpired to change my mind.

The debate over the ABM has increased in intensity in the past 2 years. Yet we find ourselves more confused than ever before. The administration and supporters of the present Safeguard system have muddled rather than clarify this most important question.

Rather than join the issue, spokesmen for the ABM have treated Congress to contradictory rationales for this system. At one time the ABM is anti-Soviet—at another it is anti-Chinese. At one time it is areawide protection—at another it is Minuteman defense.

The technical objections have never been dispelled. I seriously doubt whether or not the proposed Safeguard system will work. The Department of Defense claims that it will, yet it offers no substantive assurances.

Recently, Dr. John S. Foster, Director of Research and Engineering for the Department of Defense, sought to bolster the Safeguard system by alluding to testimonials of the ABM efficiency by prominent scientists. As it turns out, a number of the scientists involved have clearly disavowed any sanction of the Safeguard ABM and have, in fact, again opposed it on technical grounds before the Senate Subcommittee on Arms Controls.

Mr. Speaker, throughout these years of debate we in Congress have been treated to a series of conflicting statements and half truths about this multibillion dollar program. The more I hear from the Department of Defense the more I am certain that my continuing opposition to the ABM is justified on both technical and strategic grounds.

This morning Marquis Childs discussed the latest developments in the fight between the scientific community and the Defense Department over the Safeguard system. Mr. Childs clearly shows the paucity of the Defense Establishment's position in trying to railroad support for this weapon system. However, according to one of the scientists involved, Dr. Marvin L. Goldberger of Princeton University, no group of scientists or any scientists of repute has ever supported the ABM.

I insert the Marquis Childs' column in my remarks and recommend it to the attention of my colleagues:

TRUTH IS CASUALTY IN STRUGGLE TO PUSH NIXON'S ABM PLANS

(By Marquis Childs)

The first casualty of war, truth is also a casualty of the fierce struggle over the next round in the nuclear arms race. This was dramatically demonstrated before the Senate Subcommittee on Arms Control in a series of exchanges that almost entirely escaped notice.

The chief propagandist for the Safeguard anti-ballistic missile program of the Nixon administration, John S. Foster Jr., Pentagon director for research and engineering, appeared before the committee early last month. Making his case for Phase II of Safeguard, Foster said he had called together a panel of six distinguished scientists. He asked them to put aside their political convictions and pass on the feasibility of the missile.

"Now there was considerable concern about this move," Foster testified, "but, as a matter of fact, the report was sent to the Secretary of Defense and what it said was that this equipment will do the jobs that the Department of Defense wants to do . . ."

The other day the committee called two of the scientists who served on that panel, Marvin L. Goldberger of Princeton University and Sidney D. Drell, deputy director of the Stanford Linear Accelerator Center. Both had served on the President's Advisory Committee on Science.

They both testified that there was no such statement as Foster had made in the report of the six scientists. Drell, somewhat more charitable than Goldberger, said he did not mean to impugn Foster's integrity and that since the scientists' report had been submitted six months ago he might "not have an accurate recollection" of what it said. The report is classified secret.

Both scientists were unalterably opposed to the work going forward on Phase I of Safeguard, to protect missile bases in Montana and North Dakota, and on Phase II extending the system, they testified. What is more, according to Goldberger, no group of scientists, or any scientist of repute has ever supported the Safeguard system.

The advocates of ABM presented before congressional committees by the Defense Department almost to a man avoided talking about the actual system, even though they were in closed session. Goldberger said:

"The most charitable interpretation one can put on this remarkable fact is that they could not, as men of scientific integrity, defend the system that was being proposed. They concentrated instead on the Soviet threat, the intransigence of the Chinese, national determination, the virtues of defensive weapons as extolled by Mr. Kosygin (the Soviet premier), etc., but never, never on the relation of Safeguard performance to the actual or projected threat."

The Senate will begin debate later this month on money for Safeguard. The Armed Services Committee has reported out a military authorization bill with the Chinese ABM umbrella sheared away and other facets of the administration program pared down. Nevertheless, the vote will be a test of this newest round in the arms race promising to cost billions upon billions of dollars.

The testimony of Drs. Goldberger and Drell goes into a scientific realm that often leaves the layman far behind. Nothing could better illustrate the bewildering complexity of these so-called weapons which, once deployed, take out of human control the choices of response. Their computerized operation is infinitely faster than the human mind, the eye, the hand.

Put in simplest terms—probably over simplified—the scientists' case against Safeguard ABM is as follows: the controlling device is a giant radar, a great brain, that responds to a series of warning impulses by sending defensive missiles into the air to knock down incoming offensive missiles. The scientists contend, one that the giant brain is altogether too vulnerable to attack and without it Safeguard is a zombie. Second, they contend that there is no proof whatsoever—quite on the contrary—that the defensive missiles will function when the heavens are exploding with incoming nuclear flack designed to thwart them.

One point in Drell's testimony is perfectly clear. The estimated cost of Phase II-A of Safeguard is $7 billion, which comes to $70 million apiece for Safeguards to protect 100 Minuteman missiles. But Minuteman III, an * * * tiple warheads, costs only $8 million. So a defense that is no defense at all, if one accepts the view of scientists who know most about this whole 21st century madness, costs 10 times as much as the offense.

This is what President Nixon called at a press conference in January a "virtually infallible" defense. Between the politicians and the scientists the credibility gap is appallingly wide.

LOUIS PEICK: TOUGH TEAMSTER—NEW RISING STAR ON AMERICA'S NATIONAL LABOR FRONT

The SPEAKER. Under a previous order of the House, the gentleman from

Illinois (Mr. PUCINSKI) is recognized for 30 minutes.

(Mr. PUCINSKI asked and was given permission to revise and extend his remarks and include extraneous matter.)

Mr. PUCINSKI. Mr. Speaker, the lockout of truckdrivers in Chicago is over, and the main credit for the end to this long labor dispute is mainly the work of tough, but understanding, Louis Peick, secretary-treasurer of local 705 in Chicago.

Because of his determination and strong following by his membership, more than 450,000 teamster members in America will enjoy a substantial increase in their earnings over the next 3 years.

It was Louis Peick who insisted that his members in Chicago must receive a wage increase totaling $1.65 an hour spread over the next 3 years, and it was Louis Peick who finally won acceptance for his Chicago drivers of this wage package.

Louis Peick had the good fortune of being supported in his drive by Fred Joyce, head of local 710, and Ed Fenner, president of the independent truckdrivers of Chicago. They were the supporting team and stood resolutely behind Peick in his determination. They were also fortunate to have the unyielding support of Ray Schoessling, president of the joint teamsters council in Chicago, who never wavered in standing behind his men in the long struggle.

Even more important, more than 23,000 members of Peick's local and the members of the other two locals stood firm in their support of their leadership. This firm support brought to victory their 13-week struggle.

Seldom have so many union members stood as firmly behind their leader as the members of 705 stood behind Louis Peick.

As a result, more than 450,000 teamsters throughout America will benefit in wage increases totaling $1.85 an hour over the next 39 months. The new wage package signed by the teamster international leadership with the national truckers over the weekend, represents a substantial increase over the $1.10 an hour originally agreed to before Peick swung into action.

Many have asked why Louis Peick agreed to only $1.65 an hour over the next 36 months for his own membership while the national package calls for $1.85 an hour over the next 39 months.

This difference is a measure of and a tribute to the decency and the unwaiving credibility of Louis Peick. For 13 long and arduous weeks, Louis Peick insisted that he wanted $1.65 an hour spread over 36 months for his membership. No more and no less. He was offered $1.85 for his Chicago membership for 39 months, but he said during negotiations that he would not alter his basic course.

The fact that throughout this Nation teamsters will enjoy an increase of $1.85 instead of $1.10 as originally negotiated by the national leadership catapults Louis Peick into a new dimension of national respect and national leadership. He will negotiate new wage standards for his own membership for the additional 3 months of the national package and I am sure it will be more than the 20 cents difference in the national package.

The past 13 weeks were difficult for his membership, and there were those who counseled Louis Peick to tuck tail and run. But he is made of firmer stuff. As a result, he has carved for the teamster movement a new dimension of leadership, and for his membership a new dimension of earnings.

Recently, the Chicago Daily News carried an excellent article on Louis Peick, his stamina, and his dedication to trade unionism. It clearly indicated Peick's strength and determination not to yield in the face of pressure. Confident of his ultimate victory, he stood fast for 13 long and weary weeks.

Mr. Speaker, not only in Chicago but throughout the entire Nation we will hear more about Louis Peick and his leadership in the months to come. I place the Chicago Daily News article in the CONGRESSIONAL RECORD today with the hope that my colleagues will learn more of this outstanding labor leader.

The Daily News article follows:

LOUIS PEICK: TOUGH TEAMSTER FIGHTING TOUGH BATTLE

(By Lester Hausner)

Louis M. Peick, the chief Teamsters' Union spokesman in Chicago's 5-week-old trucking lockout and strike, did not take time out Saturday to celebrate his 57th birthday.

"What's to celebrate?" asked the hefty and tough-speaking secretary-treasurer of Teamster Local 705.

"We'll have reason enough when we sign all the companies to our new contract."

Peick is respected by the local's 23,000 members for his honesty and the hard position he takes with the truckers in contract negotiations.

"I tell the men who aren't working that if they want the $1.65 (an hour over three years) contract we're demanding, that they'd better be prepared to be out of work a long time.

"Men standing in line to buy food stamps (the union pays members $15 a week in strike or lockout benefits) tell me 'don't you even settle for $1.64, Louie.'

"I've got a mandate from my members to settle for $1.65. I won't even talk about that $1.10 (over 39 months) Teamsters are voting on in the rest of the country."

Although Pieck won't consider the $1.10 contract, which, if accepted, would apply to 450,000 Teamsters outside of Chicago, the large trucking companies here state they definitely won't go any higher in Chicago.

"This is a tough battle, all right," Peick said. "It's going to end when everyone here signs for $1.65."

He said he has signed up more than 1,300 companies to the $1.65 agreement.

When will the large companies sign? he was asked.

"I heard one of their spokesmen talking about Lake Michigan freezing over," Peick said.

"It doesn't have to be that long. I'm here every day ready to sign contracts."

Peick's salty speech and booming voice can easily be heard through the locked doors of rooms where he is negotiating with the truckers.

He became a member of the Teamsters as a warehouseman for National Tea in 1930. Two years later he was driving a truck, later becoming an employee in the office of Local 705.

He subsequently was made a business agent then office manager of the local.

In 1947, Peick was kidnaped and tortured by bandits who forced him to give them the combination to the union's safe, containing $25,000.

On June 2, 1950, he was beaten with a baseball bat and shot twice while walking near his home.

Police never determined whether Peick was attacked by would-be robbers or because of union strife.

As secretary-treasurer of Local 705, Peick has served as chief contract negotiator for as many as 11 Teamsters locals simultaneously.

"There are tougher jobs. I think the President of the United States should be paid $1 million a year, tax free. Look how a President ages after a few years in office," Peick said.

What about those Illinois House members, who just voted themselves a $3,000, or 25-per cent, pay raise?

"If those guys gave themselves that much, we may have to up our $1.65," Peick said.

RECENT TRAGIC EVENTS EMPHASIZING THE URGENCY OF ENACTING THE "ORGANIZED CRIME CONTROL ACT OF 1969"

The SPEAKER. Under a previous order of the House, the gentleman from Arizona (Mr. STEIGER) is recognized for 10 minutes.

Mr. STEIGER of Arizona. Mr. Speaker, I would like to draw the attention of Members of this body to three articles appearing recently in the Washington Post, concerning a trial currently going on in Trenton, N.J.—Saturday, June 20, 1970, page A6, column 1; Friday, June 26, 1970, page A3, column 3; Wednesday, July 1, 1970, page A4, col. 1. In that trial several defendants, including Hugh J. Addonizio, who until July 1 of this year was mayor of Newark, and Anthony "Tony Boy" Boiardo, an alleged Mafia lieutenant, face Federal charges of extortion and conspiracy in connection with Newark city contracts.

A great deal of interesting evidence has been presented in the trial, including sworn testimony that the former mayor personally received thousands of dollars in unlawful payments from a contractor. My purpose today, however, is not to dwell upon the merits of the criminal charges, but to mention certain circumstances surrounding the proceedings before and during the trial.

According to the newspaper articles to which I have referred, there have been two suspicious "accidents" fatal to Government witnesses before or during the trial. First, one of the defendants in the case, Mario T. Gallo, died on February 10, 1970, when the car in which he was driving alone left the road and struck a bridge abutment shortly after he allegedly had agreed to cooperate with Federal prosecutors and become a witness in the case. Second, a vice president of the First Jersey National Bank, Paul Anderson, died on June 19 when he suffered an apparent heart attack while driving alone on his way to testify for the prosecution, and the car left the road and struck a tree only two miles from the spot where Mr. Gallo's collision had occurred. Both fatal collisions are still under investigation, according to the news articles.

Six days after the second accident, the $50,000 bail on which Anthony Boiardo had been released for the pendency of his case was revoked by the Federal district court, though no reason was given at the time for the revocation. In that connection, one notes not only Mr. Boiardo's alleged position in La Cosa Nostra but also the conversations concerning him which were overheard during the FBI electronic surveillance disclosed in 1969 and 1970 by Federal district courts in New Jersey. One such conversation by Mr. Boiardo, which previously has been inserted in the CONGRESSIONAL RECORD, page 2437, February 4, 1970, was summarized by the New York Times as follows:

With the thermometer outside at 20 degrees, [Angelo] DeCarlo, Tony Boy Boiardo and Simone Rizzo (Sam the Plumber) DeCavalcante gathered in the warmth of The Barn, DeCarlo's lodge at Mountainside, N.J., and regaled themselves with reminiscences of old Mafia murders.

"How about the time we hit the Little Jew . . ." recalled Boiardo.

"As little as they are, they struggle," was DeCarlo's remark.

Boiardo, enthusing to this story, went on: "The Boot [Boiardo's father, Ruggiero] hit him with a hammer. The guy goes down and he comes up. So I get a crow bar this big, Ray [DeCarlo preferred the nickname Ray to that of Gyp.] Eight shots in the head! What do you think he finally did to me? He spit at me and said 'You (obscene)!'"

The most recent of the three Washington Post articles reports a news leak which could explain the bail revocation, and possibly, just possibly, the two fatal one-car automobile collisions. According to that article, Boiardo's bail was revoked when the district judge learned that the New York City police had relayed a message that individuals associated with Boiardo "were planning to 'get' members on the Government side," contemplating assassinations not only of Government witnesses but even of the prosecutors (Post, July 1, 1970). While the First Assistant U.S. Attorney has refused to confirm or deny the existence of the alleged plot, on the basis of a court ruling against disclosure of the situation, the newspaper reports that, when Boiardo's bail was revoked, U.S. marshals also were assigned to guard the prosecutor around the clock.

Of course, it is too early and the newspaper articles are too sketchy to permit the drawing of firm conclusions about the significance of all the events concerning the New Jersey trial. One cannot yet be sure, for example, what lessons that case can teach to a Congress considering passage of S. 30, the "Organized Crime Control Act." It is clear already, though, that Mr. Addonizio was the kind of mayor whose official conduct ought to be subject to the kind of citizen oversight which the grand jury reports permitted by title I of S. 30 would provide. Certainly, the report filed on January 9 of last year by the Essex County Grand Jury exposing the widespread gambling in the city of Newark and the failure of law enforcement to suppress it, and censuring Mayor Addonizio for public statements minimizing the significance of illegal gambling—a report prepared and published under less rigorous procedural protections than those required by title I, yet unanimously approved by the Appellate Division of the New Jersey Superior Court—illustrates the value of grand jury reports. (See CONGRESSIONAL RECORD, page 18029, June 3, 1970.)

Similarly, Anthony Boiardo, who was subjected to electronic surveillance a number of years ago and was overheard admitting participation in a brutal murder, exemplifies the danger of making unnecessary disclosure to defendants of confidential Government files on informants and investigations, and illustrates the need for enactment of the minimal restraints on such disclosure as provided by title VII of S. 30. His case may also demonstrate once again the value of title VI, authorizing the taking of depositions of witnesses, as a means of protecting the witnesses from retaliation and preserving their testimony in case they die or otherwise become unavailable.

Whether or not time proves the absence of laws such as those proposed in S. 30 to have affected the Addonizio and Boiardo case, the case is a reminder of the continuing risks to which the House of Representatives exposes all citizens if it fails to act promptly on the "Organized Crime Control Act." It would be intolerable if witnesses and law-enforcement officials were endangered by our hesitancy to act, and if people like Anthony Boiardo should therefore continue to flaunt society's laws and endanger all Americans. We must relieve the Nation of those dangers, and prompt passage of S. 30 will be a major step in doing so.

The articles follow:

[From the Washington Post, July 1, 1970]

PLOT TO SLAY WITNESSES IN NEW JERSEY TRIAL REPORTED

(By David C. Berliner)

TRENTON, N.J., June 30.—The abrupt and mysterious revocation last Thursday of reputed Mafia lieutenant Anthony (Tony Boy) Boiardo's $50,000 bail at the extortion-conspiracy trial of Newark Mayor Hugh J. Addonizio followed a tip that an assassination plot was developing against government prosecutors and witnesses.

Although the reason for the move was sealed in the record by Federal District Judge George Barlow, it was learned Monday night that New York City police had relayed a message Thursday reporting that individuals associated with Boiardo were planning to "get" members on the government side.

One of six remaining defendants charged with carrying out the alleged kickback scheme, Boiardo has been taken to jail in nearby Somerset County at the end of each court day.

Herbert Stern, first assistant U.S. attorney who has led the prosecution, cited a court ruling against disclosure of the situation in neither confirming nor denying existence of the alleged plot. On the same evening that Boiardo's bail was revoked, however, two U.S. marshals were assigned to guard Stern on a round-the-clock basis.

The trial has already lost two defendants and a government witness through death.

One defendant, Municipal Magistrate Anthony Juiliano, died of natural causes shortly after the 66-count indictment was handed up on Dec. 7, 1969. Mario Gallo, a contractor, was killed in February in a still-unexplained crash when his car swerved off a road in the community of West Orange and slammed into a bridge abutment.

Gallo reportedly had agreed only three hours before the accident to testify on behalf of the government.

Paul Anderson, a bank official, was also killed in a similar car crash several weeks ago. Driving to the trial where he was scheduled to appear for the prosecution, Anderson apparently lost control of his car and crashed into a tree. The mishap also occurred in West Orange. Investigations into both fatal accidents are continuing.

When court reconvenes here Wednesday, Addonizio will again sit quietly at a corner of the defense table watching the proceedings. But for the first time in eight years, he will not be mayor of Newark.

That is because Kenneth A. Gibson, a black engineer who defeated him by more than 12,000 votes in a runoff June 16, is scheduled to be sworn to office in the morning.

"I'd like to say 'God bless him,'" Addonizio said this afternoon at the end of a long day in court. "He has my deepest sympathy. I recognize the problems he is faced with."

Addonizio's attorney, Bernard Hellring, and Julius Feinberg, counsel for Newark Municipal Utilities Authority Director Anthony P. LaMorte, continued cross-examination today of Paul Rigo, the heavily protected government witness who has testified he was forced to kick back company funds as well as personally hand over tens of thousands of dollars in payoffs to Addonizio and other top Newark officials.

But while the trial dragged on today, interrupted frequently by increasingly bitter exchanges between defense and prosecution attorneys, Addonizio took time during a recess to muse on his current situation.

"I've never seen twelve people whose faces change as infrequently as this jury's," he commented. "We asked the judge immediately after the run-off to let them know the outcome of the election, but he ruled against it."

Later in the afternoon, Judge Barlow again turned down a petition by Hellring that the jury be informed of the incumbent mayor's loss. The information, Barlow said from the bench, was not pertinent to the case and would be indirect contradiction to the express reasoning behind the sequestering of the jury.

It had been assumed by most participants in the trial that Addonizio would try to keep the fact of his loss away from the panel because of its potential interpretation as an unofficial "guilty vote" on the part of the voting public.

ADDONIZIO WITNESS DIES IN AUTO CRASH

TRENTON, N.J., June 19.—A government witness on his way to testify at the extortion-conspiracy trial of Newark Mayor Hugh J. Addonizio today was killed in an auto accident. The trial of Addonizio and six others was recessed until Monday.

The victim was identified as Paul Anderson, about 65, a vice president of the First Jersey National Bank. The accident took place in West Orange, about two miles from the spot where another prospective government witness, Mario T. Gallo, was killed in a similar accident Feb. 10.

Police said Anderson apparently suffered a heart attack.

Gallo, a key figure in the case and one of its earlier defendants, died the morning after he had agreed to cooperate with federal prosecutors in the case.

Both men died in single-car accidents. Both were alone in their autos and on both accidents the cars went off the road and slammed into a solid object.

There were reports that the Gallo accident was the result of mechanical failure. However, his death still is under investigation and his car, which struck an abutment, remains impounded. Anderson's auto was wrecked when it crashed into a tree.

[From the Washington Post, June 26, 1970]

WITNESS: TESTIFIES TO PAYOFFS MADE DIRECTLY TO ADDONIZIO

(By David Berliner)

TRENTON, N.J., JUNE 25.—The key government witness today told a federal jury he twice walked into Newark City Hall in 1968 and personally handed thousands of dollars in payoffs to Mayor Hugh J. Addonizio and other top city officials.

Speaking without hesitation, contractor Paul Rigo testified he made secret deliveries of $29,000 in cash on the two trips, with $3,000 going to Addonizio. Before stepping down from the witness stand, he had ticked off a total of $43,500 that he said he doled out at City Hall during 1967 and 1968.

The testimony marked the first direct linking of the mayor to the alleged elaborate kickback scheme.

A further development late in the afternoon compounded the already high drama of the day's proceedings. After a half-hour delay and in-chamber conferences with attorneys, Federal Judge George Barlow revoked the bail of defendant Anthony (Tony Boy) Boiardo, a reputed Mafia lieutenant.

The mysterious action means Boiardo will be kept in custody while court is not in session. Judge Barlow sealed the minutes of the closed-door conference, but said in open court that he would reconsider the bail action when the prosecution completes its case.

Referring repeatedly to pocket-sized diaries which he compiled between 1964 and 1969, Rigo swore that Anthony P. LaMorte, then director of public works for the city of Newark, told him in late 1967 that Boiardo "was no longer free to make the distribution of the 10 per cent payments we had been making to the mayor and various members of the council and other officials and things."

So with Boiardo turning over the delivery chores to Rigo, Rigo said he still paid the same amount but now was giving a portion directly to the officials himself.

"The price was $10,000 apiece to each of eight councilmen and the mayor, and Mr. LaMorte felt he was entitled to $25,000 since he was the responsible public official."

Addonizio, LaMorte, Boiardo, two alleged Mafia figures and two other former councilmen are charged specifically in the 66-count indictment with extorting $253,000 from one of Rigo's firms, Constrad, Inc.

Constrad and other companies were involved in numerous engineering and construction jobs for the city of Newark during the years of the alleged kickbacks.

After testifying today that he handed out smaller amounts, Rigo said he had a business associate pay LaMorte $5,000 on Jan. 26, 1968. On Feb. 13 of that year, he said glancing repeatedly to decipher cryptic notations in the diaries, he paid $500 each to Lee Bernstein and Frank Addonizio, two former councilmen who were indicted but whose cases have been severed from this one. (Frank Addonizio is a distant cousin of the mayor.)

On March 22, 1968, Rigo said, he met the mayor "in his office" and gave him $2,000 in cash. LaMorte received another $5,000 on that visit and six councilmen were given $1,000 each. Two recipients also took $1,000 each for two absent councilmen, he said.

Two weeks later, on April 4, Rigo testified, he returned to City Hall and met his accountant, Charles Fallon, who had "a bag full of money." With the aid of Rigo's secretary, the two men carefully split up $14,000, placed the cash in small envelopes and personally paid Addonizio $1,000 of the total. The rest was divided among councilmen and LaMorte.

Asked by First Assistant U.S. Attorney Herbert Stern why he had agreed to make the direct payoffs, Rigo replied: "If I didn't do it, sir, I would have lost God knows how much money. In addition to that there was always this fear element, I think, involved in this."

The best method of making payoffs, he said, involved two companies owned by Fallon's father-in-law. "We worked out a system whereby they would give us vouchers for work not performed," Rigo explained. "We would give them checks and we would get 80 per cent back in cash."

THE MILITARY PROPAGANDA MACHINE

The SPEAKER. Under a previous order of the House, the gentleman from Wisconsin (Mr. REUSS) is recognized for 60 minutes.

Mr. REUSS. Mr. Speaker, last December the Congress approved an amendment I offered to the fiscal year 1970 Defense Appropriation Act which provides that—

> No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authoried by the Congress. (Section 601, Public Law 91–171, December 29, 1969).

Since then, I have tried to find out whether this amendment has had any effect on the Defense Department's $40 million-a-year public affairs juggernaut. I report, sadly, that it has not.

Propaganda and huckstering continues unabated. The Defense Department and the separate services continue to sponsor conferences and junkets at which leading civilians are feted, briefed, and cajoled, all with the goal of persuading them that the Department of Defense is doing good things with its $77 billion share of the Federal budget, and that it would do even better things with a bigger share.

I wrote to Secretary of Defense Laird on February 4, 1970, asking what plans the Defense Department had for making sure that the section 601 prohibition against propaganda was not violated. Assistant Secretary of Defense for Public Affairs Daniel Henkin replied on February 18, saying that Secretary Laird had told everybody on March 4, 1969:

> Propaganda has no place in Department of Defense public information programs.

And that all directives, policies, and public information plans which did not comply with that principle were to be "revised or rescinded." Mr. Henkin said he had sent out a memo reminding everyone of that on the very day he wrote me. The memo said the principle set out by Secretary Laird the year before was to be "strictly adhered to" in all public information programs and activities.

I was gratified that the Defense Department had been adhering to this salutary principle for all that time. Accordingly, I wrote back to Mr. Henkin on February 25 asking him for "a full report on all directives, policies, and public information plans which have been revised or rescinded since March, 1969" in order to comply with Secretary Laird's "no propaganda" directive.

A month later, on March 27, I got my reply, signed by Deputy Assistant Secretary for Public Affairs Jerry W. Friedheim. A total of two plans had been "revised or rescinded" as a result of Secretary Laird's directive. One was the ill-fated "master plan" for selling the Sentinel ABM System, which was revealed on February 16, 1969, by the Washington Post. Secretary Laird rescinded the plan 3 days later. The other change involved a classified plan. It can be said, however, that the revision made was purely cosmetic and of no significance.

An indication of the attitude around the Pentagon toward Secretary Laird's "no propaganda" directive can be found in a statement attributed to an Air Force information officer in an article in The Nation for April 20, 1970, "The Brass Image" by Derek Shearer:

> We all knew Laird didn't mean what he said. He had to say that for the press and Congress, but we still go on with our job. We're in the image-making business.

The Defense Department cannot be relied upon to police itself. The propaganda machine moves inexorably on.

There is a law, however, and laws are meant to be enforced. I therefore asked the General Accounting Office to undertake an extensive investigation of the Defense Department's public affairs activities to determine which of these activities might be a violation of the ban on propaganda. The GAO, we agreed, would report to me on those activities which might violate the ban, and I would select from among them certain activities and request a formal ruling from the Comptroller General on whether they constituted a violation.

The GAO's investigation lasted for nearly 3 months, and produced a pile of material almost 2 feet high. They had, they told me, merely scratched the surface of this $40 million-a-year operation. Nonetheless, I wrote to Comptroller General Elmer Staats on June 23 and requested a formal ruling on the legality of a number of the activities the GAO investigation had uncovered. I ask that this letter be printed in the RECORD at the conclusion of my remarks.

Let me describe briefly some of the public affairs activities which appear to me to violate the ban on propaganda in the Defense Appropriation Act, and on which I have asked the Comptroller General to rule.

JOINT CIVILIAN ORIENTATION CONFERENCE

This is an annual 8-day cross-country tour of military installations for approximately 75 leading civilians. It has been held every year since 1948 and is run by the Office of the Secretary of Defense. The civilians participating are nominated by the President, various Congressmen, and the Secretary and Assistant Secretaries of Defense. The nominees are to be "leading representatives of the educational, business, labor, religious, professional and industrial communities of the United States" and "particular consideration should be given to educators and members of the clergy"—memorandum from Assistant Secretary of Defense Daniel Z. Henkin on the 1970 JCOC, dated November 25, 1969.

The 1970 conference, held from April 19–28, began in Coronado, Calif., and ended in Washington, D.C., and included a visit to ships in the Pacific and stops at

military bases in California, Colorado, Texas, North Carolina, and Maryland, with a sedulous laying on of briefings and demonstrations all along the way.

Somewhere in the course of all this activity there surely must have been something which fits into Webster's definition of "propaganda":

Doctrines, ideas, arguments, facts, or allegations spread by deliberate effort through any medium of communication in order to further one's cause or to damage an opposing cause. (Webster's Third International Dictionary, 1961.)

Assistant Secretary of Defense Henkin, in the November 25, 1969, memorandum just quoted, said that the conference was to be "self-supporting financially." That sounds nice, but then Mr. Henkin went on to explain what he meant. The participants in the conference would, to be sure, pay their own way to and from the conference, and would be charged a fee for food, lodging, and so forth. But who was to pay for all the military arrangers and briefers and demonstrators—most of them high-ranking officers—and for the military transportation so abundantly provided? The taxpayers, that is who. For the 1969 conference, the per diem cost alone for the military personnel directly involved came to more than $2,000, and that is just the tip of the iceberg. See CONGRESSIONAL RECORD, volume 115, part 22, pages 36136–36138.

The total cost of these conferences may not come to much when compared to what the Pentagon spends on other things, but it certainly is enough to bring the conferences within the terms of the section 601 ban on propaganda:

No part of any appropriation contained in this Act—

And so forth.

AIR FORCE CIVILIAN DISTINGUISHED VISITOR PROGRAM

This program consists of 2-day free tours for "civic leaders" to acquaint them with the Air Force "mission and capabilities"—memorandum from the commander in chief, Strategic Air Command, December 15, 1969.

For 1970, the Strategic Air Command has planned 26 of these junkets, and other Air Force units another 100 or so.

The tours usually originate in large cities and the "distinguished visitors" are then transported to various Air Force installations. As Senator FULBRIGHT reported last December:

Popular spots to visit were Las Vegas, Hawaii, and Florida. (CONGRESSIONAL RECORD, vol. 115, part 27, p. 37013.)

The stated purpose of the trips, as reported to Air Force Headquarters, varies—one recent report uncovered by the GAO says that the intention of the trip—an April 28–30, 1970, junket for "20 civic leaders" from Laredo, Tex., to Peterson Field, Colo., and back—"is to expand local community leaders knowledge of U.S. aerospace activities and missions; to engender in these men a deeper appreciation of the variety, scope, and objectives of aerospace power; and to deepen their conviction that community support of Air Force activities contributes effectively to local public interests and national security."

Apparently the distinguished visitors are charged a small fee for meals and lodging, but Uncle Sam foots the bill for all the military planes that fly them about and the military officers and men that attend them.

Lest it be thought that the Air Force obtains no benefit from thus expending the taxpayers' money, let me quote the following testimonial from one visitor, Mr. F. H. Orbison, president of Appleton Mills and chairman of the Wisconsin Young Presidents Organization:

We certainly learned firsthand (Mr. Obison wrote the Air Force) the reasons why our military technical programs require the vast sums of tax dollars and the people they utilize. (Quoted in "The Brass Image" by Derek Shearer, *The Nation*, April 20, 1970.)

SECRETARY OF THE NAVY GUEST CRUISE PROGRAM

The Secretary of the Navy guest cruise program allows the Navy to host a large number of civilian "opinion leaders" on a series of 3- to 5-day cruises each year. The most popular cruise is a 4½-day jaunt from California to Hawaii, held four times a year with around 15 guests on each occasion.

The purpose of these exercises is to "present the modern Navy to responsible community segments"—U.S. Navy Public Affairs Regulations, B–4204. Visitors are entertained with the usual plethora of briefings, supplemented by mock demonstrations of naval action.

Apparently the Navy does not normally schedule special cruises just for guest cruise purposes, but the regulations specify that they can do so if the fleet commander and the Chief of Naval Operations think it is a good idea—Navy Public Affairs Regulations, B–4204(3)(a).

The Navy's guests are told that they must make their own way to the port of embarkation, and pay for their own meals. However, they are assured that expenses for meals while on board will be "quite nominal." Furthermore, with the approval of the Chief of Naval Operations, Government air transportation to the point of embarkation and from the point of debarkation may be provided to the Navy's guest—Regulations, B–4204 (10)(b)(2).

I might add a note here for women's liberationists. Under the heading of "Criteria for Selection of Guests," the Navy regulations provide that "women will be permitted to take part in cruises only during daylight hours." The regulations do not disclose whether this discrimination, an apparent violation of the equal rights amendment, is for the protection of the ladies or for the protection of Navy personnel.

FILMS, SPEAKERS, RADIO AND TV PROGRAMS, AND MISCELLANEOUS EFFLUVIA

A sampling of public affairs effluvia emanating from the Defense Department and the various services every year follows:

FILMS

Anticommunism is a frequent theme, with chillers like "Red Nightmare," described as follows:

An adaptation of the film "Freedom and You," this deals with the nightmare situation of an American citizen who finds himself in a Communist village and is rudely awakened to his civic responsibilities. 1965.

More recently, films on the Vietnam war have become popular. There is, for example, a half-hour color film entitled "The Unique War." The Defense Department's capsule description says:

The film reviews basic concepts of the war in Vietnam with emphasis on the special task of the fighting man there. Shows how American servicemen are helping to build a nation at the grass roots level and winning the minds and hearts of the people. Points out the necessity of denying the enemy popular civilian support. 1966.

Then there is the Navy's "Eye of the Dragon," described as follows:

The story of the American Navy Advisors to Vietnamese junk forces told in a panoramic style using a mortgage of sequences, native music and the Kipling theme of "East is East" and "West is West". 1968.

On the lighter side, the Navy Information Office distributes a film produced by the LTV Aerospace Corp. with Navy assistance called "The Ballad of John Green." The handsomely printed brochure describing the film features a full-page photograph of a rugged swimsuited naval aviator embracing an attractive bikini-clad young lady on a deserted ocean beach as the twilight gathers and the waves lap about their feet. The caption says:

As romanticized by the soundtrack balladeer, this unusual film offers a penetrating look at today's Naval aviation.

SPEAKERS

High-ranking military officers apparently spend a lot of time making speeches. Last December, for example, the Defense Department reported to Senator FULBRIGHT that Gen. William Westmoreland had 59 separate speaking engagements in the 10-month period from August 1968 to May 1969—CONGRESSIONAL RECORD, volume 115, part 22, pages 36140–36141.

The most prolific military speaker in the last few months of 1969, a time of great controversy over the Vietnam war, was Gen. Lewis W. Walt, Assistant Commandant of the Marine Corps. According to the Shearer article in the Nation, referred to earlier General Walt delivered the same basic speech on the average of twice a week throughout October and November.

In the past year, more than 10,000 Americans have been killed in Vietnam—

Walt told the Florida convention of the Red Cross—

Those who dissent may not have fired the rifle or thrown the grenade. But they must bear a part of the responsibility for the losses of those gallant Americans.

In a November 6 speech to the Annapolis Rotary Club, Walt said:

Those who are in positions of authority know the potential cost of a premature pullout. They know that the blood of millions of Vietnamese would be on their hands . . . Our premature withdrawal from Vietnam would become a major victory for the forces of international communism.

Military speakers do not always deal with political themes, however. Take this thought-for-the-day from an instructor at the Defense Information School—quoted in Shearer:

The military establishment must learn, as successful industry already has, to use its

own qualified speakers or "salesmen." Proper use of such speakers is the best method of creating the "true image" of the military services in the mind of the public and inspiring public confidence in the military which is essential to the continued success of the military "corporation."

RADIO AND TV

Everybody gets into the act here.

The Army's thing is "The Big Picture," a million-dollar-a-year operation producing 30-minute color films which are provided free to 313 commercial and 53 educational TV stations. According to Shearer, 55 segments were produced in the latest 2-year period, 17 of them on Vietnam.

The Navy does "Victory at Sea." In 1968, it made 49 news film releases for TV, and 55 1-minute TV news featurettes.

The Air Force lacks a stirring title for its thing, but it still managed to put out 148 films and 36 TV film clips in 1968.

Nor is radio slighted. All three services supply tapes to commercial radio stations. A highlight of the Air Force radio operation is "Pro Sports Report," a weekly, 5-minute radio sports feature containing Air Force spot announcements and distributed to 150 major market commercial stations.

PASSIVE RESPONSE OR ACTIVE PROMOTION?

The public has a right to know how the Defense Department is spending the public's money. But it also has a right to be free from propaganda, huckersterism, and flackery conducted at public expense. How is the Defense Department to do one without slipping over into the other? Propaganda, after all, is frequently in the eye of the beholder. Or, as Superme Court Justice Potter Stewart once said of hard-core pornography:

I can't define it, but I know it when I see it.

A workable guideline, I would suggest, is the following: If the information is made available to the public only in response to an unsolicited request, the activity is legitimate. But if films, speakers, radio and TV programs, and the like are actively promoted, the requests from the public are actively solicited, then the activity constitutes propaganda and the prohibition in section 601 is being violated. This is the standard I have asked the Comptroller General to adopt in his ruling.

Much of the Defense Department public affairs activity is of the former kind; but much of it, clearly, is not. Take, for example, these items uncovered by the GAO:

In a February 2, 1970, memorandum from the Air Force Systems Command to the Secretary of the Air Force, it is reported that the Speaker's Bureau at Holloman Air Force Base, N. Mex., has prepared a "colorful brochure" describing the services and topics available. The brochure, the memorandum says, was mailed to "clubs and organizations throughout southern New Mexico and southwestern Texas." There was a "tremendous response" to this mailing, the memorandum goes on, assuring that "this program will develop into an excellent vehicle for getting the Air Force story to civilian organizations through speakers and films, as well as making friends for the Air Force throughout the area."

In the daily summary of media contacts prepared by the Director of Information, Department of the Air Force, it is reported on February 27, 1970, that the Secretary of the Air Force, Office of Information—SAFOIN—"has interested NBC-TV in the possibility of AF public service announcements for use on network programs." On December 10, 1969, the magazine and book branch staff prepared a report on their visit to New York, where "a story on the importance of manned military aircraft in the 1970's and one on training for the C-5 were presented to editors who agreed to assign writers to do them." And on October 7, 1969, it is reported that "a total of 156 CONUS TV stations have requested the Air Force Christmas TV Show thus far." Noting that the deadline for requests was only a week away, the summary said:

This week we are calling the Information Officer (IO) at each base near a market in which no acceptance have (sic) been received in an attmpt to get additional coverage for this 30-min. program.

CONCLUSION

Mr. Speaker, it is time to put the Pentagon's propaganda machine into low gear. I hope that the Comptroller General will rule soon on the public affairs activities I have just outlined. Outlawing this rampant hucksterism would be a big step forward in pollution control. It would also save the American taxpayer some money.

I include in the RECORD at this point my June 23, 1970, letter to Comptroller General Staats, as well as the article from the April 20, 1970, issue of The Nation by Derek Shearer, to which I have referred frequently:

JUNE 23, 1970.

MR. ELMER STAATS,
Comptroller General,
General Accounting Office,
Washington, D.C.

DEAR MR. STAATS: On February 27 I wrote to you asking that you initiate a study of Department of Defense public affairs activities to determine in a preliminary way which of those activities might violate Section 601 of the Defense Appropriations Act for Fiscal year 1970. That Section provides that: "No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress." (Public Law 91-171, December 29, 1969.)

We agreed that the GAO would report to me on those public affairs activities which might violate the prohibition on propaganda, and that I would then select from among those certain activities and request a formal GAO ruling on whether they violated the prohibition.

I have now finished my review of the material you have supplied to me. Accordingly, I ask that you rule formally on the legality under Section 601 of Public Law 91-171 of the following public affairs activities of the Department of Defense:

(1) *Joint Civilian Orientation Conference (JCOC)*: a tour of military installations by approximately 75 leading civilians usually lasting about 8 days. Held annually since 1948. Although it is said that these conferences are to be "self-supporting financially," they are clearly not self-supporting in a strict accounting sense. The participants are not charged for the time of the military personnel involved, or for transportation between military installations. Appropriated funds are therefore being used, and Section 601 should apply to this type of activity. (Reference: Section A-15 of material provided by GAO.)

(2) *Air Force Civilian Distinguished Visitor Program:* An extensive series of two-day trips for "civic leaders" to acquaint them with the Air Force "mission and capabilities." As in (1), there is a substantial commitment of military personnel to these programs, and military aircraft are used for transportation. (Reference: Sections C-14 and C-20.)

(3) *Secretary of the Navy Guest Cruise Program:* Three to five day cruises conducted frequently throughout the year to "present the modern Navy to responsible community segments." Guests are charged a "nominal" fee for meals and must provide their own transportation to and from the point of embarkation, but this of course does not suffice to make this activity self-supporting. (Reference: Section D-10.)

(4) *Films, speakers, radio and TV programs, etc.:* There are innumerable examples of this kind of activity throughout the material provided to me. Much of the material of this sort reaches the public only in response to unsolicited requests. This can perhaps be viewed as legitimate distribution of information to interested persons. However, whenever films, speakers, radio and TV programs, and the like, are actively promoted, and requests from the public are actively solicited, it seems to me that there is a violation of Section 601's ban on propaganda. An example of the kind of active promotion I have in mind is contained in Section G-3 of the material provided to me. A memo dated February 2, 1970, from the Air Force Systems Command to the Secretary of the Air Force states that the Speaker's Bureau at Holloman AFB, New Mexico, prepared a "colorful brochure" describing the services and topics available.

The Brochure was mailed to "clubs and organizations throughout southern New Mexico and southwestern Texas." There was a "tremendous response" to this mailing, the memo says, assuring that "this program will develop into an excellent vehicle for getting the Air Force story to civilian organizations through speakers and films, as well as making friends for the Air Force throughout the area."

I appreciate very much the work you and your staff have done in gathering this material for me, and I shall await your formal ruling on the activities listed above. I realize that further investigation of these activities may be necessary before you can rule on their legality.

Sincerely,

HENRY S. REUSS,
Member of Congress.

[From the Nation, Apr. 20, 1970]

THE BRASS IMAGE

(By Derek Shearer)

(NOTE.—Mr. Shearer is affiliated with the Institute for Policy Studies in Washington and is a guest lecturer at the University of Maryland. He is co-editor of a study on National Security and the Pentagon to be published in the fall by Doubleday. This article is based on research sponsored by The Businessmen's Educational Fund.)

WASHINGTON.—In December 1969, Sen. J. William Fulbright offered in four consecutive speeches on the Senate floor a detailed picture of the public relations activities of the military establishment. The information unearthed by his staff, while it may have startled a few members of Congress, was really nothing new—a Pentagon propaganda machine has been in operation for more than two decades with the knowledge and support of America's civilian policy makers in the State Department and the White House. In fact, the civilian cold warriors laid down the fundamental tenets of anti-communism and fostered an atmosphere in which the pub-

lic relations newspeak of the military has thrived.

It was Dean Acheson, a graduate of Yale and Harvard Law School, and a member of the law firm of Covington and Burling, who agreed with Senator Vandenberg that the American people and Congress had to be "scared" in supporting the Truman Doctrine which proclaimed America's willingness to intervene anywhere in the world. And it was Secretary of Defense James Forrestal, an investment banker from Wall Street, who told the first graduating class of the Armed Forces Information School in 1948 that "part of your task is to make people realize that the Army, Navy and Air Force are not external creations but come from and are a part of the people. It is your responsibility to make citizens aware of their responsibility to the services."

Under President Eisenhower, Secretary of State Dulles, with generous help from Sen. Joseph McCarthy, continued to encourage the anti-Communist hysteria. The "liberals" of the Kennedy administration—such men as Walt Roscow, Dean Rusk, Robert McNamara and McGeorge Bundy—were no different; they too taught people to see the world in cold-war terms. Under Kennedy and Johnson the funds allotted for military public relations increased tenfold, reaching $27,953,000 by 1969 (and the figure, based only on information made available by the Pentagon, is conservative). This money pays for films, speakers' bureaus, traveling art shows, civilian "orientation" tours and numerous publications, all designed to convince the public that the road to true national security lies in more sophisticated weapons systems, a worldwide counterrevolutionary military force, and a patriotism that supports any and all military adventures in the name of anti-communism.

As Michael Parenti states in his excellent *Anti-Communist Impulse*, "it was not the military that manufactured anti-communism, but anti-communism that built the military state." If the world is threatened by international communism, then naturally the United States must maintain an overwhelming military force to combat it—and the people must be convinced of this necessity if funds and support are to be won from Congress. What follows is a description of the lengths to which the Pentagon goes to propagandize the public and maintain its privileged power position in American society.

On the first floor of the Pentagon is the Office of the Assistant Secretary of Defense for Public Affairs (OASDPA). With a budget in fiscal year 1969 of $3,697,000 and a combined military and civilian staff of 200, OASDPA formulates public affairs policy guidelines for the services, and coordinates Department of Defense public relations. Within the Pentagon, each service maintains its own information office, OASDPA and the three services, plus the Marines, operate branch information offices in New York, Chicago and Los Angeles.

The joint-service Defense Information School (DINFOS) at Fort Benjamin Harrison, near Indianapolis, trains military information officers, photographers, journalists and radio and TV broadcasters. It was created in July 1964, when Secretary of Defense Robert McNamara merged the Army and Navy information schools. Enrollment has risen steadily: when the school opened there were 850 students; in fiscal year 1968, DINFOS trained more than 2,000 information experts. In addition to learning basic writing and broadcasting skills, students, according to *The Airman*, official magazine of the Air Force, "are taught how to identify the various opinion-making bodies and pressure groups likely to be found in a typical civilian community."

Upon taking office, Secretary of Defense Melvin Laird formally notified all information offices that "propaganda has no place in the Department of Defense public information programs." However, the distinction between information and propaganda is lost on military public relations men. As an information officer in the Air Force explained: "We all knew Laird didn't mean what he said. He had to say that for the press and Congress, but we still go on with our job. We're in the image-making business."

Creating the proper image necessitates a judicious use of all commercial media, particularly motion pictures and television. The Motion Picture branch of OASDPA assists companies whose films "will be in the interests of the Department of Defense."

In late 1968, the Navy and the Department of Defense agreed to cooperate with Twentieth Century Fox on a film called *Tora, Tora, Tora* (the name of the radio code signal that told Japanese commanders the attack on Pearl Harbor was a success). The Navy provided the 333,000-ton *Yorktown* to play the role of a Japanese carrier. U.S. Navy pilots flew planes simulating Japanese bombers. Altogether, eight Navy ships were involved, including three destroyers. This support came when the future of the aircraft carrier was being debated in Congress.

Rep. John M. Murphy (D., N.Y.) criticized the Navy's low-cost loan of the ships, and informed the public that a Navy crewman had been injured while on duty with Twentieth Century Fox. Responding to this criticism, Darryl Zanuck took full-page ads in *The New York Times* and *The Washington Post* stressing the public service rendered by *Tora, Tora, Tora*, which would remind the public to be ever vigilant against sneak attack.

In June 1969, Rep. Benjamin Rosenthal (D., N.Y.) revealed the extent of the help which the Army had provided to actor John Wayne and his company, BATJAC, in the filming of *The Green Berets*. Rosenthal angrily stated that "the glorified portrayal of the Vietnam War, which is the heart of this film, raises serious questions about the Defense Department's role in using tax funds for direct propaganda purposes. . . . This alliance of Hollywood and the Pentagon seems to have brought out the worst in both institutions."

A report from the Comptroller General's office (requested by Rosenthal disclosed that the amount charged Wayne for use of facilities at Fort Benning, Ga., did not accurately reflect the cost. Rosenthal asked what other films in past years had received DOD help. The Deputy Assistant Secretary of Defense for Public Affairs replied that all files on the subject more than two years old had been destroyed.

The Los Angeles Public Affairs Office does not wait for Hollywood to come to the military. The official "mission" book of the Air Force information office in Los Angeles states that the office must: "maintain close contact with Screen Witers Guild to stimulate interest in using USAF environment in conjugation with proposed film stories, and generate and submit story ideas and outlines to story editors and producers of network entertainment TV series." This office supplies technical advisers to TV shows. For example, an Air Force project officer was assigned to the ABC–TV series *12 O'Clock High*.

It is Air Force policy to refuse such aid to TV shows that it does not like. One such show was *I Dream of Jeannie*. While the Air Force would not appoint an official adviser to the series, the information office wanted to watch the show. "We didn't approve the show, of course," explained an officer in the Los Angeles office, "but we wanted to have some say in the production. Unofficial, you understand. So we sent over a couple of officers in uniform, medals and all, to observe. After they had been around for a few days, naturally the crew asked for some technical advice and our men provided it. We wanted the show to portray the Air Force as accurately as possible."

To make sure that the military "story" is given to the public "as accurately as possible," the Pentagon and the services also produce their own theatre and TV films.

The Department of Defense operated five camera teams in Vietnam in 1968. A release from the Public Affairs office in the Pentagon explains that "the purpose is to document, for relase to national television, the feature aspects of the military participation in Southeast Asia often ignored or bypassed by national media film crews because of the pressure of hard news events. They are not in competition with the civilian media. Rather, they supplement the coverage by major networks. The high usage of the material produced by these teams is indicative of the effectiveness of their efforts." The units produced 118 films in 1968. Topics included the humane treatment of Vietcong prisoners and activities of Thai medical forces near Kanchanaburi, Thailand, 125 miles northeast of Bangkok.

The Department of Defense has also produced over the years films of a more general, ideological nature. Some of them listed by OASDPA as available for public showing are: *A Free People* (folk music sung by Gordon McRae, the New Cristy Minstrels and Peter, Paul and Mary to accompany scenes showing the American way of life from colonial times to the present); *The Line Is Drawn* (a story, based on letters to his family from Capt. James P. Spruill, U.S.A., who was killed while on duty in Vietnam); *The Road to the Well* (James Cagney narrates a documentary on modern communism).

Third Challenge: Unconventional Warfare, which lasts forty-five minutes and shot in color, shows a fictional Third World country threatened by guerrilas. The leader of the insurgents is dressed in a Nazi-like uniform; his number-two man looks remarkably like Che Guevara. Trouble mounts, the insurgency grows; then the United States enters the scene. Loyal government troops, trained by us in counter-guerrilla measures, wipe out the rebels' stronghold. The guerrilla leader escapes in a small boat, to foment revolution in some other country (which is why American must be ever vigilant).

The hero of *Freedom and You* skips his union meetings for bowling. His wife reproves him, but he makes light of her. He dreams one night that the town has "gone Communist." His eldest daughter announces that she is leaving home to join a work brigade. On Sunday he tries to take the younger children to church, only to find that the church has been turned into a people's museum. He stares dumbfounded at exhibits of ancient telephones and airplanes which list Russians as the inventors. "Hey, Americans discovered these," he shouts, and commences breaking apart the displays. He is arrested and tried; his wife and children testify against him. Just as a pistol is being placed to his head, he awakens "to a full realization of the importance of his civic responsibilities."

Each of the services has its own film-making program. The headquarters for Army films is the Signal Corps Photographic Center in Long Island City, N.Y. It occupies one of the largest motion picture studios in the East, built at a cost of $10 million and purchased by the Army from Paramount in 1942.

A branch of the Signal Corps, the Special Photographic Office, was established during the Johnson administration to work overseas "for the purpose of obtaining filmed documentation of U.S. Army activities in the cold war, with a primary emphasis on counter-insurgency." In the third quarter of 1969, a team on duty in Korea shot 32,112 feet of motion picture film, and 1,344 still photos, including color 16 mm. footage of the Republic of Korea Armed Forces Day cere-

monies; bridges, roads and rail lines throughout Korea, and the "Focus Retina" joint airlift exercise with U.S. and Korean forces.

The Big Picture is the Army program which makes thirty-minute, TV color films at a cost of almost $1 million a year. In the latest two-year period, fifty-five segments were produced and shown on overseas American Forces Television and in the United States on 313 commercial and fifty-three educational stations. Seventeen of the fifty-five segments dealt with Vietnam. These films, given free to stations, include *The Bridge*—in which John Daly plays host on a visit to the Army Chaplains' school at Fort Hamilton, N.Y.; *When the Chips are Down*, on the National Guard, with Bob Hope commenting merrily on the training and readiness of the citizen soldiers, and *Shotgun Rider*, a description of which reads: "The Shotgun Rider, protecting the stagecoach, blasted a colorful trail through the pages of American history. Today he still plays a colorful role, for the war in Vietnam has put the shotgun rider back in business. Not aboard a stagecoach, but in a helicopter. His weapon is no longer a shotgun, but a machine gun. His mission, however, is the same—to protect the interest of a free people as he stretches from his helicopter firing at enemy targets."

The Navy produces a similar series entitled *Victory at Sea*. In 1968, it made forty-nine news film releases for TV, and fifty-five one-minute TV "news featurettes." Two films on the dangerous effects of drugs, *A Trip to Where* and *LSD*, the Navy estimates, have been seen by 75 million people. The Navy also distributes *Stay in School and Graduate*. Not to be outdone by *Shotgun Rider*, the Navy has produced a twenty-eight-minute color film, *Eye of the Dragon*: "The story of the American Navy Advisors to Vietnamese junk forces, told in a panoramic style using a montage of sequences, native music and the Kipling theme of 'East is East' and 'West is West.'"

All three services supply tapes to commercial radio stations. The Air Force appears to be the most imaginative. It produces *Pro Sports Report*, a weekly, five-minute radio sports feature containing Air Force spot announcements (distributed to 150 major market commercial stations); and *Serenade in Blue*, a weekly thirty-minute radio feature starring the Air Force band, and broadcast by approximately 4,000 commercial and armed forces stations.

The Air Force also put out 148 films and thirty-six TV film clips in 1968. Its *Operation Pathfinder Exercise* deals with American forces in Spain. A description reads: "Depicts largest airborne training exercise in Europe. Demonstrates USAF, U.S. Army, and Spanish troops in hypothetical combat situation. Pictures Moron, Spain, center of activity, where men, equipment, and supplies are dropped in enemy territory. Portrays paratroopers in mass assault to secure airfield. Shows effective tactical air power with proud forces marching before commanders. Depicts bullfight and reception given by Spanish people in honor of participants."

When Senator Fulbright read this blurb to the Senate last December, Senator Gore of Tennessee inquired: "I do not quite get how closing a movie with a bullfight will get more money out of Congress. That might be the purpose, but how does it operate?" Fulbright replied that "the purpose of my comments is to show that they are not justified in the public interest, nor are they justified by, or even relevant to, the security of the United States."

Another 1968 edition to the Air Force film club is *The Other Side of the World*, which "documents civic action programs conducted in Thailand's rural areas by Air Forces' 606th Air Commando Squadron. Shows operation of medical and dental clinics, and construction of sanitation facilities. . . ." Senator Fulbright noted that until seeing the film, he had not known the United States was engaged in pacification-type activities in Thailand, and suggested that the Foreign Relations Committee "might learn more about the American presence around the world in watching Department of Defense movies than it does in briefings by Executive branch officers."

The military uses TV and movies to "inform" the general public. For more influential citizens, it prefers the personal touch—a firsthand visit to the Pentagon or to various military installations. Since 1948, the Department of Defense has held an annual series of Joint Orientation Conferences in which "a group of approximately seventy business, industrial and professional men are invited to visit representative military installations during this eight-day traveling conference."

Bennett Cerf, of Random House, described his reaction to such a conference in an article, "Ten Days with the Armed Forces," which appeared in the July 22, 1950 *Saturday Review*. He wrote of the invitation that "I consider [it] one of the biggest honors and luckiest breaks of my career." Cerf pointed out that the Secretary of Defense wanted leading citizens "to see and hear at first hand . . . how the Department of Defense was carrying out its own obligations . . . and count[s] on his guests to spread the good word as loudly and vehemently as they knew how. It worked like a charm."

After listening to speeches by generals and admirals, the group was flown to Fort Benning, Ga. There "a display of our remarkable new recoilless weapons (and other arms still considered secret) had the audience gasping." They also saw the airborne troops begin their parachute training. "It was at our next stop, Eglin Air Force Base, Florida, that I had my unforgettable ride in a jet fighter plane." After a harrowing thirty-one-minute flight "over the Gulf of Mexico at the modest speed of 510 miles an hour," Cerf "made a speech that sent all the others clamoring for jet rides. The air was full of petrified VIPs the next day. I must have caused the Air Force a pretty penny."

In recent years, a number of participants in the orientation conferences have been from Defense firms, and as Senator Fulbright suggested "would appear to be already familiar with Defense activities and no doubt assist in influencing the views of their fellow participants."

In the past two years, 188 VIP's enjoyed Navy hospitality on thirteen "orientation" cruises, most of them destined for Hawaii. One guest, Bertrand Harding, at the time director of the Office of Economic Opportunity, apparently liked his September 1968 trip to Hawaii on the U.S.S. *Coral Sea*, so much that he went back in March 1969 aboard another carrier.

Popular spots in the Air Force's "distinguished visitor program" include Las Vegas, Hawaii and Florida. Ogden and Salt Lake City civic officials made a trip to the Lockheed plant in Marietta, Ga., and "received a briefing on the C–5A and its meaning to future Air Force logistics." Newsmen from Kansas City traveled to Cape Kennedy "to build rapport and improve media relationships between this headquarters and greater Kansas City news media." Texas attorneys journeyed to the Air Force museum at Wright Patterson Air Force Base, Ohio, for an opportunity "to become more familiar with the Air Force's history and mission." The Strategic Air Command's most recent community relations report listed five groups of "distinguished visitors" from Boston, Minneapolis-St. Paul, New York City, Los Angeles, and San Antonio—and twelve "specialized groups," ranging from the Smaller Business Association of New England to New York artists, as visitors over a six-month period. Mr. F. H. Orbison, president of Appleton Mills, and chairman of Wisconsin's Young Presidents Organization, wrote the Air Force after his tour that "We certainly learned firsthand the reasons why our military technical programs require the vast sums of tax dollars and the people they utilize."

In some instances, military visitors' programs are designed with a specific purpose in mind. A fact sheet on the Army Air Defense Command's (ARADCOM) public relations program Operation Understanding states: "Poised on the doorsteps of America's mightiest cities, guarding against air attack, stands a phalanx of lethal Nike-Hercules and Hawk missiles, the muscle of the Army Air Defense Command (ARADCOM). These surface-to-air missiles, and their forebears, have defended city gates for more than ten years. Despite their protective role, their advent was not always welcome. City officials often opposed government acquisition of choice municipal land. The public did not always relish the idea of troops and lethal missiles in their back yards."

The pilot run of Operation Understanding came in May 1956, when ARADCOM took newsmen on a tour which included a trip to Red Canyon Missile Range, N.M., to view the firing of a missile and a visit to ARADCOM headquarters in Colorado Springs. A year later, Operation Understanding faced its first public test. The Los Angeles International Airport had been picked as the site for a nuclear Nike installation, and local citizens stories and grumblings by legislators followed were upset—demonstrations, critical news stories and grumblings by legislators followed the announcement. The Army invited the Mayor, other civic officials, prominent citizens and newsmen on a tour. "When Mayor Norris Poulson went on the air," says the fact sheet, "the opposition dissolved. He declared, 'I wish all the people of Los Angeles could have seen for themselves what the Nike can do for our city. Seeing is believing.'"

Close to 8,000 guests have participated in more than 400 tours in the years following the first junket for newsmen in 1956. The Army considers the program a dramatic success and boasts that "results are dramatically apparent. Following a New Jersey missile site explosion in 1958, enlightened communities in the area responded with sympathy and understanding; criticism was restrained and minimal. Missile men and their families had become accepted as valued members of the community, not as a 'necessary evil.'" The 1967 fact sheet states that an "enlightened public" can be counted on to aid in the acceptance of future Nike-X sites.

The military is not content to charm influential citizens with fancy tours; it also aims to provide them with a proper politico-economic outlook on the world. Established in 1948 by the Industrial College of the Armed Forces, the National Security Seminar program has been conducted in 163 cities with a total audience of 180,000. The purpose, explains *Air Force and Space Digest*, "is to present briefly and plainly the relationships among the military, political, economic and social factors that contribute to national power, together with a panoramic view of U.S. interests in a troubled and changing world." Those who attend the two-week sessions in selected cities each year include reservists from all the services and civilians from business, professional and community organizations. The seminars consist of a series of lectures by officers from the faculty of the Industrial College. In each city, the program is sponsored jointly by a military and a civic organization; a reserve headquarters is designated as military sponsor, and reservists who attend are awarded retention, promotion and retirement credits. The civilian sponsor, usually the local Chamber of Commerce, provides the auditorium and publicity.

Information given at these seminars is sometimes news even to Congress. Participants are told that "the U.S. has treaties with both Turkey and Iran—to defend them against Russia—if need be." (None that the Senate has ratified.) However, judging from the responses cited by the Industrial College, support for the educational program is enthusiastic. A Congresswoman said: "And thank goodness we have, in our democratic society, an informed military which is not only allowed, but encouraged, to share its knowledge with the public in seminars such as this." A minister from North Carolina wrote: "I attended the last seminar six years ago, and was so impressed and so well informed, that as a concerned citizen, I could not afford to miss this one. You can be assured that I will not contain this information within myself but shall spread it abroad." Each service also holds its own annual strategy seminars for prominent citizens.

Obviously, public speaking has become an important military skill. "The military establishment must learn, as successful industry already has, to use its own qualified speakers or 'salesmen,'" writes an instructor at the Defense Information School. "Proper use of such speakers is the best method of creating the 'true image' of the military services in the mind of the public and inspiring public confidence in the military which is essential to the continued success of the military 'corporation.'"

The public affairs office of the DOD in the Pentagon operates a speakers' bureau for high-ranking Pentagon officials. In late 1969, a flurry of activity surrounded President Nixon's policy statements on Vietnam. Military leaders addressing Rotary Clubs, ship launchings, Red Cross meetings, took a hard line, often more forceful than that of Vice President Spiro Agnew. The most prolific speaker was Gen. Lewis Walt, assistant commander of the Marine Corps, who delivered in October and November (the key moratorium months) the same basic speech on the average of twice a week.

"In the past year, more than 10,000 Americans have been killed in Vietnam," Walt told the Florida convention of the Red Cross. "Those who dissent may not have fired the rifle or thrown the grenade. But they must bear a part of the responsibility for the losses of those gallant Americans." In a November 6 speech to the Annapolis Rotary Club, Walt said: "Those who are in positions of authority know the potential cost of a premature pullout. They know that the blood of millions of Vietnamese would be on their hands. . . . Our premature withdrawal from Vietnam would become a major victory for the forces of international communism."

Early in 1965 a Navy Department Speech Bureau was established within the Navy Office of Information in the Pentagon. This is not simply another speakers' bureau. As a Navy publication points out, "The Navy Department Speech Bureau is the only known activity within the Executive Branch of the Federal Government which provides both speakers for public events and speech materials to be used by those speakers from a single office." One of the first acts of Rear Adm. H. L. Miller, Navy Chief of Information, was to publish a *Navy Speakers Guide*, designed to assist Navy speechmakers in their preparation and delivery of public addresses. The Navy also publishes *Speech Points*—a quarterly list of suggestions and references for speech topics. Speeches are collected in a yearly volume, *Outstanding Navy Speeches*, and selections of useful quotations are published each year in *Quotable Navy Quotes*.

The 1968 *Navy Speakers Guide* includes more than twenty-five articles by Navy and Army officers, speech professors and professionals from the fields of TV, radio and journalism. Members of the National Society for the Study of Communication and of the Speech Association of America prepared special articles on request, and the guide includes such useful discourses as "The Framework of a Dynamic Speech," "Mental Attitude and the Speaker," "How to Speak on TV" and "Speaking from Manuscript."

The Navy also provides training in the electronic media. The Naval Photographic Center in Washington has all the equipment used in commercial TV and film production and provides "coaching rehearsals for naval and Marine officers and civilians. These practice sessions include work with live cameras and teleprompters with video-tape equipment to allow the speechmaker to watch himself on playback." Located within the Speech Bureau in the Pentagon is the Navy Speech Evaluation Laboratory, available on request to Navy speakers who want to improve their speech delivery through practice and self-evaluation. "If you cannot come to Washington," notes an article in the *Navy Speakers Guide*, "Check with your Public Affairs Officer or Training Officer in regard to local opportunities for studio practice."

Through speakers' bureaus which each Army post is encouraged to maintain, an estimated 1,000 audiences a month are provided with Army speakers. Young, returned veterans from Vietnam are urged to address public gatherings; *Army Digest* noted proudly that, since returning from Vietnam, a Col. John G. Hughes had delivered 240 speeches. *The Washington Post* reported in December 1969 that an Army major was used by the Pentagon to provide public counterattacks to critics of the war. Maj. James Rowe, who spent five years as a captive of the Vietcong, filmed twenty television interviews and cut six radio tapes with Congressmen; the tapes were sent to the home stations of the Congressmen or used in Army information programs. In several of these appearances, Rowe questioned the patriotism of Sen. George McGovern, and charged that the American liberal press was printing material which breaks the morale of American prisoners. According to Col. Lloyd L. Burke, an Army legislative liaison officer and Rowe's sponsor in Washington, Army Chief of Staff Gen. William Westmoreland "knows of all his (Rowe's) activity on the Hill and approves of it."

Information officers are taught to seek out speaking engagements in the community, as is shown by a sample letter used for instructional purposes at the Defense Information School, Fort Benjamin Harrison, Ind. It reads:

"Dear . . .:

"Did you know that Fort Jackson maintains a Speakers Bureau, listing capable public speakers who are knowledgeable on many academic, business, and military subjects?

"If you have had difficulty in finding a qualified speaker to address a meeting of your organization, we may be able to help.

"As soldiers, we can speak best about our mission of training young men for the United States Army. But, we are also engineers, conservationists, law enforcement experts, dentists, lawyers, and similarly qualified professionals. . . .

"If this active Speakers Bureau is of interest to you, please contact. . . ."

Officers are encouraged to participate in the speaking program. Information officers are instructed to write to officers in an effort to solicit speakers for the bureau, and it is suggested that base commanders send letters of appreciation to participants in the speakers' bureau.

Under the rubric of community relations, the services operate traveling exhibits which tour the country, telling the military "story." The Army's Community Relations Branch estimates that some 13.5 million people viewed twenty-two of its traveling exhibits in the last half of 1968. The exhibits included such displays as "Communist Equipment in Use in Vietnam." "How the U.S. Army Meets the Third Challenge," "Adapting to Living in the Nuclear Age." "Chaplains Showcase" and "The Airmobile Soldier." The Air Force's traveling exhibits, operating from Wright-Patterson Air Base, Ohio, include a gigantic Titan missile and a Minuteman missile. However, its most elegant exhibit is the Air Force traveling art show, displayed primarily in shopping centers. "After all, it's where the people are these days," said a briefing officer with one exhibit.

Two Air Force personnel are assigned to each traveling exhibit. They work with the sponsor, usually the Chamber of Commerce or the shopping center association, to see that the show is properly arranged and given adequate publicity. The Air Force provides the sponsor with news releases which state that "a unique art exhibit featuring more than 40 original paintings from the U.S. Air Force Art Collection is now on display. The paintings portray dedicated American airmen serving in many lands and many ways . . . all preserving and extending freedom."

The thousands of Americans who wander through the exhibit gaze at such dramatic renderings as "The Cross and the Sword," a painting which depicts an F-102 fighter interceptor in the skies above a church in a remote Eskimo village north of Thule Air Base, Greenland. Other titles listed in an exhibition pamphlet include "Air Force Airlift for the UN—Kimina, Congo, September 1960"; "Buying Souvenirs in Seoul." "Pilots on Alert Duty Playing Chess" and "Good Old Pemmican Air Force Survival Training."

This art is the work of professional artists recruited for the task. In 1954, the Air Force invited members of the Society of Illustrators of New York to visit Air Force installations around the world. The first group went to bases in Europe; later groups were flown to the Far East, to South America, to Alaska and into the North African deserts.

In 1960, the Society of Illustrators in Los Angeles joined the program, followed soon by the San Francisco branch. The artists are given uniforms and the simulated rank of colonel while on the job. "It makes things easier for them," said an Air Force official. "And there is the prestige involved." The Air Force foots the bill for travel and expenses; the art becomes its property. If the Air Force does not like a piece, it will not display it. "We're not going to hang any thing that we think is unflattering to the Air Force," explained an Air Force information officer.

In October each year the artists who have completed work are invited to dinner in Washington and a reception at Bolling Air Force Base where new acquisitions are displayed. The Air Force has arranged with the Internal Revenue Service that the artists can deduct the value of the paintings which they "donate" to the Air Force.

It is the official duty of the Air Force to maintain close relations with the Boy Scouts of America. Twelve Air Force officers are stationed at bases located as near as possible to the twelve regional offices of the Boy Scouts. "Continuing contact between Air Force personnel and members of the Scouting movement will help assure our nation of capable leaders in the future," says Air Force Chief of Staff John P. McConnell. The program with the Boy Scouts is administered by the Continental Air Command, which provides tours, air flights, films and briefings for Scout troops. The Tactical Air Command sponsors a specific Air Explorer Wing, officially Explorer Post No. 54.

Since 1948, the Army has appointed for two-year terms a number of civilian aides to the Secretary of the Army. "In private life the Aides are leaders and authorities in their communities and in their respective fields," says the *Army Information Digest*. "Some are nationally renowned engineers, bankers, attorneys, scientists, editors, industrialists,

surgeons, and educators. Most of them have a military background of their own and are, therefore, acutely conscious of the problems of the local commander. . . ." The civilian aides, who meet periodically with the local base commander, "recommend and assist in ways of enhancing understanding between the Army and the civilian community." Each year a national conference of civilian aides is held in Washington.

The Navy, however, has a better idea. Scattered strategically around the country are thirty-one Naval Reserve Public Affairs Companies, consisting of 409 officers and six enlisted men. Each company must submit an annual public relations plan to the Navy Office of Information on its selling activities in the local area. The basic duty of the companies is to "canvass local civic groups and organizations concerned with welfare and recreation of young men, e.g., P.T.A., school boards and church groups, with the purpose in mind of selling Navy as a future career for young men." These companies sponsor a "Day in the Navy" for high school journalists, and a high school Navy Science Day. They try, according to a Navy Office of Information report, to "promote the playing and singing of the Navy Hymn in local churches," particularly on the Navy Sabbath. In the Navy Science Cruiser Program, 220 boys and girls are selected from regional science fairs to ride on a Navy ship. In 1969, the Chicago Naval Public Reserve Company set up a project "to aid the Navy's 'Hands Across the Sea' program by providing six tons of chewing gum from the Wrigley Company for distribution in Spanish-speaking countries."

By 1972 there will be three times as many high school JROTC cadets in the country as enrollees in the college officers' training program. This too is a community relations program. The program cost the DOD $5 million in 1969. The ROTC Revitalization Act established the JROTC program for the Navy, Air Force and Marine Corps (an Army program had already existed with units in 295 high schools). Congress set a limit of 1,200 units—650 for the Army, 270 for the Air Force, 245 for the Navy and thirty for the Marines.

The official DOD justification for JROTC is that "since a major portion of the Federal budget is for the purpose of national defense and since all young men are subject to possible military service, it is considered beneficial that our high school students, as future taxpayers, voters and soldiers of America have an opportunity to learn about the basic elements and requirements for national security and their personal obligations as American citizens to participate in and contribute toward National Security."

Patriotism is the key word in the JROTC program. There is little career advantage for a student who enrolls in the high school program; he can enter enlisted service at the E–2 rather than the E–1 grade in which other enlistees must serve three months and he can transfer a limited number of JROTC credits to the college ROTC, but that's about all.

Comdr. Ralph T. Williams, head of JROTC activities for the Navy told *The Washington Post* that the Navy JROTC program "is young and therefore the Navy has no statistics to validate its worth as a recruiting program or even as a positive motivation plan for involvement of students in NROTC. However there are clear indications that these are reasonable expectations. The program must be considered primarily an 'image' in its current state of development, that is, a project which exhibits the Navy to the public eye and introduces the Navy to the community through the youth of the nation. Add to this the demonstrated effects of better citizenship that are evident where Navy JROTC units exist and the effort and expenditure of funds must be adjudged worthwhile."

JROTC instructors are usually retired officers or noncommissioned officers who receive retirement pay, plus a supplement to equal active-duty salary. The service and the school each pays half the supplement. Uniforms, except for shoes and weapons, and texts are furnished by the military; the schools provide classroom facilities and drill space. The approximate cost of setting up and operating a 170-cadre unit in the first year is $38,350; it drops to $17,500 after the initial outlay.

The role of the ROTC instructor is not limited to his classroom duties; he is also a community organizer. The *Infantry Journal* wrote that the "job is one of public relations—Kiwanis club on Wednesday, speaking to the Sons and Daughters of 'I will Arise' on Friday, cooperating with the Campfire Girls in their new project on Rifle Markmanship . . . training the girls' marching unit with the thought in mind of making them a 'Corps of Sponsors' for the ROTC some time in the future." The increase in the number of JROTC units will, of course, increase the number of such teachers.

How effective is the military propaganda machine? The question is important, and interestingly enough, the Defense Establishment finds it so. In 1965 the Navy hired Louis Harris and Associates to conduct a public-opinion poll on how Americans view the Navy and Marine Corps. The poll's summary concluded that "the Navy's reputation as a fighting force has diminished since World War II. That of the Marine Corps has remained high, perhaps increased." This finding was due, the report suggests, to the changing nature of warfare in the last two decades: Harris also noted that movies like *Mr. Roberts* and TV programs like *McHale's Navy* and *Ensign O'Toole* provided an inaccurate picture of Navy life (*McHale's Navy* especially angers information officers because, as one told me, "it shows blatant disrespect for authority"). "In the absence of popular fare to the contrary," say the pollsters, "the image of the Navy as a fun-loving, easygoing institution remains. . . . An element of toughness and discipline is missing . . . the feeling of 'easy' must be turned into a challenge of no nonsense." With the Marine Corps, on the other hand, "the only potential danger is that the picture may be carried too far, that a reputation for too much toughness, for being overly rugged, for exercise discipline may begin to grow. . . ."

Such findings seem trivial. Americans like a good laugh, even at the expense of the Navy (or any other service) and there is a tradition of making fun of the sergeant, but that does not mean that Americans question the underlying need for a large military establishment and the foreign policy it serves. The effect of more than twenty years of military propaganda, coupled with the continual anti-Communist statements by civilian policy makers has been to give the public a cold-war vocabulary and to teach them to see the world in those terms. The evidence (regardless of any poll) that this has worked is the willingness of the public to support larger and larger defense budgets. It can be said that America has been patriotic in the sense that the military desires—that is, it will pay for what the military wants. Rep. L. Mendel Rivers, chairman of the House Armed Services Committee, is correct when he claims that "the American people are not interested in a balanced budget when it comes to security. . . . I have traveled the length and breadth of this country. They say, 'We will forgo anything but our security.' "

The belief that national security can be purchased by spending more money for weapons systems, and deploying more Green Berets around the world, has been inculcated in the public. Patriotism is synonymous in this view with militarism; love of country is equated with an open pocketbook and proudly sending one's sons to die in a senseless Asian war.

The silent majority is not composed of bloodthirsty killers. Americans do not inherently desire to plunder the Third World, and they certainly don't want a nuclear confrontation with the Soviet Union. The trouble is that they have no alternative way of being Americans; there is no other citizenship open to them. Their choice of action has been defined by the Defense establishment (in concert, of course, with the elite policy makers, and with the help of the media), and it is difficult for them to imagine any other way of thinking, let alone acting. Thus the protest movement of the young is seen as un-American (rather than in the American tradition). The individual has become subordinated to the state. News stories to the effect that people have refused to sign a petition endorsing the Bill of Rights are not trivial.

A free press, then, is perhaps the answer. Unfortunately, the press, particularly the Pentagon press corps, has proved itself in most cases an arm of the Defense establishment. The Pentagon, as might be expected has done everything it could to carry favor with the press, and it has succeeded.

The Office of Public Affairs in the Pentagon maintains a magazine and book division to help writers prepare articles and books on the military. Friendly authors, of course, receive warm treatment. When Robin Moore, a former public relations man for Sheraton Hotels, decided to write a book about the Green Berets, the magazine and book division arranged for him to participate in action training at the Green Beret School at Fort Bragg, N.C., then to accompany Special Forces in action in Vietnam. The Directorate for Defense Information handles interviews, processes and releases speeches, and deals with newsmen. In 1969, it issued 1,604 releases.

Most members of the Pentagon press corps accept the assumptions of the military. Reporters who, in effect, "explain" the Pentagon to the public are invited to write for the various military journals. William Beecher, Pentagon correspondent for *The New York Times*, has contributed a number of stories to these publications. He is considered in Washington to be soft on the Department of Defense. In 1969, Beecher received the Mark Watson Memorial Award for distinguished military writing; he was chosen by the 165th Mobilization Department, U.S. Army Reserves, composed of newsmen who are reserve officers attached to the Army's Information Office.

During the Kennedy and Johnson administrations a reporter who wrote an unfriendly story or published information which the Pentagon wanted to withhold was often investigated. The FBI, or one of the special detective branches in the Pentagon such as the Civilian Security Agency, would harass him, question him about his sources, and, although it can't be proved, tap his phone. Such treatment was dealt reporters of *The Wall Street Journal*, the Associated Press and *Newsweek*, among others.

Such techniques make it hard for the newsmen to do a decent job; in part by scaring potential news sources. When he was Secretary of Defense, Robert McNamara enforced a rule that at the end of each working day every DOD official must report in writing all contacts with newsmen.

Each of the services rewards the "good" reporters, and hounds the "bad." Twice a year, the Navy invites a group of newsmen to spend a few days aboard ship. One of the duties of the thirty-one Naval Reserve Public Affairs units is, according to instructions issued in 1968 by the Secretary of the Navy, to "nominate top media executives for two yearly trips to Hawaii (fifteen per trip) on an aircraft carrier and return via Navy air to the West coast." Newsmen are, of course, included in the orientation programs described earlier. An Air Force Public Affairs report notes that "the use of this airlift [of news-

men], although not authorized in advance through OASDPA, further cemented the fine public and community relations support of an influential segment of the local press, radio, TV, and civilian leaders in the community. Exceptionally good coverage of the five Outstanding Airmen of the Year from Colorado resulted from this trip." Local military units are encouraged to make sure that the community press tells the military's "story." Instructions for the Naval Public Affairs reservists includes: "If the news is devoid of Navy activity, call the media and ask the simple question, "Where is the Navy news today?'"

Each service also supplies local papers and TV stations with stories, photos and film on the activity of soldiers from the neighborhood. The Army Home Town News Center in Kansas City, Mo., estimates that in fifteen years it has issued 32 million releases, a million and a half stills, 175,000 taped interviews and 40,000 motion pictures.

Too much can be made of the military's public relations activities. The American people are not automatons, and blacks and students through their own reading and experience have rejected the Pentagon's propaganda. Nevertheless, the problem is that the great majority of the American public has been affected by twenty-five years of cold-war propaganda, and that there is no countervailing source of information.

Those who wish to dismantle the military-industrial complex and alter officially America's foreign policy are finding it necessary to oppose the Pentagon's public relations machine with their own education program.

To offset military radio shorts, San Francisco peace groups have prepared anti-recruitment ads ("See your draft counselor, not your recruiter"), and have requested the Northern California stations to broadcast them. The basis for their request is the "Fairness Doctrine" of the FCC and the manner in which that doctrine has been applied to cigarette advertisements. In a letter to a local station, a lawyer for the peace groups contends that military service today "is a controversial issue of public importance—far more controversial and far more important than the issue of whether an individual ought to smoke cigarettes." Anti-war groups in other cities are following this lead. A group of business executives who oppose the war in Vietnam has compiled ten-second radio messages protesting the war from leading military men, among them former Marine Commandant David Shoup.

In December 1969, returned Vietnam veterans who opposed the war held a "Trial of the Army" at the University of Washington in response to official harassment of the GI coffeehouse, The Shelter Half. A jury of GIs and a crowd of 1,200 heard testimony against living conditions in the Army and the conduct of the war. Fred Gardner, one of those responsible for the coffeehouse movement, wrote that "the passion of the speeches and the impact on the crowd convinced some observers that the time is ripe for setting up a speakers' program for GIs and Vets. . . . There are so many men back from Vietnam now, yearning for a chance to dissociate themselves from the war machine, that we could confront the Army flacks whenever and wherever they ply their trade. And if a speakers' network were established, it would be the basis for a vets' anti-war organization that had roots in real work."

In January 1970 The Businessmen's Educational Fund, a nonpartisan group concerned about the impact of excessive military spending on national priorities, hired Ernest Fitzgerald, the efficiency expert who was fired by the Pentagon for exposing cost overruns in major weapons systems, and is sending him on a nationwide speaking tour to discuss how the Pentagon wastes taxpayers' money. Fitzgerald is the first in a line of experts critical of the military which the group plans to organize into a speakers' bureau. In Peoria, Ill., the local peace-action council is organizing counter-seminars to be held when the National Security Seminar comes to town in May.

Such education activities are just beginning. They must be greatly expanded and multiplied, if the anti-Communist reflex and the belief that the way to national security lies in more military spending are to be seriously challenged.

RICHARD KING MELLON

The SPEAKER. Under a previous order of the House, the gentleman from Pennsylvania (Mr. DENT) is recognized for 60 minutes.

Mr. DENT. Mr. Speaker and Members of the House, recently my district, my State, and our Nation lost one of its most outstanding citizens. My district in general, and the beautiful Ligonier Valley in particular have received bountiful benefits from the generosity of Richard King Mellon.

Richard King Mellon was known to all Pennsylvanians for his civic and public services over a long span of years. Many obituaries have catalogued his life's work, his many philanthropies, his career as a solider, banker, and public servant.

I chose to pick just one of his many kind and worthwhile deeds, his love and affectionate devotion to the the valley and rolling hills in and around Ligonier, Pa.

The Ligonier Echo, an authority on our valley, has written the following short tribute to Richard King Mellon, his day, and his life. I commend it to my colleagues:

[From the Ligonier Echo, June 10, 1970]

RICHARD KING MELLON, 1899–1970

In the weeks since the unexpected death of Richard King Mellon the press of the world has devoted columns to his biography, his preeminence in the business world, with particular emphasis on finance, his work as instigator of the entire renaissance of Pittsburgh, his many sizable contributions to hospitals and libraries, to colleges and universities. The roster of his civic achievements and benefactions is so great that it would take a volume to recount it with accuracy and completeness. Most news accounts, for instance, failed to mention his gifts which enabled the Marine Biological Laboratory at Woods Hole, Mass., and the Oceanic Foundation in Hawaii to function; or his favorite conservation organization, the Western Pennsylvania Conservancy.

Likewise his munificence to the Ligonier Valley escaped the attention of most obituary writers although the Valley is full of evidence of his devotion and interest. Mr. and Mrs. Mellon made the Valley the particular object of their affection for, although Pittsburgh was the capital of the Mellons' business empire, Ligonier was their home. And it was at Huntland Downs, the family estate in Rolling Rock Farms, that Mr. Mellon was laid to final rest.

ROLLING ROCK FARMS

The most extensive Mellon project in the Valley has been Rolling Rock Farms which began with a farm which Judge Thomas Mellon bought here in 1882 and grew until it now encompasses some 16,000 acres throughout the Valley and on the western slopes of Laurel Mountain (exclusive of more than 20,000 acres at Rachelwood, 1,500 in Powdermill, and similar installations). Nearly 200 Rolling Rock members own or rent property in the Ligonier area; the rolling hills of the estates and the horse-raising grounds have created an atmosphere which has spread through the whole Valley. Mr. Mellon was personally responsible for the establishment of the Rolling Rock Races, which in 32 annual meetings has become one of America's premier steeplechase events.

Powdermill Nature Reserve was a Mellon gift to Carnegie Museum; it is a center to study the flora and fauna of the Valley and maintains an important bird-banding station. Rachelwood Wildlife Research Preserve, which stretches from Waterford nearly to New Florence and Seward, studies ways in which animals from distant part of the world can acclimatize to Western Pennsylvania. The Mellon family developed Laurel Mountain Ski Resort in 1939, the first such installation in Pennsylvania, and donated it to the State in 1963. It is a cornerstone, along with Linn Run State Park in the new Laurel Ridge State Park which will stretch 57 miles from the Conemaugh River to Ohiopyle.

THE TOWN OF LIGONIER

Reconstruction of historic Fort Ligonier was initiated by the Chamber of Commerce in 1946 and, once it had won the active support of the people, became a major interest of the Mellons who have been the biggest contributors to its development and the building of the museum.

Many years ago Mr. and Mrs. Mellon began blocking out plans for the redevelopment of the business district of Ligonier. The Diamond itself was completely rebuilt, as was the picturesque bandstand. New buildings put up within the past four years include the Town Hall, the Library, the postoffice, commercial buildings on the north side of the Diamond and at 132 W. Main Street. Ligonier Lanes building was expanded and completely renovated; Ligonier Theater has been extensively modernized; and other buildings have been remodeled (such as Ivy Manor and John Everets stores). Mellon Park at W. Main & Walnut Streets was a Bicentennial gift to the town; and the playfield on N. Fairfield Street has become the community's most active recreation center. After the Town Hall and the Library were built. Mr. Mellon settled sizable endowments on them to underwrite their continued operation and management.

OTHER VALLEY PROJECTS

But he did not concentrate on Ligonier to the exclusion of the rest of the Valley. Latrobe Area Hospital and the Ligonier Valley Ambulance are important contributions to the community. Millions of dollars were given to the hospital to enable it to become one of the most modern institutions of its kind. Compass Inn in Laughlintown, a stage-coach hostelry dating from 1799, was purchased through a Mellon gift and launched on a restoration program by the Ligonier Valley Historical Society.

New Florence Community Library was able to put up a new building after a contribution from the Mellons; and many churches were aided by Mr. Mellon, notably Holy Trinity Catholic, Covenant and Fort Palmer Presbyterian, Kregar Community Church, Oak Church of Christ, St. Paul's Lutheran—Mr. Mellon drew no denominational lines. Volunteer fire companies received frequent assistance, such as Ligonier's new equipment and Darlington's fire hall. A grant will enable Talus Rock Girl Scout Council to develop its Hidden Valley Day Camp.

Valley School of Ligonier owes its existence entirely to the Mellons. Seton Hill and Saint Vincent Colleges have received important contributions to enable them to expand their facilities.

ON THE PERSONAL SIDE

Even these paragraphs are not a complete litany of the Mellon projects in the Lig-

onier Valley and vicinity. But they are enough to show that Mr. Mellon left an ineradicable mark on the Valley. Most of the projects were designed to serve not only the people who live here, but generations yet unborn.

Aside from the physical programs, there were Mr. Mellon's relationships with his neighbors and his employees. Stories abound of instances of personal concern with the well-being of people, particularly those in trouble. His loyalty to his employees and retainers is legendary; he remembered them at Christmas time and in retirement, in their old age and their illnesses, their accidents and their disasters. Hundreds of Valley people have their own stories to tell.

For the record, Richard King Mellon was born June 19, 1899, and died June 3, 1970. During that time he managed the family estates into one of the world's greatest fortunes (over $3 billion), he was a director and officer of some of the biggest corporations (Gulf Oil, Alcoa, Koppers, Mellon Bank, Penn Central Railroad, Carborundum, General Motors); he was a civic leader and community pacesetter without peer; he was a patron of arts, letters, education and history; he was an indefatigable outdoorsman and sportsman; he was a veteran of both World Wars, directed the Pennsylvania Selective Service program in 1943–45, and rose to lieutenant general. He was honored by organizations of all types and purposes, and won the affection of thousands of people whose lives he touched.

IMMIGRATION HEARINGS

The SPEAKER. Under a previous order of the House, the gentleman from Ohio (Mr. FEIGHAN) is recognized for 10 minutes.

Mr. FEIGHAN. Mr. Speaker, the Immigration and Nationality Subcommittee of the Committee on the Judiciary will begin hearings on July 15 and 16, 1970 at 10 a.m. in room 2237, Rayburn Building.

In 1965, the Congress first imposed a ceiling of 120,000 immigrants from the Western Hemisphere. Currently, all applicants for visa from the Western Hemisphere face approximately a 1-year wait for issuance of a visa. Unlike the system devised for Eastern Hemisphere immigration, no preference or priority system, based on relationships or skills, is applied to the Western Hemisphere.

As part of the act of October 3, 1965, the Congress created a Select Commission on Western Hemisphere immigration. This Commission submitted a final report to the President and to the Congress on January 15, 1968. It is time to update and amplify the report of the Commission.

Specifically, our purpose will be to examine the socioeconomic development of the constituent countries of the Western Hemisphere and their past and prospective patterns of immigration to the United States. Unemployment in the United States by occupation and industry, particularly in the southern tier of States which receive the bulk of Western Hemisphere immigration, must also be analyzed. The need for establishment of a preference system for the Western Hemisphere and the structure of such a preference system will be considered, as well as a per country numerical limitation. The subcommittee will be particularly interested in the comments concerning the establishment of a worldwide ceiling and unified preference system.

Consequently, the subcommittee will consider the application of the present preference system on the Eastern Hemisphere and suggestions as to modification.

The subject of refugees will be considered as it pertains to the preference system.

The sections of H.R. 9112, H.R. 15092, and H.R. 17370, bills to amend the Immigration and Nationality Act will be considered in so far as they pertain to the subject of inquiry.

July 15 and 16 will be set aside for Members of Congress. Later in the month, the subcommittee will hear the testimony of officials from the Department of State; the Department of Labor; the Department of Justice; Richard Scammons, former Chairman of the Select Commission on Western Hemisphere Immigration; the Association of Immigration and Nationality Lawyers, and other public witnesses.

ADM. THOMAS H. MOORER, NEW CHAIRMAN OF JOINT CHIEFS OF STAFF

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

Mr. ANDREWS of Alabama. Mr. Speaker, the selection of Adm. Thomas H. Moorer as the new Chairman of the Joint Chiefs of Staff was one of President Nixon's wisest decisions. The appointment assures that this Nation's military establishment will continue to be in highly capable hands.

The President's wisdom was further justified when Admiral Moorer gave his final address as Chief of Naval Operations during July 1 change-of-command ceremonies at the U.S. Naval Academy. Mrs. Andrews and I had the pleasure of attending those ceremonies.

Admiral Moorer's speech to the fine young midshipmen at Annapolis on that day was one of the greatest I have heard. Those who are dedicated to a strong national defense—modern and capable of meeting every contingency—may take great strength from the remarks of the new Joint Chiefs of Staff Chairman.

Mr. Speaker, I invite all of my colleagues to read this remarkable address, the complete text of which is provided below:

REMARKS BY ADM. THOMAS H. MOORER

Secretary Laird, Secretary Chafee, Admiral Zumwalt, Distinguished Guests, Midshipmen of the Naval Academy—and, particularly, the many old and dear friends I see here today.

I am sure you will understand when I say that it takes considerable self-control not to display the emotions I am experiencing this morning. This colorful ceremony marks a major milestone in my naval career. On this day I will bring to a close a long and, to me, very satisfying experience in the greatest Navy in the world.

It has been 41 years 18 days and 2 hours to be exact, since I entered the Main Gate of this fine institution only to be greeted by what appeared to me at the time to be stern upper classmen and the solid grey walls of Bancroft Hall. These were the days of the stock market crash, bread lines, and bank failures. So I suppose all young people, regardless of their generation, feel that their time is the worst time of all. Faced with this uncertain future I recall that my one burning thought was that I must not fail this great opportunity—I must not fail my parents—my shipmates—or my Country.

Subsequent to my graduation I have been in a position to observe and participate in the growth of our great Navy—the growth of its personnel as well as the growth of its ships—and, measured by any yardstick, this growth has been very spectacular.

Looking back, I find it not so easy to reduce the memories—the dramatic experiences—or the lessons learned in a lifetime into a few succinct statements. But, for instance, I am sure Secretary Laird will be interested in the fact that as I began my naval career our budget was $333 M, destroyers were selling for less than $3M, and aircraft for less than $200,000. Furthermore, the total officer and enlisted strength combined did not equal the officer strength of recent years. And, at the Naval Academy, we had just two electives—French or Spanish. Admiral Calvert tells me that there are in excess of 400 today.

But, as World War II approached, we began to grow into a two ocean Navy. Subsequently, as we kept pace with the threat and with expanding technology we witnessed rapid developments in such highly technical fields as nuclear power, missilery, super-sonic aircraft, and advanced electronics.

I have watched all of this growth with great professional interest and with great pride. But, as great as these things have been, my *real* pride, my *real* personal satisfaction, and my *real* admiration flows from the capabilities, courage, dedication and—above all—the integrity of the men and women who have worked together to make our Navy what it is today.

So—in looking back—if it were my choice to live a lifetime over again—I would not change a single minute.

So, I must admit, that I envy those young gentlemen who, today, stand where I stood, study where I studied, and dream where I dreamed here at Annapolis a very short 40 years ago.

I am certain they will find—as I did—*that beyond the waters edge—authority, responsibility* and *accountability*—take on meanings found no where else—*on, under* or *above* the face of this earth.

These characteristics are not, of course, the sole properties of men who go down to the sea in ships.

But, it does seem that increasingly, we are hard put to find these qualities where we might expect them to be and where they are most needed.

The Navy is fortunate to have these qualities insofar as our young sailors and marines are concerned. From personal observation I judge today's young Navyman and Marine to have few equals, if any, in the history of our Service.

In superiority of intellectual expertise, in the ability to adapt to unknown environments; and in unlimited courage, they have not only *not* been found wanting—but they have written new chapters in all our books. They carry the burden worldwide and, particularly, in Southeast Asia. We must be mindful that the cheers from the sidelines have, for the most part, been drowned out—which fact makes these young men all the more remarkable.

I am proud and humble to have commanded these gallant, quiet, and dedicated Sailors and Marines.

On this July day in these colorful surroundings, it happens that I hand over to my most able and respected successor—Admiral Bud Zumwalt—both promise and some problems.

I believe there is much *promise* in the fact that this nation's stake in the oceans has come to the fore.

We see—and must be prepared for—popular national opposition to what critics have called—foreign military involvements.

We see—and must be prepared for—a continued decline in the number and accessibility of our overseas bases.

We see—and must be prepared for—a possible decision on the part of the United States to reduce or eliminate its presence in some overseas areas.

We see—and must be prepared for—the probability that our defense budget will continue to be austere and minimal in the years just ahead.

Taken together, these factors and circumstances, many of which are beyond our control, focus *renewed attention* on the *oceans of the world*.

The challenge here is great; transition from *proposals* to *plans* to *production*—which in many cases is already underway—must take into account political as well as military doctrine; cost accounting as well as the mathematics of hull design and electronic circuits; domestic conflict from within—as well as the threat from without.

I am fully confident that, despite these problems, under the energetic leadership of Admiral Zumwalt, our Navy will meet this challenge in the years ahead. Bud, you have my very best wishes—we are all behind you.

In making these points about U.S. seapower, I am ever-mindful—as are most Navymen—of the value of balanced forces and joint action. If my position on this point is not well-known—it certainly should be.

As I have said many times, the Navy *does not* believe in a single strategy or a single weapons system.

The Navy *does* believe that the coordinated combat power of all our Armed Forces is required in any type of overseas conflict or in defense of the United States—and we fully recognize the Navy's role in the support of our sister Services.

This philosophy is not new. It is one of long-standing and one that, if wisdom prevails, will guide us safely into the future. (PAUSE)

With respect to the few problems I am leaving behind our Admiral Zumwalt, I think they are primarily reflected in what I would call "new attitudes" in our Country.

So in dealing with these new attitudes I believe that wisdom, cool heads and thick skins will serve us more often as not as we undertake what has started out as a rough voyage into the middle 70's.

The most significant syndrome affecting our perspective today is often called "anti-militarism." I look on it more as "anti-common sense." I believe common sense is lacking when the range of possible *intentions*, rather than the *capabilities*, of an intractable and unpredictable potential adversary is used by some in evaluating or de-evaluating our defense requirements. I am particularly concerned over the weakening impact which a series of budget cuts is having—and can have—upon our defense posture. Unfortunately, there are many of our citizens—in and out of government—who seem to think that the Defense budget represents a storehouse of unlimited funds which can be drawn upon—time and time again—to solve any fiscal problem. *Such is not the case.* Our cuts have already been severe. Inflation—combined with the modern day cost of personnel—have reduced the buying power of the Defense budget to the point where we are headed below our previous peacetime spending rate—despite the fact we are fighting a war.

So, to me, it is an alarming paradox that we are weakening our defenses to such a degree at the same time that others are making very significant build-ups. It is time that the citizens of our Country recognize this fact.

The Defense Budget is not a panacea to cure all domestic ills. Of course, all recognize the many things yet to be done *inside* our great Country. But, at the same time, we must never forget that in international gamesmanship there is no prize for second place. If we do not provide for the security of our Country, all other problems become moot.

So, my friends, from my remarks your thoughts may now be that today "I have hauled a lot of coal to Newcastle" and, undoubtedly so. I have planned it that way—since this is my last appearance in a "salt water" role. I am grateful to Admiral Calvert that it has happened on the steps of Bancroft Hall where it all began just 40 years ago.

My final assignment as Chief of Naval Operations has been an experience I shall never forget—and I am sure I have learned far more than I have taught.

I have *learned* that one in such a position must *persuade* and *lead* rather than blindly *demand* and *push*.

I have learned that no matter what authority he may have on the books in a legal sense, the Chief of Naval Operations never looks good if those who work for and support him do not want him to look good. And I have learned, that the Navy is far more than a cold organization—it is an institution—manned by men and women who demand the very highest code of conduct and performance from their seniors and who, in return, give forth with unlimited loyalty and professional support towards the achievement of a common goal.

So, at this time, I will simply close my remarks by acknowledging those who have done so much for me in the years gone by.

First, to Secretary Laird and Secretary Chafee I express my warm appreciation for their gifted and dedicated leadership in the Department of Defense. They deserve the loyal and profound support of all of us in uniform—as well as some 200 million other Americans we are dedicated to protect.

To Admiral Chick Clarey—and all of my Staff in the entire Washington complex—my appreciation for their hard work, their honest opinions freely rendered—and their dedication to the goal we all seek—that is—the maximum combat readiness of our forces afloat.

To our men in our shipyards, aircraft factories, laboratories, and all the bases ashore—industrial and military alike—my thanks for providing the vital support necessary to keep our Fleet modern and on the move.

To the men who man our ships at sea with such courage, physical stamina, dedication and just plain guts, my gratitude for making possible the seapower—so vital to the security of these United States of America.

To my many old friends who have joined us today, my deep appreciation. Your presence has added warmth and meaning on, what to me, is a very, very special occasion.

I might also pass on to the young Midshipmen who I am happy to see here today—that as the face the challenges of the future—they should never fail to remind themselves and others—of *these* basic tenents of their chosen profession:

For an island nation such as ours, strength at sea is indispensable.

For an island nation such as ours, a Navy—second to none—is a necessity and not a luxury, and

An island nation such as ours, with a Navy second to *others* may not long exist.

Finally—no one, at least to my satisfaction, has ever described adequately the "taken for granted" role of a good and true Navy wife. Although I may try in the case of Carrie, I shall fall far short of any true expression of her strength, her steadfastness, and her faith—of her wisdom, her convictions and her humor.

Some men have wives that make them successful and some men have wives that make them happy. Carrie does both. I readily acknowledge that such success as I have attained as well as the great happiness I have experienced for *so many* years, in *so many* places, and under *so many* different and demanding circumstances, is due entirely to her love and loyal support.

As a postscript, I suppose I should say something about myself. As this day approached, I asked myself: "Just *what* have *I* accomplished?" I finally concluded that, if nothing more, I have—with clear conscience—supported the things that I thought were *right* and *opposed* the things I thought were *wrong*. In the years ahead I shall continue to do just that.

Thank you and God bless you all.

JOSEPH S. RANSMEIER: IT IS UNIVERSITY LEADERS AND PARTISAN POLITICIANS WHO ARE DIVIDING US ON VIETNAM

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

Mr. CLEVELAND. Mr. Speaker, during the 5 or 6 weeks that Cambodia was recently a "major issue," we were all innundated with letters, telegrams, and visitors, most of which were highly emotional in tone. Those of us who read our mail, and most of us did, could not help but note the unreasoning quality of some of the correspondence. The theme on both sides was largely one of slogans: "get out now," "support the amendment to end the war," or just "support our President."

Some of the opponents of the President's moves, were playing very heavily on their academic credentials. At least one went so far as to bluntly say:

> Support the view of the better informed (sic) people of your district.

Which sounded all too much like a call for a new voting requirement of intelligence or education.

Perhaps with more hope than realism, I had thought that our universities would encourage a search for knowledge and would provide us all with thoughtful reflection on the facts which emerged. Instead we were treated to emotional claims that the Thieu regime is a dictatorship—ignoring the fact that it is passing out guns by the thousands to the populace; that the United States is the aggressor in Vietnam—ignoring the fact of systematic Vietcong slaughters in places briefly held by them, like Hue; that we could not trust President Nixon to withdraw our troops from Cambodia by July 1—not justified then and now proven to be absolutely wrong, ad nauseam.

Based on this background, I was pleasantly surprised to receive a letter from a friend and constituent Joseph S. Ransmeier of Hopkinton, N.H. Joe wrote from a diversified background. He holds a Ph. D. in economics from Columbia University and was professor of economics at Dartmouth College for 7 years. From this point he went back to school to get a juris doctor degree from the University of Michigan, and then to join one of the leading law firms in New Hampshire, where he has been a partner since 1958. Additionally, he was a school board member for 6 years, and is now in his seventh year as selectman of his hometown of Hopkinton.

Joe Hansmeier's letter is one of the most thoughtful and articulate of all the letters I have received since the beginning of the Cambodia crisis. He makes a number of very telling points about opponents of the war and the quality of their opposition. It is the leaders from the universities and partisan politicians who are dividing us, he says, and I think he may be right.

I commend this thoughtful letter from my friend and constituent Joseph S. Ransmeier, of Hopkinton, N.H.:

CONCORD, N.H., *May 31, 1970.*

Hon. JAMES C. CLEVELAND,
House of Representatives,
Washington, D.C.

DEAR JIM: Well intentioned persons eager for peace, as we all are, hope to promote peace by the adoption of such legislation as the Cooper-Church amendment and the McGovern amendment. But it is an illusion to think that such legislation would help to bring peace. True peace in Southeast Asia may be established in either of two ways: By the gradual creation of a stable balance of forces or by some sort of negotiated settlement (which, itself, would probably not be effective if not backed up by a balance of forces). Neither would be helped by Congressional action requiring the withdrawal of American support from South Vietnam at any fixed date, nor by a mandate advising Hanoi that communist sanctuary retreats beyond established combat zones will be inviolate. American withdrawal should and will come. But peace will best be served if it is accomplished consistently with the steadily improving military situation and the growing ability of the South Vietnamese to protect themselves. Meanwhile, American flexibility in the field should be retained to ensure security both for Americans and South Vietnamese. Indeed, the present campaign against the Cambodian sanctuaries shows how crucially important such freedom of action is.

Contrary to the policies suggested above, much of academic America is engaged in a highly organized campaign advocating adoption of legislation to require troop withdrawals, cut off funds for the war, and prohibit future Cambodian operations. While the views of informed scholars are always deserving of consideration, in this instance it seems to me that the conduct of academic America is not to its credit, for it has allowed an intensely emotional reaction to Cambodia and Kent State to govern its conduct and to generate an intellectual environment on the campuses in which freedom of thought and expression cannot operate. This is truly dangerous. I would cite as an illustration those numerous schools which set up special one-week cram courses on the crises of the day in which many students participated in place of attending their usual classes. Having in mind that the organizers of these programs began with a proclaimed sense of outrage over administration policy and that the programs ended with seminars on techniques of political action, including advice as to hair cuts, student appearance during individual canvassing and manner of approach to voters and legislators, true "education" in the sense of free inquiry was not the goal of such programs.

Rather they were training sessions intended to give background information and lessons in the arts of persuasion to make effective the predetermined campaign for political action. As a result, it is not surprising that the arguments in support of "peace" legislation have ignored material facts and have misrepresented others. For example, they treat the war as a hopeless project, entirely disregarding the progress made in the last two years and the extent to which peace and security today have already been brought to most of South Vietnam. (Recently returned GI's and even occasional New York Times despatches during the past year bear this out.) They say all Vietnamese are alike, north and south being kept apart only by us, utterly disregarding the hundreds of thousands of refugees who fled from the north and the fact that the Viet Cong terror over the years has convinced most South Vietnamese that the communists are not their liberators but rather their enemies. No doubt this is why North Vietnam has rejected free elections, even under responsible international auspices. They use such slogans as "the war is immoral," or "Southeast Asia for southeast Asians," disregarding the immorality that would be involved if we were to abandon South Vietnam before it has had a reasonable opportunity to build up its own forces to hold off Hanoi, aided as it is by equipment from Russia and China. It is crucial to this issue to recall that South Vietnam wished to build up its own military and air power long before we allowed it to do so. Our delay in starting this program puts a burden on us now to remain in South Vietnam so long as the South Vietnamese are striving and appear to be rapidly acquiring the power to sustain themselves. The students and professors also attack the President for moving against Hanoi's sanctuaries only a few miles from the South Vietnamese frontier in areas of Cambodia under the control of Hanoi, not of the Cambodian sovereign, and they charge that this is comparable to an attack on mainland China. Surely it is not. They conveniently disregard Hanoi's long standing occupation of neutral Cambodia, the fact that Hanoi was already engaged in killing Cambodians before the President moved against the North Vietnamese in that country, and the fact that the effectiveness of the Cambodian campaign in impairing Hanoi's capacity to kill Americans and South Vietnamese over the months ahead can now scarcely be disputed.

It is not President Nixon who is dividing the country at this time. He is committed to withdrawing our troops, ending the war, and achieving a peace which will secure the safety of our friends in South Vietnam. More cannot be asked—yet leaders from our Universities and partisan politicians are dividing the nation by grasping this moment to attack the war and the President's conduct of it. The case for the President's policies in southeast Asia and the importance of uniting the country behind him to face not only southeast Asia, but the entire world scene, is too great for petty politics to prevail. America will be best served by the defeat of the Cooper-Church, McGovern, and all similar Congressional legislation with respect to the Vietnamese war at this time.

Very truly yours,

JOSEPH S. RANSMEIER.

MAFIA WAR ON THE A. & P.

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

Mr. GERALD R. FORD. Mr. Speaker, organized crime affects the lives of all of us but most Americans are not keenly aware of this except for a vague fear of crime that has swept the entire Nation.

For east coast executives of the Great Atlantic & Pacific Tea Co.—A. & P.—however, the depredations of organized crime have become all to real. The A. & P. has, in fact, become a target for mobsters bent on forcing the A. & P. to do business with one of their business associates.

A. & P.'s refusal to stock and sell the product of this business associate of the mobsters has resulted in a series of A. & P. warehouse fires believed to have been set by arsonists. We have also seen the cold-blooded killing of three A. & P. store managers in the east. Two of these A. & P. store managers were slain in New York City in just the past 2 weeks.

Writer Eugene H. Methvin has detailed the story of the mobster's war against the A. & P. in an article in the July edition of the Reader's Digest.

The account came to my attention when a constituent of mine, Mrs. Lottie Jaehnig, wrote me and urged that the House take swift action on S. 30, the Senate-approved organized crime control bill, so that the Justice Department can wage more effective war against mobsters.

It so happens that Mrs Jaehnig's son, Howard T. Jaehnig, is the national director of personnel and industrial relations for A. & P., with offices in New York. So, says Mrs. Jaehnig, the shocking account of the mobsters' war against the A. & P. is "not news" to her.

Mr. Speaker, I feel sure that millions of Americans agree with writer Eugene Methvin and my constituent, Mr. Jaehnig, that the Justice Department should be given every legitimate weapon to fight organized crime.

The Senate passed its organized crime control bill, S. 30, last January 23. It is very disturbing to me, Mr. Speaker, that House hearings on S. 30 did not begin until last May 20.

Mr. Speaker, I urge that every effort be made to speed passage of S. 30 or similar legislation. The lives of decent Americans are at stake.

With the permission of the House, I would like to place in the RECORD at this point the Reader's Digest article describing the mobsters' war against the A. & P. The article follows:

MAFIA WAR ON THE A. & P.

(By Eugene H. Methvin)

Never have the Mafia's power, greed and ruthlessness been so awesomely demonstrated as in the war one of its families declared on the nation's largest food retailer, the Great Atlantic & Pacific Tea Co. (A. & P.), and on the welfare and pocketbooks of the ten million American families that shop at A. & P.'s 4700 stores. The story is complex and tragic, and it does not yet have an ending. But Americans must understand such murky episodes if they are to weigh wisely the desperate pleas of law-enforcement authorities for more legal weapons and manpower in the struggle to protect the public against Mafia predators.

Consider the cast of characters:

The Catena brothers, Jerry and Gene, by 1964 were in command of the nation's second largest Cosa Nostra family. Acting Boss Jerry, a dapper New Jersey businessman, controlled criminal and legitimate enterprises worth well over ten million dollars, and could pull strings reaching even into the New Jersey legislature and the U.S. Congress. His top aide, Gene, operated a cozy little racket from his "Best Sales Co." office in Newark. His pitch: signing brokerage agreements with manufacturers for a slice of their sales in return for using his "contacts" to promote their products.

The Catena brothers' "salesmen" were such Cosa Nostra members as Joe Pecora, racketeering boss of the 5000-member Teamster Local 863, whose vicious criminal record dates back 30 years, and Irving Kaplan, a non-Mafia associate who as boss of the 9700-member Amalgamated Meatcutters Local 464 was one of the highest-paid union local executives in the United States. Both Pecora's

and Kaplan's union members worked for the A. & P.

Nathan Sobol, an ambitious Paterson, N.J., manufacturer, built his North American Chemical Corp. (NACC) from a tiny coin-operated laundry chain into a three-million-dollar-a-year business, manufacturing and packaging detergent for supermarket chains to sell under their own house-brand labels.

SALES PITCH, WITH PRESSURE

In 1964, Sobol learned that the A & P intended to market detergent under its own label. An old friend introduced Gene Catena to Sobol as a "broker" who might help him land the A & P account—which would triple NACC's gross sales. The two soon signed a bizarre ten-year agreement giving Catena a slice of all sales by Sobol's company. To Catena, the A & P account alone would have meant an estimated $1,500,000. Sobol also threw in an option on 40,000 shares of NACC stock, which would soar in price if the A & P deal worked out. But he quickly learned not to inquire too deeply into what sales efforts Catena would make in his behalf. "That's my business!" the Mafioso growled.

Catena had reason to believe he could "sell" A & P. In the early 1950s, after fighting off unions as long as possible, A & P's top executives delivered 10,000 new members and $500,000 a year in dues into Kaplan's Amalgamated Meatcutters. In return, A & P got a contract that saved the company, by its own estimate, several million dollars.

Now, Kaplan was to begin negotiations in a few months on a new A & P contract for his Local 464 members. Pecora agreed to add pressure by keeping his Teamsters from crossing Kaplan's picket lines if it came to a showdown. Faced with such pressure, why wouldn't the A & P stock Sobol's detergent.

When Sobol walked into A & P's executive suite high in Manhattan's Graybar Building, he was impressed by the reception he got. He made his standard sales pitch and left a detergent sample for testing. A & P's top executives were impressed, too. Of 12 manufacturers seeking their detergent business, Sobol was the only one to make his appointment through union chief Kaplan, who would soon be bargaining for thousands of their employes. Kaplan personally "recommended" his "friend's" product to the A & P labor-relations director and division president. And, for good measure, Joe Pecora added his endorsement. He did not have to remind A & P executives that a Teamster strike led by him had cost the company seven million dollars.

"KICK A. & P.'S BRAINS OUT!"

Unexpectedly, A & P stalled. Months passed. Catena paced, and squawked about the thousands of boxes of detergent piling up in the NACC warehouse. What was wrong?

To Kaplan's phone calls from Newark, the men in the Graybar Building answered evasively that the A & P's laboratory was still testing samples. This enraged Gene Catena. To Kaplan and brother Jerry he growled, "We'll kick A & P's brains out!"

John Mossner, a store manager in the Bronx, knew nothing of Gene Catena's salesmanship or of the A & P's marketing plans when two "hoods" came into his store one day in December 1964. They asked him to stock a detergent they touted. He politely referred them to his division headquarters. He did not relate their visit to an accident that occurred a few days later. After closing the store that day, he saw two men in the parking lot about to hurl firebombs on the roof. "Hey, what are you doing?" Mossner yelled. They ran, dropping what turned out to be plastic bottles filled with gasoline. Five hours later, an A & P store two miles away burned mysteriously—as had two others in recent months.

Mossner said nothing to his wife or employes, but he worried. On January 23, 1965, an assistant A & P manager in Brooklyn was gunned down gangland-style. Mossner quietly met with investigators who were probing the Mafia's control of the A & P's cartage contracts. They showed him photographs of known Mafia "torches."

Albert Joseph Maselli was the man whose photo Mossner identified as one of the men he had seen. At age 44, Maselli had spent 17 of his preceding 24 adult years in jail on convictions from arson to rape. (He is currently serving a life-plus-30-years prison sentence for the torture-murder of a 77-year-old widow.) A professional "torch," Maselli worked for Nick ("The Garbage King") Ratenni, a Catena mobster who controlled 90 percent of the garbage-removal business in New York's Westchester County.

On the evening of February 5, 1965, Mossner drove home to his wife and three children. Stepping from his car, he heard a voice say from the darkened doorway, "Hey, Mossner!" John Mossner turned and got a .22 slug in the stomach. Surprisingly, he charged, chasing the startled gunman down the driveway, yelling, "Help! Help! Stop him." At the curb, the gunman jumped into a waiting getaway car. Mossner lunged and threw a punch. Then, as the car pulled away, he and the gunman grappled. Another shot hit Mossner in the chest. The gunman locked his arms around Mossner's head, put the gun to his brow, fired two shots. Mossner died instantly.

"IT WOULD BE SMART"

As police, unaware of any Mafia implication, puzzled over the seemingly motiveless murder of an A & P store manager, Gene Catena fumed in his Newark office: "When is A & P gonna get the message?" His "salesmen," meanwhile, were busy. "Who the hell is running the organization?" Kaplan growled to A & P's labor-relations executive. "I want Sobol to get the detergent business!" By telephone, Pecora hauled an A & P man out of a National Labor Relations Board hearing in Connecticut. "It would be smart," he advised, "if you handled that product."

On April 5, 1965, A & P's top executives got the first hard proof that they were under deliberate attack: a fire marshal, sifting smoldering ruins in another burned store, found the distinct remains of Molotov-cocktail firebombs. This "message" sent the A & P's high command flying straight to the Justice Department, where the whole story was discussed. (The A & P had, at long last, a laboratory report: of the 12 manufacturers' samples tested, Sobol's NACC detergent rated lowest.)

Justice Department lawyers saw a clear-cut case of labor extortion, conspiracy and violation of federal labor laws. But they had a problem. Important information on the plottings of the Catena brothers had been picked up by an FBI "bug" planted in Gene Catena's office wall as part of Attorney General Robert F. Kennedy's drive on organized crime. To reveal information obtained by this "bug" would destroy it as a source of intelligence on Mafia machinations. And there was an even more difficult legal problem: Congress had never either authorized or outlawed electronic bugging, and federal courts had refused to admit electronic intercepts as evidence in criminal cases. Whether the government could prove the conspiracy without the tapes of the Catenas' plottings was doubtful.

Force and Counterforce. Meanwhile, the squeeze on A & P was growing desperate. When labor negotiations began on June 15, 1965, Kaplan pounded the table with outrageous demands. Justice Department officials and A & P's high command decided to squeeze back.

"You're not going to get our business," Sobol was told. "We don't like your Mafia connections." Sobol sputtered and threatened to sue for libel. Next day, both Kaplan and Pecora angrily telephoned the Graybar Building to say that Sobol was "insulted" and had better get a retraction and an apology.

But Sobol never sued—and the A & P never apologized. Instead, Kaplan scheduled a strike vote for all New York area employes. So, on July 21, 1965, ten days before the union contract expired, U.S. Attorney Robert Morgenthau summoned boss Jerry Catena before a Foley Square grand jury. Catena was surprised to find himself grilled on his "detergent marketing methods." To every question he droned the Fifth Amendment privilege against self-incrimination. Afterward, a tough Justice Department official invited Catena to lunch. Thumping a hard knuckle on the gangster's chest, he growled, "Lay off the A & P—or else." "I'm sorry," Catena mumbled. "I'm getting out of detergents."

Simultaneously, A & P's labor negotiator delivered a blunt message to Kaplan: the FBI was investigating Kaplan for violating federal labor-extortion laws by using his union position to force an inferior product into A & P's store shelves.

Five days after Catena's grand jury appearance, Kaplan came to the bargaining table and inked a contract that the A & P had offered ten weeks before. Everyone breathed a sigh of relief. For that same month President Johnson had forbidden all FBI electronic surveillance except in national-security cases, thus wrecking the anti-Mafia intelligence effort pushed by Robert Kennedy.

THE FLAMES MOUNT

For two years A & P had no further trouble. Then, on December 31, 1967, the A & P's giant warehouse in Elmsford, N.Y., suddenly exploded in flames—a total loss of $18,-800,000. At first, no one linked the fire to A & P's previous arson troubles. But, on April 6, 1968, just as the night shift was clocking out of the big Queens warehouse serving Brooklyn, Queens and all Long Island, a building guard discovered a raging blaze in a second-floor cereal section. Minutes later, the first fire comapny to arrive found a second, and entirely separate, blaze on the first floor. "Obvious arson," concluded the fire marshal. The warehouse was a six-million-dollar loss.

Within hours, Queens County Chief Assistant District Attorney Fred J. Ludwig called together fire marshals and the top organized crime experts of the New York Police Department's Criminal Intelligence Division, one of the Mafia's oldest and most successful antagonists. Minutes before the Queens warehouse blaze, Ludwig's investigators learned, 11 employes had gathered in the coffee room and engaged in a bit of horseplay prior to clocking out. One employe, Jimmy Castorina, 19, had been elsewhere. When his foreman had gone looking for him, he found Castorina coming downstairs, apparently from the second floor, where the first fire was discovered. Ludwig's detectives concluded that Castorina alone had had an opportunity to set the two fires.

A dope addict, Castorina lived with his mother and her paramour, his "Uncle" Phil Ingrassia, a long-time A & P employe. Perhaps to clear his own skirts, Castorina told detectives a lot about this "uncle," whose job it was to let and supervise A & P's cartage contracts with Nick Ratenni and other Catena mobsters.

Investigators discovered that, nine weeks after the Elmsford fire, Ingrassia had deposited $5,075 in a new bank account, bringing his total bank balances, which had been $64.63 in January 1966, to over $22,600 in March 1968. Ingrassia was earning $9,000 a year at the time.

"They wanted to burn this place a long time," Uncle Phil allegedly had remarked the morning after the Elmsford warehouse fire, according to Castorina. And Castorina

claimed he overheard Ingrassia tell his mother, "Garden City's next."

The Garden City, L.I., warehouse was the A & P's largest remaining storage facility. Its loss would wreck the company's entire distribution system in the Middle Atlantic states, where 42 percent of its stores are located.

"One more warehouse fire and we're out of business on the East Coast," an A & P executive confided. Yet, even as the investigators worked furiously, new disasters fell. In the ten-month period from July 1968 to April 1969, four attempts to burn A & P facilities were thwarted; three other major fires cost the company $706,000 in damage.

COUNTERATTACK

"By thunder, they *will* plow A & P under if we don't stop them!" Ludwig declared. He and Queens District Attorney Thomas J. Mackell decided on a bold legal counterattack. In June 1969, they went before TV cameramen and reporters to announce an indictment charging Jimmy Castorina with first-degree arson in the Queens warehouse fire. And they made front-page headlines with a flat declaration that Castorina was merely a pawn in the Mafia assault on A & P.

Since their announcement, the A & P has had one more catastrophic warehouse fire—in Newark. Meanwhile, Queens grand juries continue the probe. But they may never indict others. After eight months of legal maneuvering, a judge quashed the Castorina indictment, declaring that the evidence was "wholly circumstantial" and "does not even rise to the dignity of a reasonable suspicion." Replies District Attorney Mackell: "Two separate grand juries have seen fit to accuse this man on what they consider to be sufficient evidence." The judge's ruling is being appealed.

The FBI has questioned Ingrassia about his relations with gangsters. He admits knowing Catena mobsters, including Ratenni, who do business with the A & P. He denies making the comments that New York police claim Castorina attributed to him, and in turn charges that the police beat Castorina and "fed" the statements to him.

Although the FBI recordings of the Catenas' conspirings with Sobol, Kaplan and others can never be used in any prosecution, in the court of public opinion the A & P case adds up to compelling proof against the Catena mob. "We hope at least," says Ludwig, "that all the publicity will slow them up—and persuade others to do business with the Mob to stop."

That Mafia mobsters using extortion, labor racketeering and outright violence have been able to bring the world's largest food retailer to the brink of disaster demonstrates the grave imbalance in our system between criminal conspirators and law enforcement. Yet, for over a year, the House Judiciary Committee has bottled up the Senate-passed Organized Crime Control Act earnestly requested in 1969 by President Nixon. *You* can help, with a letter to your Congressman demanding action before the House adjourns in August. For, until law-enforcers' pleas for more manpower and legal weapons are heeded, no American family is beyond the reach of Mafia muscle.

ADVICE TO THE DUBIOUS: ABM ROAD TO SALT

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

Mr. GERALD R. FORD. Mr. Speaker, one of the best reasons for supporting deployment of the President's Safeguard antiballistic-missile system is its use as a bargaining weapon at the Strategic Arms Limitation Talks. That argument now is buttressed by a statement from Foy Kohler, former Ambassador to Moscow, who declares that expansion of Safeguard improves the possibility that the SALT talks will produce a meaningful agreement. This entire thesis is cogently set forth in a recent editorial in the Detroit News. I recommend a reading of this editorial to all of my colleagues. The editorial follows:

ADVICE TO THE DUBIOUS: ABM ROAD TO SALT

When such an American expert on the Soviet Union's aims as Foy Kohler declares the expansion of our Safeguard (ABM) system will enhance the prospects of a meaningful agreement in the SALT (strategic arms limitation talks) in Vienna, it's time for the congressional combatants in the ABM dispute to stop arguing and to listen.

Kohler, along with George Kennan, Charles Bohlen and Llewellyn Thompson, comprised our Big Four in the State Department whose knowledge at first hand of what makes the Kremlin hierarchy tick, and why, is matched by none. All now retired. Each served as ambassador to Moscow, Kohler through the Cuban missile crisis, and they know what bargaining with the Soviet's tough men means.

As Kohler points out, Moscow, which had toyed with the idea for years, did not agree to enter into SALT until after Congress last year had approved the first phase of Safeguard. He could have added that neither our projected move into the second phase nor our deployment this month of our first Minuteman MIRVs has prompted the Russians to quit SALT.

Most congressional opponents of Safeguard have argued its expansion would ruin SALT prospects. Then why haven't the Russians reacted and spectacularly repeated Khrushchev's notorious walkout from the 1960 Paris summit after the U-2 incident?

The short answer is that the Russians are serious about containing our nuclear weapons program. One purpose of SALT is to find out what price they are prepared to pay for stabilizing the missile race now, not tomorrow, when mutual deployments of MIRVs could precipitate another burst in the arms race.

To accept the doubtful premise they'd immediately halt their increasing deployment of ICBM's if we halted Safeguard, which aims at countering that deployment, is to let them get away with a sharp deal without paying the price at all. Even a blackmailer expects to hand over, say, incriminating letters, provided he's paid his price. But we'd get nothing for our Safeguard forbearance if we just accepted the Russian promise they would reciprocate by cooling the arms race.

That's why continued work on Safeguard, and, to a limited degree, on MIRV deployment, is our strongest bargaining weapon in SALT. President Nixon surprised many Americans last month when he flatly predicted SALT would be a success. He will be denied his aim if Congress removes his chips at this poker game in which, as Kohler knows, the Russians are no novices.

BELLEVILLE, ILL., WEST HIGH SCHOOL BAND VISITS WASHINGTON

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

Mr. PRICE of Illinois. Mr. Speaker, on June 18, it was my pleasure to welcome the Belleville, Ill., West High School Marching Band to the Capitol. The band, the majorettes, and their chaperons visited the Capitol before their 11 to 11:30 a.m. concert on the House steps. Because the band made such a lasting impression on me, my staff, and those who heard them play, I want to take this opportunity to salute them and to commend their able director, Mr. Ralph Schlesinger.

Today, we hear a great deal about what is wrong with our young people. The young people in the band belie this contention. They were one of the finest groups of young people that I have had the pleasure of meeting. It was because of their determination and industriousness that they were able to make the trip.

At this point in the RECORD, I would like to include an article from the June 24 Belleville News-Democrat regarding the band's trip. The article follows:

WEST BAND PLAYS CONCERT AT CAPITOL

At the end of a long rainbow of pancake breakfasts, car washes, bake sales, and concerts, the Belleville Township High School West Marching Maroons reached their pot of gold last week as the 100-member group and Ralph Schlesinger, their director, mixed a week of sightseeing with a concert on the Capitol steps in Washington, D.C.

After receiving an invitation from Congressman Melvin Price in late March, the band began money-raising activities and collected $8000 in four months. In addition to their own work, the Marching Maroons received donations from the West Pep Club, Concert Choir and the Belleville East Band.

With its goal achieved the band then chartered three buses and left for the nation's Capitol June 14 where they played an hour-long concert in honor of Congressman Price Thursday. While in Washington the group also toured the National Monument, Mt. Vernon, the Capitol, Gettysburg, and the Smithsonian Institute before arriving back in Belleville Saturday.

HIGHWAY SAFETY: THE PROBLEM BEHIND THE WHEEL—NO. 2

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

Mr. CLEVELAND. Mr. Speaker, there has been a good deal of public attention focused recently on crime in the streets, and the insecurity it produces for many of our citizens. The front-page coverage given by the news media to the deaths and injuries which result from the crime is justified, because the people harmed by violence are disproportionately the old, the weak, and the poor. These are people who can ill afford the economic loss involved and to whom hospital bills are a major blow. If they are injured—or even worse killed—their families suffer badly, and are often pushed into poverty or at best insecurity. Money stolen from them is dearly missed—and for the old, it is often part or all of their meager savings or a recent social security check.

Yet there is in our society a group which is an even worse killer and maimer than street criminals: drunken drivers. They kill at least 28,000 people and cause over 800,000 accidents yearly. In terms of economic loss, the $8 billion caused by such drivers approximates that caused by street criminals—excluding organized crime and white collar crime.

The hardship caused is barely indi-

cated even by these harsh, cold figures. Who knows what agony is wrought in the families of the 28,000 people they killed? Who knows how much human tragedy there is in the families of the people wounded and maimed? In this year of great interest in conservation, what greater waste—truly an absolute waste—of resources is there?

In an effort to bring some attention to the needless, senseless tragedy of our more than 50,000 highway deaths yearly, I have inserted a number of articles into the RECORD. Today's offering is from the Christian Science Monitor, the second article in a series of 10 written by Guy Halverson. This thoughtful article discusses tests and State laws which are currently in effect—and often not in effect—governing drunken driving.

Since I inserted Mr. Halverson's first article into the RECORD on June 29, I have been encouraged by the interest which has been shown by many of my colleagues and by my mail. One such letter from William Friel Heimlich of Falls Church, Va., made an eloquent statement which anticipated the theme of Mr. Halverson's second article, and which deserves consideration:

The efforts of Congress to grapple with the problems of automobile safety, in my opinion, have been mis-directed. No amount of money or public relations effort spent on seatbelts, head pads and the new bumpers are going to reduce, in the slightest, the statistics of dead and injured. Only tough laws rigidly enforced will do the job. The Federal Government, obviously, can only lead the way. Success can come only when the states do their part and when public opinion is aroused to support new laws and the enforcement of old ones.

While I personally believe that automobile safety requires safe cars and safe roads in addition to tough laws, Mr. Heimlich's point is well taken that there will be no end to the carnage on the highways until an aroused public demands and supports tough laws which are toughly enforced.

The article referred to follows:

TESTS FOR DRUNKENNESS: THERE OUGHT TO BE A LAW THAT WORKS

(By Guy Halverson)

NEW ORLEANS.—"I won't take it. Go away," he shouted angrily, thrusting a clenched fist toward the startled policewoman.

The tall, emaciated looking man, his shabby clothes caked with dirt and grease, reeked with the smell of alcohol—and he was in serious trouble. In front of him at the main lockup of the New Orleans Police Department was a breathalyzer machine, used by most law-enforcement agencies to measure a person's blood-alcohol level.

The man had been apprehended earlier in the evening careening at a high rate of speed the wrong direction down a one-way street. But fortunately for the public, Louisiana has an "implied consent" statute. This means in effect that when a person takes out an operator's license, he consents to take a chemical test (blood, urine, or breath), if arrested for drunk driving. If he refuses, which is the suspect's choice, his license can be suspended. Louisiana also has a statute defining what constitutes a "presumptive blood level of intoxication"—in the case of this state, .10 percent.

The same kind of crusading zeal, safety experts say, that marked the federal government's routing of cigarette advertising from airwaves is needed to badger states into adopting the stiffest possible presumptive blood-level laws.

AMERICAN HODGEPODGE

Because this man, barely able to stand and obviously intoxicated, refused to take the breathalyzer test, he lost his driver's license. Theoretically, at least, that meant a major victory in the war against the drunk driver.

But such victories, one quickly learns after traveling throughout the United States, are neither common nor uniform. Indeed, the United States is a hodgepodge of laws and practices when it comes to the drunk driver, depending upon just which state you are in and which patrolman you happen to encounter.

Take what happened not so long ago in neighboring Mississippi. A police officer, looking in his rear-view mirror, notices a car apparently hurtling along behind him at a high rate of speed. As the officer slackens his speed, the approaching car does the same. After the vehicle is abreast, the officer pulls the vehicle to the side of the road and finds an attractive, articulate young woman behind the wheel. She is fully composed, although he notices that she seems a bit tired. Finding nothing technically wrong, he warns her against speeding and allows her to drive off.

Ten minutes later, away from the officer, the young woman, who in fact is intoxicated, as a breathalyzer test would have indicated, accelerates until she is whirling along at more than 90 miles an hour. She can barely see the highway or keep her eyes open.

She becomes a casualty in a major accident.

Unlike Louisiana, Mississippi has neither a "presumptive level of intoxication" nor an implied-consent statute. Because of this, the officer was reluctant to arrest the woman based on her appearance alone. Yet an arrest might have prevented the accident.

Though Louisiana and Mississippi each share a common border, they are in fact at two opposite ends of the pole when it comes to highway-safety legislation. On a time scale, Louisiana is in the present. Mississippi's approach, it must be reluctantly acknowledged, is still somewhere in the mid-1940's, as are too many other states.

There is no question but that implied-consent laws and statutory levels of intoxication are significant first steps in curtailing the mounting death rate on our nation's battle-scarred highways. That war is very real. Last year, drunk drivers killed more than 28,000 Americans, (more than all U.S. servicemen killed in Vietnam the same year), caused over 800,000 accidents, and rang up economic losses estimated at $8 billion.

STATES WITHOUT STATUTES

Highway-safety experts are in almost total agreement that if the death rate is to be significantly reduced, anti-drunk-driver legislation at the state level must be drastically tightened and upgraded—as well as standardized throughout the nation.

Four states—Illinois, Mississippi, Montana, Wyoming—and the District of Columbia still have no implied-consent statutes.

Three states—Texas, New Mexico, and Mississippi—still have no presumptive level of intoxication. In some 21 states and the District of Columbia, moreover, the presumptive level is set far too high—at .15 percent—equivalent to about eight shots of 80-proof whiskey or eight 12-ounce bottles of beer for the average adult male.

In a number of states with .10 percent presumptive levels, the law needs to be strengthened so that the .10 percent figure is an automatic, no-nonsense, cut-off point, punishable by fine and jail conviction. In Minnesota, for example, the current law says only that .10 *may* be prima facie evidence of being "under the influence."

At the same time, many safety authorities insist that the United States desperately needs to follow the European lead and adopt highway prearrest driver breath tests. Prearrest screening, however, has triggered a score of constitutional doubts.

For years the only way that a patrolman could identify a drunk driver was by some type of objective personal evaluation, such as observing erratic driving patterns, slurred speech or flushed face, or requiring the driver to "walk a straight line." But such tests, it is well known by policing agencies, are highly unreliable.

Ex-alcoholics, in fact, usually scoff outright at such objective criteria. One New York businessman, a recovered alcoholic, recollects that he escaped detection from a large cluster of patrolmen because they thought he was under shock from an accident, rather than drunk, as he was. "I had driven my car into the town pond, yet, still no police check for alcohol! Can you imagine that?" he says. "The water snapped me back to a facade of 'instant sobriety.' Had the police required a chemical test, they would have seen how drunk I was."

"A police officer on patrol may see a car weaving and it's obvious that something is wrong," says Dr. Robert F. Borkenstein, chairman of the Indiana University Department of Forensic Studies and a leading developer of the police breathalyzer. "But most courts demand clear-cut evidence of intoxication before they'll consider conviction.

"We know that many drinking drivers do not show evidence of drinking. They may only show aggressiveness, which, of course, can have other causes. So mere aggressive driving, plus mild personality changes in an individual whom an officer doesn't know, just usually are not enough to convey to a court the information needed to convict. The police, in effect, are saddled with using crude arrest criteria developed a generation back."

EUROPEAN LEVELS

In sharp contrast to the United States, most European nations have long held that a certain level of alcohol in the blood constituted a highway violation, no matter how correct one's driving habits. In East Europe the figure is very stiff, "satisfied by a mere sniff," laughs one North American police official. Poland, Norway and Sweden early set the level at .05 percent, Switzerland and Austria at .08 percent, Denmark at .10 percent. During Austria's first year at the .08 level, accidents plummeted 25 percent.

Canada, Great Britain, and Australia have also set the level at .08 percent.

In 1967 the British passed the landmark Road Safety Act, considered to be perhaps the most important single piece of highway safety legislation in the world. The act defined .08 percent as the presumptive level of intoxication and established fines and imprisonment, as well as possible license revocation, for offenders. More significantly, the act authorized prearrest chemical tests.

If a British policeman has reasonable cause to believe that a motorist is under the influence of liquor, has committed a moving violation, or if the driver is in some type of accident, the policeman considering arrest can request that the motorist take a breath test on the highway. The driver can refuse, subject to a possible fine. If the test registers positive the motorist is then arrested and taken to a station house where he is given the more formal breathalyzer test—the type administered in the United States only after arrest.

The British prearrest test cannot be used as court evidence.

Despite an initial outcry from civil libertarians and liquor interests (who feared a loss of business from the new law) public opinion quickly lined up behind the Road Act. Casualties dropped sharply, and some evidence suggests that the act has reduced the tendency to drink and then drive.

Chemical testing in the United States, though practiced for several decades, was given a great boost by the Highway Safety Act of 1966. The Safety Act authorized the National Highway Safety Bureau to post federal standards for state highway programs. The federal standards call for passage of both implied-consent status and a .10 percent presumptive level of intoxication. The Uniform Vehicle Code, compiled with by about two-thirds of all states, also calls for the .10 percent level.

While more than half the states have scrambled on the bandwagon to adopt implied-consent statutes during the past three years because of concerted federal pressures, most have poked, rather than gallopped into action, when it comes to the presumptive levels.

"Many legislatures just have no conception what these percent figures mean in lives lost," says a specialist from the Northwest University Traffic Institute. "Tell them that you're 25 times more likely to have an accident at the .15 level than at the lower European limit and they just shrug their shoulders."

By early 1970, only one state had adopted the .08 European level. Roughly half the states were above the federal standard of .10 or had no statutory level at all. Sensing a coming public revulsion against the drunk driver, nevertheless, a number of organizations, including the National Safety Council and its affiliated chapters, and private insurance companies, are hammering together expensive television and radio campaigns for more comprehensive legislation at the state level.

Intense lobbying is expected in a score of states in the upcoming 1971 legislative sessions. In Michigan, for example, a strong campaign is already being mounted through billboards and ads to slash the presumptive level from the present .15 to .10 percent, as well as enact legislation requiring mandatory blood tests on all victims of fatal accidents and all drivers who survive accidents.

ACCIDENT RATE DECLINED

A bill supported by Gov. William G. Milliken has passed the Senate but is jammed up in House committee partly because of backstage opposition of the liquor industry.

In addition, a number of legislatures, including Minnesota, Michigan, and California are mulling some type of prearrest testing along the lines of the British Road Act. Such testing was enacted late last year in New York State and the city of Baton Rouge, La.

Under the Baton Rouge experiment, undertaken in cooperation with the Insurance Institute for Highway Safety, the city can levy a 60-day jail sentence and a $200 fine against any motorist believed drunk who refuses to take a road breathalyzer test. More than 232 people have been evaluated as of this writing, and the largest chunk of them have registered positive. Though it is still too early to gauge results, local Baton Rouge police note that the December accident rate, traditionally high, scored a major decline.

In spite of the Baton Rouge and New York State experiments, however, a number of legal doubts persist about pretesting, including possible violations of Fourth Amendment protections against unreasonable search and seizure, Fifth Amendment guarantees against self-incrimination, and abridgement of the due-process clause of the 14th Amendment.

Advocates of testing before arrest argue the practice is merely a scientific replacement of the traditional roadside sobriety checks, such as picking up a coin and shouldn't be viewed as "illegal searches."

PORTABLE UNITS URGED

To underscore this contention, advocates note that state courts have gradually liberalized many police powers on the highway until today an officer, among other things, can request a license check, use a roadblock for a license check, and even require that a vehicle be weighed to see if it meets legal road allowances. Thus, pretesting, they reason, is the next logical step in the arrest process.

Whatever the eventual legal outcome on pre-arrest testing, which will most likely be resolved only after a Supreme Court decision, a number of safety experts, including Indiana University's Dr. Borkenstein, believe that development of small, portable chemical testing units opens up one of the most important and unexplored new areas in the war against the drunk driver.

Dr. Borkenstein maintains that if self-testing devices can be universally distributed, such as in retail outlets or taverns, then not only can the drinking public be shown when they are approaching the "danger level," but at the same time, a new, massive coalition of social drinkers (most of whom seldom reach the statutory presumptive levels), plus abstainers will be created that would swing behind strong legislative sanctions.

"We could make deviant drivers a virtual outgroup, against which could be rallied tremendous social pressures. That's something that just isn't happening now," says Dr. Borkenstein.

ANOTHER CASUALTY OF CAMPUS VIOLENCE

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

Mrs. GREEN of Oregon. Mr. Speaker, the warfare between the generations has transcended the "gap" between generations, and with tragic implications. If this Nation continues to allow the wisdom of age and the vision of youth to be used as instruments of battle aimed at discrediting both the adult and the young, then neither vision nor wisdom will endure and our Nation itself may fail.

Already casualties have occurred and they are foreboding.

Last week the distinguished president of Stanford University, Kenneth Pitzer, resigned, citing as reasons the gulf between the campus community and the society.

He said:

Pressures tending to distract or disrupt the educational process have increased significantly. The growing polarization within society also has been reflected within the campus.

These trends have made it increasingly difficult to obtain the very broad and active support from all those groups who together are responsible for the well-being of the University.

President Pitzer joins many other university presidents who have resigned their posts in the last 2 years due in part to campus turmoil and the untenable position in which they were placed because of the demands of students and faculty.

Former Health, Education, and Welfare Secretary and Stanford trustee, John Gardner, was grimly prophetic when he spoke at President Pitzer's inauguration just last June:

I call to your attention, with some sorrow, that a number of fine university presidents have had their careers destroyed by the conflict that has raged on our campuses. Looking back at those incidents, I do not think they reflect credit on any of us—the faculty, students, trustees, or alumni.

We have now proven beyond reasonable argument that a university community can make life unlivable for a president. We can make him the scapegoat for every failure of the institution, every failure of society. We can use him as a target for all the hostility that is in us. We can fight so savagely among ourselves that he is clawed to ribbons in the process. We have yet to prove that we can provide the kind of atmosphere in which a good man can survive.

Mr. Gardner's words regrettably came true. Stanford had a violent and disruptive spring. When it was over the expense to repair property damage and to pay overtime to campus police and repair crews totaled more than $580,000.

In addition Stanford has now lost its president.

Much of the blame must rest with the university community which allowed the institution to dissolve into its furious and passionate surroundings.

All who are committed to the goals of higher education in this country would be well advised to reflect on President Pitzer's words upon his resignation:

From a purely personal standpoint, the prospect of a more scholarly life at a less hectic pace is most welcome. Entirely too much of my effort has been devoted to matters of a purely administrative or even of a police nature. Too little time has been available for the academic matters I most enjoy—the planning and implementing of innovations and improvement in teaching and research.

In a broader context, however, I have reached this decision only after the most serious thought and with a great sense of regret and disappointment. The situation at Stanford represents another manifestation of the destructive nature of the current conflict. Both on campus and in society, support for reasoned discourse and nonviolent change has steadily diminished.

John W. Gardner summarized the cumulative impact of these forces on the University presidency with great clarity in his address at my inaugural. While the conflicting pressures on the presidency at Stanford have not yet reached the full dimensions he described, nevertheless there are wounds and there is fatigue.

In the coming months, I hope Stanford will have a new opportunity to bridge more effectively the widening gap between the campus community and outside society. I would earnestly hope that each of the many groups concerned with the University—students, faculty, staff, trustees, alumni, parents and friends will try to close this broad chasm.

Stanford will endure; but its sustained excellence depends upon our common devotion to the due process and reasoned discourse in achieving the goals we share.

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. There are more than twice as many higher education teachers in the United States than in the Soviet Union. In 1968,

there were 481,000 such teachers in the United States, 201,000 in the Soviet Union, and 129,618 in India.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ROBERTS (at the request of Mr. MILLER of California), for Monday, July 6, 1970, on account of official business.

Mr. CAREY (at the request of Mr. GARMATZ), for week of July 6, 1970, on account of illness in family.

Mr. PETTIS (at the request of Mr. GERALD R. FORD), for July 6 and 7, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. MONTGOMERY, for 60 minutes, on July 13.

Mr. FLOOD, for 1 hour on Monday, July 13, on the subject of the captive nations.

Mr. PUCINSKI, for 30 minutes, today.

(The following Members (at the request of Mr. FISH) to address the House and to revise and extend their remarks:)

Mr. STEIGER of Arizona, for 10 minutes, on July 6.

Mr. ADAIR (immediately following the gentleman from Mississippi, Mr. MONTGOMERY), for 1 hour on July 13.

(The following Members (at the request of Mr. ANDERSON of California) to revise and extend their remarks and include extraneous matter:)

Mr. REUSS, for 60 minutes, today.

Mr. DENT, for 60 minutes, today.

Mr. FEIGHAN, for 10 minutes, today.

EXTENSION OF REMARKS

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

Mrs. GREEN of Oregon and to include extraneous matter in 5 instances.

Mr. BOW to extend his remarks immediately following passage of H.R. 15118, to provide for striking of medals in commemoration of 100th anniversary of founding of Ohio Northern University.

Mr. ZWACH (at the request of Mr. FISH) to extend his remarks immediately preceding passage of S. 3598, amending Bankhead-Jones Farm Tenant Act.

Mr. RANDALL to extend his remarks prior to the vote on H.R. 15979, today.

Mr. RANDALL and to include extraneous matter.

Mr. GROSS and to include extraneous matter.

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

Mr. QUILLEN in four instances.

Mr. SMITH of New York.

Mr. GUDE.

Mr. CONTE.

Mr. HALPERN in two instances.

Mr. KING in four instances.

Mr. WYMAN in two instances.

Mr. LANGEN.

Mr. RAILSBACK.

Mr. HALL.

Mr. GOODLING.

Mr. ZWACH.

Mr. WHALEN.

Mr. SCHWENGEL.

Mr. GOLDWATER.

Mr. SCHERLE in five instances.

Mr. PRICE of Texas in three instances.

Mr. NELSEN.

Mr. SCHNEEBELI.

Mr. BRAY in three instances.

Mr. LUKENS in two instances.

Mr. MINSHALL in two instances.

Mr. McCULLOCH.

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

Mr. OTTINGER in three instances.

Mr. CORMAN in five instances.

Mr. McFALL in six instances.

Mr. CELLER

Mr. WOLFF in five instances.

Mr. O'NEILL of Massachusetts in two instances.

Mr. DIGGS in two instances.

Mr. WALDIE.

Mr. VANIK in two instances.

Mr. BROWN of California in three instances.

Mr. PATTEN in two instances.

Mr. MOLLOHAN in five instances.

Mr. UDALL in 10 instances.

Mr. ANDERSON of California in three instances.

Mr. RYAN in two instances.

Mr. HATHAWAY in two instances.

Mr. BINGHAM in two instances.

Mr. BOLLING.

Mr. DANIEL of Virginia.

Mr. FOUNTAIN in two instances.

Mr. KLUCZYNSKI in two instances.

Mr. BRADEMAS in six instances.

Mr. HANNA in five instances.

Mr. RODINO in three instances.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 531. An act to establish the Capitol Reef National Park in the State of Utah; to the Committee on Interior and Insular Affairs.

S. 532. An act to establish the Arches National Park in the State of Utah; to the Committee on Interior and Insular Affairs.

S. 3074. An act to provide minimum disclosure standards for written warranties and guaranties of consumer products against defect or malfunction; to define minimum Federal content standards for such warranties and guaranties; and for other purposes; to the Committee on Interstate and Foreign Commerce.

S. 3366. An act to make banks in American Samoa eligible for Federal deposit insurance under the Federal Deposit Insurance Act, and for other purposes; to the Committee on Banking and Currency.

S. 3600. An act for the relief of Kyung Ae Oh; to the Committee on the Judiciary.

S. 3649. An act relating to the rental of space for the accommodation of District of Columbia agencies and activities, and for other purposes; to the Committee on the District of Columbia.

S. 3777. An act to authorize the Secretary of the Interior to enter into contracts for the protection of public lands from fires, in advance of appropriations therefor, and to twice renew such contracts; to the Committee on Interior and Insular Affairs.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

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

H.R. 16739. 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;

H.R. 17868. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1971, and for other purposes;

H.J. Res. 224. Joint resolution to change the name of Pleasant Valley Canal, Calif., to "Coalinga Canal"; and

H.J. Res. 746. Joint resolution to amend the joint resolution authorizing appropriations for the payment by the United States of its share of the expenses of the Pan American Institute of Geography and History.

BILLS PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that committee did on the following dates present to the President, for his approval, bills of the House of the following titles:

On July 1, 1970:

H.R. 12858. An act to provide for the disposition of certain funds awarded to the Tlingit and Haida Indians of Alaska by a judgment entered by the Court of Claims against the United States.

On July 2, 1970:

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. ANDERSON of California. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 7 minutes p.m.) the House adjourned until tomorrow, Tuesday, July 7, 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:

2169. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated August 14, 1968, submitting a report, together with accompanying papers and an illustration, on shore of Lake Huron-Black River Harbor, Alcona County, Mich., in

partial response to an item in the River and Harbor Act approved March 2, 1945 (H. Doc. 91-361); to the Committee on Public Works and ordered to be printed, with an illustration.

2170. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated September 9, 1969, submitting a report, together with accompanying papers and an illustration, on Scajaquada Creek and tributaries, New York, requested by a resolution of the Committee on Public Works, House of Representatives, adopted June 13, 1956 (H. Doc. 91-362); to the Committee on Public Works and ordered to be printed, with an illustration.

2171. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting plans for works of improvement, none of which provides more than 4,000 acre-feet of total capacity, prepared under the provisions of the Watershed Protection and Food Prevention Act, as amended; to the Committee on Agriculture.

2172. A letter from the Secretary, Export-Import Bank of the United States, transmitting a report on the amount of Export-Import Bank loans, insurance, and guarantees issued in April and May, 1970, in connection with U.S. exports to Yugoslavia, pursuant to the provisions of the Export Import Bank Act of 1945, as amended; to the Committee on Foreign Affairs.

2173. A letter from the Secretary of Health, Education, and Welfare, transmitting a report on manpower and training needs for air pollution control, pursuant to the provisions of section 305(b) of the Clean Air Act, as amended; to the Committee on Interstate and Foreign Commerce.

2174. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in the cases of certain aliens found admissible to the United States, pursuant to section 212(a)(28)(I)(ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

2175. A letter from the Commissioner, Immigration and Nationalization Service, U.S. Department of Justice, transmitting copies of orders entered in cases in which the authority contained in section 212(d)(3) of the Immigration and Nationality Act was exersized in behalf of certain aliens, together with a list of the persons involved, pursuant to section 212(d)(6) of the act; to the Committee on the Judiciary.

2176. A letter from the executive director, Military Chaplains Association of the United States of America, transmitting the audit report of the association for the calendar year 1969; to the Committee on the Judiciary.

2177. A letter from Ice, Miller, Donadio, & Ryan, Indianapolis, Ind., transmitting the annual report of the Board for Fundamental Education for the years 1967 to 1969 and a copy of the audit of its financial statements as of December 31, 1969, pursuant to the provisions of section 14(b) of Public Law 507, 83d Congress; to the Committee on the Judiciary.

2178. A letter from the Acting Director, Bureau of the Budget Executive Office of the President, transmitting plans for works of improvement, each of which provides more than 4,000 acre-feet of total capacity, prepared under the provisions of the Watershed Protection and Floor Prevention Act, as amended; to the Committee on Public Works.

RECEIVED FROM THE COMPTROLLER GENERAL

2179. A letter from the Comptroller General of the United States, transmitting a report on problems resulting from deterioration of pavement on the Interstate Highway System, Federal Highway Administration, Department of Transportation; to the Committee on Government Operations.

2180. A letter from the Comptroller General of the United States, transmitting a report on improvement needed in the financial management activities of the Smithsonian Institution, Washington, D.C.; 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. MONTGOMERY: Select Committee on U.S. Involvement in Southeast Asia. Report on U.S. Involvement in Southeast Asia (Rept. No. 91-1276). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 14237. A bill to amend the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 to assist the States in developing a plan for the provision of comprehensive services to persons affected by mental retardation and other developmental disabilities originating in childhood, to assist the States in the provision of such services in accordance with such plan, to assist in the construction of facilities to provide the services needed to carry out such plan, and for other purposes; with an amendment (Rept. No. 91-1277). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. BENNETT:

H.R. 18300. A bill to prohibit favoritism in the distribution by the Government of coins having actual or potential numismatic value; to the Committee on Banking and Currency.

By Mr. BIESTER (for himself, Mrs. CHISHOLM, Mr. FULTON of Pennsylvania, Mr. LOWENSTEIN, Mr. SYMINGTON, and Mr. RAILSBACK):

H.R. 18301. 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. GALLAGHER:

H.R. 18302. A bill to amend title II of the Social Security Act to provide that an individual's old-age insurance benefits or disability insurance benefits shall continue to be paid, after his death, to his surviving spouse; to the Committee on Ways and Means.

By Mr. MATSUNAGA:

H.R. 18303. A bill to prohibit federally insured financial institutions from engaging in certain promotional practices; to the Committee on Banking and Currency.

H.R. 18304. A bill to amend title 10 of the United States Code to eliminate certain service requirements with respect to eligibility for nonregular service retired pay; to the Committee on Armed Services.

By Mr. NELSEN (for himself, Mr. TIERNAN, Mr. THOMSON of Wisconsin, Mr. HALPERN, Mr. LUKENS, Mr. ADAMS, Mr. WINN, Mr. QUIE, Mr. MATSUNAGA, Mr. MOSS, Mr. MOORHEAD, Mr. SMITH of New York, Mr. ROSENTHAL, Mr. HOGAN, Mr. GUDE, Mr. GRAY, Mr. DENT, and Mr. DELLENBACK):

H.R.. 18305. A bill to direct the Secretary of State to transfer certain real property owned by the United States to the District of Columbia government for use as a site for the Washington Technical Institute; to the Committee on Public Works.

By Mr. PATMAN (for himself and Mr. REUSS):

H.R. 18306. A bill to authorize U.S. participation in increase in the resources of certain international financial institutions, to provide for an annual audit of the exchange stabilization fund by the General Accounting Office, and for other purposes; to the Committee on Banking and Currency.

By Mr. PEPPER (for himself, Mr. KOCH, Mr. OLSEN, Mr. RODINO, Mr. RYAN, and Mr. SYMINGTON):

H.R. 18307. A bill to amend the Older Americans Act of 1965 to provide grants to States for the establishment, maintenance, operation, and expansion of low-cost meal programs, nutrition training and education programs, opportunity for social contacts, and for other purposes; to the Committee on Education and Labor.

By Mr. ROGERS of Florida:

H.R. 18308. A bill to amend title 38 of the United States Code to extend group life insurance to Reservists and National Guardsmen when engaged in training; to the Committee on Veterans' Affairs.

By Mr. STRATTON:

H.R. 18309. A bill to amend section 7275 of the Internal Revenue Code of 1954 (as added by the Airport and Airway Revenue Act of 1970) to permit airline tickets, with respect to the transportation of persons by air which is subject to Federal tax, as well as the advertising related thereto, to show the amount of such tax separately from the cost of the transportation involved; to the Committee on Ways and Means.

By Mr. VANIK:

H.R. 18310. A bill to provide that for purposes of the Internal Revenue Code of 1954 members of the Armed Forces serving in Cambodia or Laos shall be treated as serving in a combat zone; to the Committee on Ways and Means.

By Mr. WYATT:

H.R. 18311. A bill to provide certain retirement benefits under title 5, United States Code, for air traffic controllers; to the Committee on Post Office and Civil Service.

By Mr. LUKENS (for himself and Mr. MOSHER):

H.J. Res. 1290. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. ZION:

H.J. Res. 1291. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on he Judiciary.

MEMORIALS

Under clause 4 of rule XXII,

418. The SPEAKER presented a memorial of the Legislature of the State of Louisiana, relative to the calling of a convention to amend the Constitution of the United States wih respect to the power of Congress and the States to tax the interest on State and municipal bonds, which was referred to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

533. The SPEAKER presented a petition of Henry Stoner, York, Pa., relative to reform of the U.S. bankruptcy laws, which was referred to the Committee on the Judiciary.