make sales subject to the EDA. This technique could lessen the amount recaptured at ordinary rates. Even if the transferee lost the capital gain treatment on sales proceeds, however, if his tax rate is less than the transferor's the negative tax effect is achieved.

[70] If the farming operation is diversified and if these operations consist of a grain operation producing large ordinary income and a livestock operation producing large ordinary deductions and cattle capital gains, the Metcalf Bill arguably can produce a negative tax by insulating the grain ordinary income from tax while subjecting the livestock profits only to capital gains. This result can be argued to be exactly the same as using excess livestock deductions to offset salary income while reporting livestock capital gains. While the force of this argument cannot be denied, there are at least two pertinent comments. First, even this result does nothing more than exempt farm profits from tax. There is no spillover of benefits into endeavors other than farming. Second, those taxpayers, investing in farm assets solely for tax purposes, seem likely not to have diversified farm operations. Whether enactment of the Bill would encourage diversification by "tax farmers" would depend on a number of considerations such as profit margins, interest rates, risks, alternative investments, and similar factors.

[71] 1963 TAX MESSAGE 1537–97; TAX REFORM 1969, at 2001–183. Since writing the text, the Senate Committee on Finance on September 22, 1969, has received testimony on farm losses.

[72] *See* 1963 TAX MESSAGE 144–45; 1963 TAX MESSAGE 1546 (statement of Stephen H. Hart); TREASURY STUDIES 16, all of which assert that the abuse lies in rewarding uneconomic, *i.e.* unprofitable, farm operations by granting tax profits. *See also* 1963 TAX MESSAGE 1581 (statement of Arthur Levitt), which focuses on the sale of livestock to investors at prices greater than fair market value.

[73] *See* 1963 TAX MESSAGE 1574 (statement of Jacquin D. Bierman); 1963 TAX MESSAGE 1540 (statement of Stephen H. Hart); 1963 TAX MESSAGE 1959 (statement of Floyd L. Madden); 1963 TAX MESSAGE 1569 (statement of James Trimble); TAX REFORM 1969, at 2155 (statement of Herrick K. Lidstone); TAX REFORM 1969, at 2035 (statement of Claude Maer); TAX REFORM 1969, at 2152 (statement of George D. Webster).

[74] 1963 TAX MESSAGE 1574 (statement of Jacquin D. Bierman); TAX REFORM 1969, at 2035 (statement of Claude Maer); TAX REFORM 1969, at 2107 (statement of R. H. Matthiessen, Jr.).

[75] *See* Sonabend v. Commissioner, 377 F. 2d 42 (1st Cir. 1967).

[76] *See* 1963 TAX MESSAGE 1587 (statement of Jay B. Dillingham); 1963 TAX MESSAGE 1566 (statement of William Greenough); 1963 TAX MESSAGE 1567 (statement of B. Earl Puckett). *See also* TAX REFORM 1969, at 2129 (statement of John Asay); TAX REFORM 1969, at 2125 (statement of George Hellyer); TAX REFORM 1969, at 2035 (statement of Claude Maer).

[77] *See* 1963 TAX MESSAGE 1588 (statement of Harold W. Humphreys), in which he claims that without the subsidy to livestock "the very necessary proteins would have been priced beyond the reach of millions of our consuming public." For an opposing view, expressed by one of the strongest advocates of the present tax subsidy, see Oppenheimer, *The Case For the Urban Investor*, 24 FARM Q. 80 (1969); 115 CONG. REC. 2033 (daily ed. Feb. 25, 1969) (reprint of speech given by Brig. Gen. H. L. Oppenheimer at the National Farm Institute, Des Moines, Iowa, Feb. 14, 1969).

[78] *See* 1963 TAX MESSAGE 1566 (statement of William Greenough).

[79] *See* note 77 *supra*.

[80] *See* TAX REFORM 1969, at 2035 (statement of Claude Maer); TAX REFORM 1969, at 2107 (statement of R. H. Matthiessen, Jr.); TAX REFORM 1969, at 1567 (statement of B. Earl Puckett).

[81] *See* 1963 TAX MESSAGE 1581 (statement of Arthur Levitt); Oppenheimer, *supra* note 77.

[82] TAX REFORM 1969, at 2132 (supplementary statement by Brig. Gen. H.L. Oppenheimer).

[83] The fair assumption is that all of this amount is deductible. The witness claimed that there was no revenue effect of the deduction because the payees would take the amounts into income.

[84] *See* TAX REFORM 1969, at 2035 (statement of Claude Maer); TAX REFORM 1969, at 2001 (statement of Jack Miller).

[85] U.S. DEP'T OF COMMERCE, CURRENT POPULATION REPORTS, CONSUMER INCOME, ser. P–60, No. 15, at 23 (Dec. 28, 1967).

[86] TREASURY STUDIES, *supra* note 18, at 158.

[87] U.S. TREASURY DEPARTMENT (unpublished tabulation of statistics of income).

[88] *See* 1963 TAX MESSAGE 1574 (statement of Jacquin Bierman); TAX REFORM 1969, at 2124 (statement of Jay B. Dillingham); TAX REFORM 1969, at 2107 (statement of R. H. Matthiessen, Jr.); TAX REFORM 1969, at 2120 (statement of Brig. Gen. H. L. Oppenheimer). *See also* Oppenheimer, *supra* note 77.

[89] *See* Letter from Secretary Snyder, *supra* note 16.

[90] 1963 TAX MESSAGE 1558.

[91] *See* PRESS RELEASE BY CHAIRMAN MILLS, *supra* note 52.

[92] *See* TAX REFORM 1969, at 5428, 5430 (Office of Secretary of the Treasury, Office of Tax Analysis, General Explanation of Farm Proposals, Tables 1 and 3).

[93] U.S. TREASURY DEPARTMENT (unpublished tabulation of statistics on income).

[94] H.R. REP. No. 91–413 (Part I), 91st Cong., 1st Sess. 16 (1969).

[95] TAX REFORM 1969, at 5058.

[96] 115 CONG. REC. 9898 (daily ed. Aug. 13, 1969) (remarks of statistics of Senator Metcalf).

[97] U.S. TREASURY DEPARTMENT (unpublished tabulation of statistics of income).

[98] TREASURY STUDIES 158. The proposal put forth by the Treasury Department in this document should reach about the same number of taxpayers as the Metcalf Bill. The estimate is 14,000 returns.

[99] The Treasury Department has estimated that the special accounting rules cost about $800 million annually. *Hearings on the 1969 Economic Report of the President Before the Joint Economic Comm.*, 91st Cong., 1st Sess. 36 (1969) (supplementary statement of Joseph W. Barr). If the revenue raised under these alternatives then is an index of effectiveness, the House Bill would be 2.5% effective; the Treasury's EDA would be 6.25% effective; and the Metcalf Bill would be just over 25% effective.

Several averages may be derived from 1964 figures published as Table 3 to the General Explanation of the Treasury's Farm Proposal. TAX REFORM 1969, at 5430. The raw data presented there are:

(a) All tax returns showing more than $50,000 nonfarm adjusted gross income with a farm loss numbered 14,325 with aggregate farm losses of $369,005,000, an average of $25,800. If we assume a 50% marginal tax bracket, the average farm loss has an average value of $12,900. If ultimately there are capital gain sales equal to the average farm loss, the taxes paid would be $6,650 under the Bill while under present law the taxes would be $6,450. Thus the Bill on the average would remove but $200 of the tax subsidy. This amount of reduction would hardly discourage anyone because the tax subsidy is over thirty times the recaptured tax.

(b) The above figures could be broken down into nonfarm adjusted gross income categories as follows:

$50,000 to $100,000 nonfarm adjusted gross income:

10,036 returns showing an average loss of $16,487. On the *average* the Bill would have no effect.

$100,000 to $1,000,000 nonfarm adjusted gross income:

4,204 returns showing an average loss of $46,908. If we assume a 65% tax rate (maximum under the Bill), the loss would have a current value of $30,490 on the average. If there were ultimately capital gains equal to the loss, the taxes incurred giving effect to EDA would be $22,365 leaving a negative tax benefit of $8,125. Again this is hardly sufficient deterrent to be effective.

Over $1,000,000 nonfarm adjusted gross income:

85 returns showing an average loss of $81,576. Again assuming a maximum rate of 65%, the loss would have a current value of about $53,000. Ultimately taxes of nearly $45,000 would be paid if EDA were fully effective. Again there is something less than full recovery of the tax subsidy, and the deferral benefit remains.

[100] 115 CONG. REC. 4354 (daily ed. May, 1969) (remarks of Senator Metcalf). In a press release, dated October 17, 1969, the Senate Finance Committee announced that it had decided to disallow one-half of the farm loss in excess of $25,000 in those cases in which the nonfarm adjusted gross income exceeded $50,000, and the farm loss exceeded $25,000. This approach is at best a very poor substitute for Senator Metcalf's Bill. While the press release is not entirely clear, apparently there is no effort to confine the disallowance to losses created by the special accounting rules. The income and loss limits are still excessive. It does, however, take a step in the right direction by disallowing losses. At this writing, estimates for revenue and the number of taxpayers affected are not available.

HOUSE OF REPRESENTATIVES—*Monday, March 2, 1970*

The House met at 12 o'clock noon.

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

He leadeth me in the paths of righteousness for His name's sake.—Psalm 23: 3.

Our Heavenly Father, mindful of our responsibilities as the leaders of our people we bow before Thee praying that we may be led in right paths for the sake of our beloved America. May Thy spirit guide us that we be saved from false choices and be lifted to new heights of creative endeavor and courageous action. Together as leaders and people may we be physically strong, mentally awake, morally straight, and religiously alive.

We pray for the family of our beloved colleague who has gone home to be with Thee. We are grateful for his devotion to the district he represented, for his dedication to our country he loved with all his heart, and for his faith in Thee which held him steady throughout his life. May the comfort of Thy presence abide with his family and may the strength of Thy spirit dwell in all our hearts.

In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, February 26, 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 with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 14465. An act to provide for the expansion and improvement of the Nation's airport and airway system, for the imposition of airport and airway user charges, and for other purposes; and

H.R. 15931. An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1970, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 14465) entitled "An act to provide for the expansion and improvement of the Nation's airport and airway system, for the imposition of airport and airway user charges, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MAGNUSON, Mr. HARTKE, Mr. HART, Mr. CANNON, Mr. LONG, Mr. ANDERSON, Mr. GORE, Mr. COTTON, Mr. PROUTY, Mr. PEARSON, Mr. WILLIAMS of Delaware, and Mr. BENNETT 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. 15931) entitled "An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1970, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MAGNUSON, Mr. RUSSELL, Mr. STENNIS, Mr. BIBLE, Mr. HOLLAND, Mr. COTTON, Mr. CHASE, Mr. FONG, and Mr. BOGGS to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2523) entitled "An act to amend the Community Mental Health Centers Act to extend and improve the program of assistance under that act for community mental health centers and facilities for the treatment of alcoholics and narcotic addicts, to establish programs for mental health of children, and for other purposes".

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2809) entitled "An act to amend the Public Health Service Act so as to extend for an additional period the authority to make formula grants to schools of public health, project grants for graduate training in public health and traineeships for professional public health personnel."

THE LATE HONORABLE JAMES B. UTT

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

Mr. SMITH of California. Mr. Speaker, almost to the minute 4 weeks ago today I had the sadness to announce the passing of the late Honorable Glenard P. Lipscomb, and today, with further sadness, I must announce to you, Mr. Speaker, and to the Members, that Congressman JAMES B. UTT, who was serving in his 17th year representing the 35th Congressional District in California, passed away yesterday of a heart attack.

In discussing the matter with JIMMY when we went out to Glen's funeral, he stated that he would not want business to be suspended, any business that had to be taken care of, when his time might come, and he also said he did not wish to have memorial services in Washington.

The plans are these, Mr. Speaker:

JIMMY will be at Gawler's later this afternoon, and through this evening and until at least noon tomorrow. He will then be taken to California, where he will be at the Saddleback Mortuary, located at 220 East Main Street in Tustin, Calif. Services will be Wednesday at 2:30 p.m. at the Garden Grove Community Church, 12141 Lewis Street, Garden Grove, Calif. Interment will follow immediately thereafter at the Fairhaven Memorial Park, 1702 East Fairhaven, Santa Ana, Calif.

In lieu of flowers, Members may make contributions to the Heart Fund if they so desire, or to any particular fund that they would like to donate to.

Mr. Speaker, a special order will be requested some time later, probably next week, so that all Members desiring to do so may participate, and eulogize Mr. UTT.

An adjournment resolution later on today will be presented in connection with adjournment today.

And on behalf of you, Mr. Speaker, and all Members, I extend our deep and profound sympathy to Mrs. Utt, Charlene, JIMMY's wife, to their son, and to all of the members of their family.

AUTHORIZING CALL OF CONSENT CALENDAR AND MOTIONS TO SUSPEND THE RULES TOMORROW

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the call of the Consent Calendar—under clause 4, rule XIII—and the authority for the Speaker to entertain motions to suspend the rules—under clause 1, rule XXVII—be in order on tomorrow, Tuesday, March 3, 1970.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

GENERAL LEAVE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may have permission today to revise and extend their remarks and include extraneous material in the RECORD and also in that portion of the RECORD entitled "Extensions of Remarks."

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE SECRETARY DID NOT GO FAR ENOUGH

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

Mr. SIKES. Mr. Speaker, Secretary of State Rogers has completed a 10-nation tour of Africa and his efforts toward a better understanding with the nations of that continent should be applauded. Particularly is it obvious that there must be an improvement of the situation in the Mideast, and if the United States is to be helpful, there needs to be a greater measure of confidence from the Arabs. Our support of the Israelis is well known and is becoming more and more resented by the Arabs. The Russians are taking full advantage of this situation to strengthen their own position in the area. We can seek a better understanding with the Arabs without giving up our friendship for the Israelis. It is noticeable, however, that the Secretary's trip took him as far south as Zambia, whose Government is encouraging revolution in South Africa and Rhodesia. These are probably the most stable countries on the African Continent, but they are in disfavor with the Socialist Government of Britain and we are tagging along with the British position. This does not make a lot of sense, and it would have given the Secretary's trip a better flavor had he shown an interest in reaching a better understanding with these countries too. They have shown repeatedly that they want close and friendly relations with the United States, even to the point of voting with us in the U.N. when other African nations do not. The Secretary did not go far enough.

LAREDO HONORS DISTINGUISHED PHYSICIAN, DR. LEONIDES GONZALEZ CIGARROA, AS "MR. SOUTH TEXAS" OF 1970

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

Mr. KAZEN. Mr. Speaker, the city of Laredo, Tex., has for 73 consecutive years honored our Nation's first President, Gen. George Washington, in a patriotic celebration of Washington's Birthday, remembering the Father of Our Country who was, "first in war, first in peace, and first in the hearts of his countrymen."

We take great pride in having in our community such a colorful event, filled with tradition and pageantry, to salute President Washington's ideals of justice, freedom, and individual liberties.

One of the most outstanding events of this historical celebration is that of conferring upon a citizen of south Texas the distinction and honor as "Mr. South Texas" of the year. This great honor

goes to one who has made an outstanding contribution to the progress, growth, and development of the south Texas area. Recipients of this distinguished award have come from many fields, such as education, business, and government.

This year's recognition went to a most distinguished and dedicated physician, Dr. Leonides Gonzalez Cigarroa, a humanitarian, a philanthropist, a quiet man with a humble personality, the son of an immigrant family who became a naturalized citizen and proudly displays an open love and deep appreciation for the liberty and freedom of opportunity that this country provides for its people.

The citation honoring Dr. "Leo"—as he is affectionately known—reads as follows:

In public recognition of his many personal contributions to the continued development of South Texas and the accruing benefits to its citizens through his outstanding achievements in the field of medicine, through his furtherance of the cause of public education at all levels, through private philanthropy, through his dedication to service through the humanities and through his fervent love of country and his devoted efforts toward perpetuating our American way of life with its God-given blessings of dignity and individual freedom for all those it encompasses.

Allow me, Mr. Speaker, to cite the background and list some of the honors, awards, achievements, and activities of this distinguished south Texan.

Dr. Cigarroa is a diplomat of the American Board of Surgery, a fellow of the American College of Surgeons, of the International College of Surgeons, of the American College of Sports Medicine, of the American College of Geriatrics, of the American College of Angiology, clinical professor of surgery at the University of Texas School of Medicine at San Antonio; civilian consultant in surgery to the U.S. Air Force; medical adviser to the U.S. Selective Service System; chief of surgical staff at Laredo Mercy Hospital; member of the Texas Medical Association, the American Medical Association, the National Advisory Commission on Health Facilities of the United States, and a former instructor in surgical technique at the Cook County Graduate School of Medicine.

Dr. Cigarroa holds a degree in doctor of medicine by reciprocity with the National University of Mexico City. In Laredo he is a trustee of the Laredo Independent School District and Laredo Junior College District, member of the Webb-Zapata-Hogg Medical Society, Noon Optimist Club, and surgical adviser to the Division of Vocational Rehabilitation of the Texas Education Agency. He is a past president of the Optimists and is active with numerous youth sports programs such as golden gloves, little league baseball, and high school athletics.

The presentation of the award was made at the traditional president's luncheon on Saturday, February 21, 1970, by Laredo's very able and popular mayor, the Honorable J. C. "Pepe" Martin, Jr. Mayor Martin's introduction of the honoree very eloquently describes the many and great contributions made by Dr. "Leo" toward the growth and development and progress of the south Texas community, and I insert the mayor's remarks in the RECORD so that all may become aware of and take great pride in the achievements of this great American.

Following the stirring introductory remarks made by Mayor Martin, the honoree, Dr. Leonides Gonzalez Cigarroa, then addressed the president's luncheon and in view of the exemplary life that this outstanding citizen has led, and the great public service he has rendered his State and his country, I also take great pride and extreme pleasure in inserting Dr. Leonides Gonzalez Cigarroa's remarks in the RECORD.

The addresses referred to follow:

PRESENTATION OF DR. LEO CIGARROA AS "MR. SOUTH TEXAS" OF 1970 BY MAYOR J. C. MARTIN, JR.

We are indeed privileged to be among such a distinguished group of Texas' governmental, business, professional and civic leaders, such as that assembled here. I know that the presence of each of you is most heartwarming to the talented and revered fellow Texan we've joined together to honor here today. Needless to say, the fact that "one of our own" is being honored makes this an auspicious occasion for the people of Laredo. On their behalf, may I extend a proud and most sincere welcome to all those many friends and admirers here from neighboring cities on both sides of the Rio Grande.

As most of you are aware, the President's Luncheon serves as an appropriate climax to Laredo's yearly observance of Washington's birthday. Traditionally, it is an occasion upon which the people of South Texas pay tribute to an outstanding and beloved individual whose Washington ideals and whose personal talents and energies have combined to bring new material blessings into their lives and to create new opportunities for them and their neighbors.

It is my great personal privilege to present to you such an individual this afternoon—a wise and courageous man through whose work the lives of countless others have been touched—a man who first of all is an American and a Texan by choice—a man who is a giant in his profession, but who has always concerned himself with the plight of the most deprived of his fellow men—a dedicated leader in the fields of public education and youth development—a man who camouflages his private philanthropy with the deepest humility, and a man we of Laredo feel is eminently qualified for his selection as "Mr. South Texas" of 1970.

To establish the virtues of our esteemed fellow Laredoan preparatory to extolling them here today, we delved into several research manuals, hopeful of discovering a truly proper definition of a physician. The scarcity of such a definition was perplexing. In three different works, however, we found the same definition of a physician. It read: "A professional man who suffers from good health."

Whether this is true or not, we do know the man we honor today to be gentle, lovable, determined and even aggressive if the occasion demands. But as we researched his character, the words of that anonymous poem from a farmer's Almanac kept crowding other thoughts from our mind.

I'm sure many of you can recall the words from the poem about the tree that never became a forest kind and died a scrubbything because it never had to fight for sun, air, light or rain.

And the message of the second paragraph that reads:

"The man who never had to toil,
Who never had to win his share
Of sun and sky and light and air,
Never became a manly man,
But lived and died as he began."

The message conveyed by this poem is a figurative description of the man we honor here this afternoon for his days are crowded with hours on-end of professional toil, with time in-between devoted to his family and to inspiring others to overcome life's obstacles. Daily he proves himself to be a "manly man," and reaffirms on each turn of the clock that his initiative, his strength and his dedication to purpose are of strong timber and are equal to the challenges born of disease, community involvement and his private concern for those less fortunate than himself.

We also know that "Dr. Leo," as he is affectionately called by thousands of his admirers throughout South Texas and northern Mexico, is a deeply religious, God-fearing man, a devoted husband, a dedicated father and a man innately proud of his family and its background.

To fully comprehend and appreciate the character and dedication of this man, perhaps it is best that we start at the Genesis of his life in the City of Tlalpam, Mexico. Cradled by a pharmacist mother and a physician father, both of whom were widely respected for their professional proficiency and for countless acts of charity which were never publicly discussed but nonetheless were public knowledge, Leonides, their first-born, appeared predestined to a medical career.

His father, the late Dr. Joaquin Gonzalez Cigarroa, Sr., and his mother, Josefina Gonzalez de la Vega, were descendants of old established, respected families. When young Leo was only one year old, the family in search of a better way of life, came to the United States. Their initial home was in San Antonio, where Dr. Cigarroa opened an office for the practice of medicine and surgery. A constant source of encouragement, Mrs. Cigarroa divided her time between caring for young Leo and assisting her husband with his office routine. The reputation for charity the Cigarroas established in Mexico followed them to San Antonio. Although no member of the family divulged the information, it is known that the Cigarroas' personal funds were shared without question and often without hope of repayment to help many immigrating Mexican families—friends, and otherwise—who came to them for guidance.

It was in San Antonio that Dr. Leo's brother, Joaquin, and his sister, Rebecca—now Mrs. Marco Uribe—were born.

In 1937, the family moved to Laredo, and the roots of today's tribute luncheon were planted.

Arriving in Laredo young Leo, now a teenager, enrolled at Martin High School. Upon graduation in 1940, he enrolled at St. Edwards University in Austin. Holding a degree in music from the San Antonio College of Music, young Leo almost elected at this time to pursue a career as a concert pianist. He gave up the idea in favor of medicine when he was accepted to attend Loyola School of Medicine at Chicago in 1943. Today he remains a pianist of appreciative ability.

While pursuing his medical studies at Loyola, Dr. Leo became a naturalized American citizen in 1944. He graduated from Loyola with a degree of Doctor of Medicine, cum laude, in 1946, and set about the task of becoming a surgeon, as was his father before him. He was accepted to the Cook County Hospital in Chicago for a one-year rotating internship and then served his general residency at the same institution. It was during his residency that the medical profession shaped another sphere of his life. He met a young intern at the hospital, Dr. Margaret

Giller. Her beauty and talents disturbed him no end. With characteristic dogged determination, Dr. Leo wooed her in a whirlwind courtship that culminated in marriage in 1950.

In 1951, Dr. Leo completed his residency and with his bride returned to Laredo to begin the practice of surgery. His wife, Margaret, in addition to now being a practicing physician here also serves as our City Health Officer.

The marriage of Doctor Margaret and Dr. Leo has been blessed with six children—Mary Margaret, Joaquin, Jane, Ruth, Leonides Jr., and Martha.

Taking note once again of the possessiveness of medicine and related professions on the Cigarroa family, I'm sure it will prove no surprise to you to know that Dr. Leo's younger brother, Joaquin, who is married to the former Barbara Flores, is now a most successful practicing physician at the Cigarroa Clinic in his own right; that their sister, Rebecca Cigarroa Uribe, is a graduate pharmacist and operates the Clinic pharmacy, and that Dr. Leo's oldest child, Mary Margaret, is now a pre-med student at the University of Illinois.

Outside of medicine, government appears to hold a special fascination for the family. One of Dr. Leo's uncles, his mother's brother, Lic. Francisco Gonzalez de la Vega, gained national renown in his native Mexico, serving as the Dean of the Law School in Mexico City. He has since served as the Governor of the State of Durango and as Minister of the Supreme Court of Mexico. He currently holds one of the most important assignments within Mexico's Foreign Affairs Department—that of Ambassador to Argentina.

On this side of the Rio Grande, service with our own federal government has proven equally appealing. One of the most respected and most popular and influential members of the U.S. House of Representatives is a first cousin of Dr. Leo's, whom we're most proud to number among our visiting dignitaries today—the Hon. Henry B. Gonzalez of San Antonio.

Indicative of the close ties existing between the Cigarroas, all members of Dr. Leo's family who could attend are here today sharing this great tribute with him—his wife, with most of their children, his mother, his brother with his family, and his sister with her husband, County Commissioner Marco Uribe and their family. Mindful of the close family ties enjoyed by the Cigarroas, I would like to ask that the members of Dr. Leo's immediate family and their families stand so that we can get a first-hand look at some of our practicing physicians, surgeon and pharmacists—past, present and future!

Aren't they a wonderful group. I'm certain Dr. Leo won't feel we're detracting from anything due him by recognizing them with a rousing round of applause! Thank you very much.

The influence of Dr. Leo's esteemed late father continues to provide guide posts that have made possible many of the achievements of our honor guest. The elder Dr. Cigarroa taught his children that success comes only through hard work, personal sacrifice and dedication. He also left for them an enriching philosophy that he followed throughout his life: Be true to those who are good to you—to your profession, to your community, to your friends and neighbors and always be helpful to youngsters and to those ill-equipped to fend for themselves amid the complexities of life.

Upon this philosophy, our honor guest has achieved rewarding success and widespread recognition as an outstanding surgeon and as a devoted disciple to the principle that excellence in education must be the prime cornerstone for perpetuating our American way of life, as well as being a benefactor to our city's youth and to untold members of his deprived fellow citizens.

Tributes and honors are not new to Dr. Leo. He has been the recipient of honors and accolades from all levels—international, national, state and local. His participation and membership in professional medical societies and organizations and his services on the various boards, committees and agencies to which he has been named bespeaks a man to whom the Hippocratic Oath is still meaningful.

We will not embarrass Dr. Leo by reading to you the several type-written pages which this list consumes. We would, however, like to mention a few of his personal attributes on the human and community planes that have endeared him to Laredoans from all walks of life and of all ages.

First, let me say that in Dr. Leo's heart there's no room for discrimination nor for any obstacle stemming from color, creed, or religion in dealing with his fellow man. He looks upon us all as just plain human beings made in the image of our Creator. He is equally sympathetic to the needs of all—be they poor, wealthy, English-speaking, Spanish-speaking, or bilingual, strong or crippled, powerful or weak. And when he thinks he's right on a public cause, he's a fighter—a hard-driving individual. He doesn't know the meaning of the word defeat.

As the senior member in years of service on our Laredo School Board, Dr. Leo led the early exploration that eventually birthed the multi-million dollar facility construction program now under way on the Laredo Junior campus. He inquired, he pursued and he insisted. He had a dream, yes, but even more, he had the even temperament, the rare talent, the logic and tenacity to convert that dream into reality. The modern, air-conditioned Math-Science Building recently completed at the Junior College bears his name and stands as a symbol to his courage and to his dedication to achieve for Laredo's students the same advantages enjoyed by those of other cities.

It was this same dedication that brought innovative educational programs such as educational television, extensive development of audio-visual aids, instruction for the mentally retarded, remedial education, Head Start and the establishment of Mexican-American cultural programs to Laredo's public school system.

His efforts are also largely responsible for the designation of Laredo Junior College for 4-year college courses under the Texas A&I University at Laredo plan. This unique idea in high level educational programming promises to bring a university level education within the reach of hundreds of Laredo High School graduates, who are economically unable to attend an out-of-town college or university. Third and Fourth year curriculum for a degree program in teacher education and business administration is now being set up at the Junior College.

Dr. Cigarroa worked diligently and provided the leadership that brought the first domestic program ever undertaken by Project HOPE, in cooperation with our schools, Laredo Junior College, Mercy Hospital, our public health system and other agencies. The program is already operating here and promises to eliminate many of our community's needs in the public health and related job training fields and in kindred areas.

Through the generosity of the Cigarroa Foundation, established in memory of the late Dr. J. G. Cigarroa, Sr., the family has made possible the modern football stadium at Nixon High School. The foundation also provides scholarship assistance to High School and Junior College graduates. Dr. Leo, his mother, Dr. Joaquin and Mrs. Uribe, guide the operation of the Foundation.

Dr. Leo is an ardent Little League fan and can be seen roaming the sidelines when Martin High and Nixon High School football teams are playing. He offers constant encouragement to the players, to the coaches and to the schools' pep squads.

Yes, this is the same man who thrills with pride at the sight of Old Glory and the sound of our National Anthem—the man whose greatest ambition in life is to live to see his children "successfully educated and living in the true American way."

This is the man who, as a naturalized citizen of these United States, personifies the opportunities and achievements within reach to those who revere our rich heritage under the American ideal of Democracy. A man who tendered generously of his talents combining professional excellence with the warm spirit of the humanities in his varied fields of endeavor.

Yes, this is the "manly man" to whom our Laredo citizens and the Washington's Birthday Celebration Association have authorized me to present this plaque symbolizing their unanimous selection of him as "Mr. South Texas" of 1970, and which reads:

"Presented to Dr. Leonides G. Cigarroa selected as 'Mr. South Texas' for 1970, in public recognition of his many personal contributions to the continued development of South Texas and the accruing benefits to its citizens through his outstanding achievements in the field of medicine, through his furtherance of the cause of public education at all levels, through private philanthropy, through his dedication to service through the humanities and through his fervent love of country and his devoted efforts towards perpetuating our American way of life with its God-given blessings of dignity and individual freedoms for all those it encompasses."

By the citizens of Laredo, Texas, through the Washington's Birthday Celebration Association, 73rd Annual Celebration, February 21, 1970, and inscribed with the names of the Officers of the Association and the Members of the "Mr. South Texas" Committee.

Ladies and Gentlemen, it is my proud pleasure to present to you one of Laredo's most accomplished and beloved citizens, "Mr. South Texas" of 1970—Dr. Leonides G. Cigarroa.

Congratulations, Leo.

REMARKS BY DR. LEONIDES G. CIGARROA

Members of the Reverend Clergy, Distinguished Honor Guests, Ladies and Gentlemen: As one travels the world of his memories during the course of a life time, there are so many recollections of thoughts, ideas, and dreams. These many concepts have, in many instances, become a reality and have indeed become factual as things that actually exist. In all phases of life, there is no higher ideal than that of rendering help to a fellow traveler. It is truly in this that happiness comes forth as joy and love. So it has been with me and with all that I have been able to accomplish as a citizen and as a member of a community. Since I was a child, my parents gave to me the basic truth of help thy neighbor. It was this that encouraged me and gave to me the desire to become a physician. I have never regretted my choice of profession. I have never regretted the work entailed, and I have never forgotten with true appreciation the role my teachers had in my development.

As a physician, I soon realized that in order to succeed in the treatment of a patient a team was needed. I soon realized that man can never function to promote the betterment of others, his family, his friends, and himself without the help of others. I realized that the ideal of brotherhood and of loyalty was the "sine qua non" of any true good fortune of making many friends, a Country. The loyalty of friendship and of adherence to a just cause with tenacity and devotion is the secret of the evolution of dignity in an individual.

I have been asked where do I find the time, when do I plan, and how do I formu-

late my endeavors. As I have walked the path of this life on earth, I have had the true good fortune of making many friends. I have been honored by their confidence and trust in me. It is these friends that have enabled me to do what I have for the Community.

At one time, we were not ashamed in this country to be an idealist. At one time we were proud to confess that an American is a man who wants peace and believes in a better future. We must reclaim these great and humane concepts. Once again we must state that the American cause is the cause of all mankind. We must light with brilliance the ideals on which our forefathers based this country, and give these the courage of our tongues.

Happiness comes to many of us and in varied ways, but I can truly say that to few men has happiness come in so much abundance as it has come to me. Why, I know not, but this I do know—that I have not deserved more than others. I have been singularly happy in my family and my friends, and for that I thank my God. From this bond I shall always cultivate a measure of equanimity that would enable me to bear success with humility and to be ready when the day of sorrow and grief comes to meet it with the courage befitting a man.

Recently, over our great nation, there have been manifestations of a determination to suppress individual voice and opinion. Abusive language, violent action cloaked in the shield of civil rights, has revealed the sickness of our great nation—a sickness that must be stopped by our lawmakers. The foundation of this country, conceived in liberty and dedicated to justice, must be reinforced.

What are the basic issues which confront us today?

Are we going to preserve the religious base to our origin, our growth, and our progress, or are we to yield to the devious assaults of atheism?

Are we going to maintain a course towards Socialism and Communism, or are we to reverse this trend and regain our hold upon our American heritage of liberty and freedom?

Are we going to squander our resources to a point of inevitable exhaustion, or are we going to help our duly elected representatives adopt policies that shall preserve our national wealth?

Are we going to continue to yield personal liberties and Community and State control, or are we going to regain these personal liberties, and assure the individual States primary responsibility and authority in the conduct of our local affairs, and assure that in the framework of liberty, freedom, and free enterprise, social justice must prevail.

I ask of you—is the American life of the future to be characterized by freedom and strength or by servitude and weakness?

The answer to me is crystal clear and unequivocal. It is not to be found in any dogma of a political philosophy, but in those unerasable precepts of respect for the rights and dignity of others. I know that the soul of liberty is alive in all our hearts and is vibrant. As I gaze into each of your faces before me, I know that it is neither Anglo American nor Mexican American, Democrat nor Republican, but it is American. The soul of liberty in your breasts shall assert itself with invincible force and the people under God shall progress, shall live, shall compete, shall find their individual happiness as their conscience dictates, and they shall still rule.

Perhaps my sentiments are best expressed in a poem by Walt Whitman:

"Let me live in my house by the side of the road
Where the race of man goes by—
The men who are good and the men who are bad,
As good and as bad as I.
Let me not sit in the scorner's seat,
Nor hurl the cynic's ban—
Just let me live in my house by the side of the road
And be a friend to man."

CREDIT CARD FRAUD OPERATION IN WASHINGTON

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

Mr. HANLEY. Mr. Speaker, Thursday's newspapers carried a story about a huge credit card fraud operation in Washington. According to reports, almost $300,000 in fraudulent charges were made with Central Charge cards since the first of the year. Some businesses reported that 90 percent of their charges during these 2 months were made on stolen credit cards.

Where did these stolen cards come from? Apparently they were not lifted from wallets; they were not stolen from purses; they were not carelessly lost and used by the finders. Preliminary reports indicate that they were stolen from the mail and in fact may have been taken directly from the main post office here in the District of Columbia. The cards were allegedly sold to a ring specializing in fraudulent purchases with stolen credit cards.

This is not an isolated case, Mr. Speaker. The stealing of credit cards is becoming a big business. Indictments have been brought against credit card rings in Chicago and New York. In New York, for example, several letter carriers in debt to a Mafia leader stole 20 credit cards which were later used to charge $175,000 worth of goods.

But these are only representative of a far greater problem, Mr. Speaker. The Post Office Department reports that investigations of credit card thefts from the mail have increased 700 percent in the past 4 years. Millions upon millions of dollars are being lost each year through these illegal operations. And we would be naive if we did not assume that these costs are passed directly on to the consumer.

In my opinion, and the opinion of many others, the temptation to steal credit cards from the mail is magnified many times by the unwelcome, unwarranted, and above all unwise practice of mailing unsolicited credit cards. Some 200 million cards, most unsolicited, are now in circulation. And the number of unsolicited cards appears to be growing by almost geometric proportions.

The unsuspecting recipient whose card is stolen before it reaches him can suddenly be confronted with hundreds, perhaps thousands, of dollars in bills incurred without his knowledge with a card he did not even know he was supposed to get. We are told that most companies do not press for payment in these cases. But my files are full of letters from average people who have been saddled with high legal expenses and have suffered from poor credit ratings through no fault of their own. Their only mistake was to bear the name stamped on an unsolicited credit card which was subsequently stolen.

A spokesman from Central Charge told me that his company did not send out unsolicited cards. I question his definition of "unsolicited" since I have evidence that Central Charge cards have been sent to depositors of the Riggs National Bank. However, the fact that the cards in this specific fraud case were probably solicited in one form or another does not weaken my argument. The discovery of this theft ring, in fact, reinforces it. With the growing black-market value of stolen credit cards, any practice which significantly increases the flow of credit cards through the mail can do nothing but magnify an already alarming crime problem.

I strongly feel that this flood of unsolicited cards should be reduced to a trickle. These cards are dangerous not only because of the problems outlined above. In addition, they are very inflationary and can often lead to bankruptcy when they are indiscriminately mailed to people with shaky financial habits.

I have introduced a bill, H.R. 13244, which would greatly restrict the mailing of unsolicited credit cards. The Subcommittee on Postal Operations has conducted hearings on it, and I was most gratified with the widespread support which the measure received. I expect that the bill will be reported from the Post Office and Civil Service Committee shortly.

Many people from all walks of life have supported the concepts behind my bill. I am bitterly disappointed, however, by the inconsistent positions taken by the Nixon administration. When Robert Meade, the Director for Legislative Affairs of the President's Committee on Consumer Interests, testified before the Federal Trade Commission in September, he said:

> We would concur with the principle proposed by the Federal Trade Commission that unrestricted, unsolicited credit cards should be prohibited.

But it was a different story when he appeared before Senator PROXMIRE's Subcommittee on Financial Institutions in December. In the short space of 3 months, the administration backed down considerably. At that time, Mr. Meade said the banning of unsolicited cards was only one alternative which should be studied. Mr. Meade's concern had shifted from the consumer to business interests. As Mr. Meade himself said:

> We are somewhat troubled by the question of giving an unfair competitive advantage to those who are already in the field by now prohibiting it. And we think that a fairer position would be to give some further study to the problem.

No, Mr. Speaker, I cannot accept this line of reasoning. If we were to base all remedial legislation on this argument, there would be no remedial legislation on any subject. If a practice is evil or has evil consequences, it should be stopped. We cannot run the Government on the basis of appeals from special interest groups. I have been a businessman myself, and I am certainly not attacking legitimate business interests here. However, in this case, the business interests

supporting unsolicited credit cards are wrong, and it is incumbent upon us in Congress to say so. The consumer must be protected.

Therefore, Mr. Speaker, I strongly urge my colleagues to study this important matter closely and objectively. I am sure that when the facts are all in, they will agree with me that H.R. 13244 should receive favorable consideration. The time for further studies has passed. It is time for action.

VOICE OF DEMOCRACY CONTEST

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

Mr. HALEY. Mr. Speaker, each year the Veterans of Foreign Wars of the United States and its ladies auxiliary conducts a Voice of Democracy contest. This year over 400,000 school students participated in the contest competing for five scholarship awards as top prizes. The winning contestant from each State is brought to Washington, D.C., for the final judgment as guest of the Veterans of Foreign Wars.

The contest theme this year was entitled "Freedom's Challenge," and I am very proud to note that Florida's winner this year was 17-year-old Gregory J. Schlaf from my hometown of Sarasota, Fla. In his essay, Mr. Schlaf has made very clear that his generation is most concerned about its role to preserve freedom and democracy in the United States, that indeed the challenge of freedom demands of all of us to free ourselves from the bonds of apathy and demonstrate true citizenship and involvement in helping to solve our country's most pressing problems. I might add that it was refreshing to me to read the remarks of a young citizen who is concerned with preserving the ideals and goals of our forefathers rather than seeing them torn down. It gives me great pleasure and pride to submit his winning essay to your attention. His essay follows:

FREEDOM'S CHALLENGE

(By Gregory J. Schlaf)

All things are subject to change, except change itself. Democracy is, accordingly, subject to change and go either for the better or the worse. Our challenge is one of navigation, to steer our nation through the straits of indifference into the seas of true citizenship.

Your generation was helped in its striving for unity by a world war which held the people together under a common cause. My generation is not. We face a war which divides us into innumerable factions. People are tired of war, of inflation, of unemployment and of other people. We grow tired of listening to the complaints of the minorities. To get what they feel is proper recognition, these groups resort to violence. Naturally, they receive attention but after a while we begin to ignore violence, or worse yet, accept it as a norm in the democratic process. Violence, now, has destroyed partially the democratic machinery and there's a gradual decay of the inbuilt guidance systems that show us a correct course of action. Note that our nation no longer follows a clear pattern of action; but, rather, a constant series of corrections in an erratic course.

I often wonder if my generation is part of the problem, and, invariably, the answer is yes. Remember, though, that we are also the answer to the problems. We are now faced with a dilemma. My generation is both the partial cause and the solution to our country's problems. In looking toward the future, however, remember that the actions of individuals out-speak their words. Observing the actions of the majority of my generation, we may both find solace in the solving of our country's challenge, the regeneration of our free society. One of freedom's greatest challenges, then, is to find the correct course for the United States, for democracy, to follow.

Apathy, too, is a challenge to everyone's freedom. After the Constitutional Convention of 1794, a worried citizen approached delegate Benjamin Franklin and said, "Sir, what form of government have you given us?" Franklin replied, "A republic, if you can keep it." So far we have maintained our republic fairly well but now when not even one-half of the registered voters take time to vote, and twenty percent and above have no opinions whatsoever on governmental matters, it is a time of concern.

Compare these figures to a lesser scale of voting in my high school, where ninety percent of the students are registered to vote and ninety percent of those registered do vote, and opinions on scholastic matters yield the same response. Do not scoff at our sense of civic duty. Our challenge is to reverse this trend of apathy toward constitutional rights and all the figures show that we will.

All the challenges that I have mentioned will fall on my generation's shoulders. And, since we have felt the effects of these problems, we have all the more incentive to solve them.

It is not ours to say whether your generation has failed in its duty. It is my belief that nothing is static, and that you have solved your problems, met your challenges, only to encounter new ones.

We fully face our challenges now, challenges that threaten the growth, the survival of our society. We will accomplish our ambitions and also prove to anyone that is observing that we are not a worthless generation and, perhaps, that is a challenge in itself.

THE AX HAS FALLEN

(Mr. HECHLER of West Virginia asked and was given permission to address the House for 1 minute.)

Mr. HECHLER of West Virginia. Mr. Speaker, the ax has fallen on John F. O'Leary, the able Director of the Bureau of Mines, summarily and peremptorily fired by President Nixon on Saturday.

Mr. O'Leary was at his desk on Saturday when the curt and peremptory message came over from the White House to announce that the guillotine had fallen on this able and dedicated public servant.

Here was a man who was appointed as Director of the Bureau of Mines on October 20, 1968, exactly 1 month prior to the Farmington mine disaster. He immediately and forcefully moved to reorient the Bureau of Mines from an agency which had served too much the will of the coal operators, and to transform it into a public service agency which was equally devoted to protecting those who worked in the mines. He started the practice of spot, unannounced inspections and put an end to the old scheme of letting the coal operators know when the inspectors were to appear. He breathed new life and vigor into the Bureau of Mines.

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

Mr. HECHLER of West Virginia. I gladly yield to the gentleman from Pennsylvania, the able chairman of the Labor Subcommittee, who piloted the coal mine health and safety legislation through the House.

Mr. DENT. Mr. Speaker, I would like to join the gentleman in his statement on the dismissal of this able public servant.

I want to say publicly that without John F. O'Leary I doubt whether we would have had the kind of coal mine safety bill and lung disease compensation act that recently was passed by this Congress.

Mr. HECHLER of West Virginia. Mr. Speaker, the gentleman from Pennsylvania (Mr. DENT) is absolutely right. This arbitrary action in firing Mr. O'Leary indicates the Nixon administration has turned its back on the coal miners of this Nation, and has decided that the power of the coal operators will call the tune when it comes to coal mine safety.

The dismissal of Mr. O'Leary is a mindless, senseless act which I know the President will live to regret. The coal operators lost their fight when the Congress enacted the Federal Coal Mine Health and Safety Act, but now it looks as though the private interests may yet win the war. What good is a strong act of Congress if it is placed in the hands of an administrator who does not believe in enforcing it for the protection of those who work in the mines? We are informed that the President intends to appoint only an acting director to succeed Mr. O'Leary, in order to sidestep a confirmation fight in the other body when the President taps a man who is likely to be less effective and knowledgeable than Mr. O'Leary.

MAYOR OF NEW YORK JOHN LINDSAY AND THE PROPOSED DEFENSE FACILITIES AND INDUSTRIAL SECURITY ACT OF 1970

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

Mr. ICHORD. Mr. Speaker, our former colleague, the mayor of New York City, John V. Lindsay, recently addressed the Bar Association of New York City at its centennial program in which Mayor Lindsay criticized the Chicago trials on the ground that the defendants were tried on a conspiracy charge without mention that they were also charged with a specific violation of the 1968 anti-riot law, a charge of which the jury in fact found five of the defendants guilty.

Excerpts from his speech appeared in the Washington Post on February 22, 1970. In his prepared remarks, Mr. Lindsay also said that the Defense Facilities Act of 1970, recently passed by this body, would permit private citizens to be fired from their jobs without being told the basis for the dismissal, notwithstanding the fact that the bill specifically provides that notice of the reasons for denial of clearances must be given.

It is not my purpose to embarrass the mayor of New York as I know that the mayor would not intentionally misstate

the facts. However, this is a good example of the widespread misapprehension as to what the defense facilities bill contains and I feel that the mayor owes the 274 Members who voted for the measure an apology. I am greatly concerned when a former Member of this body, a distinguished member of the bar, the mayor of the largest city in America, in speaking to the Bar Association of New York City, should make such a misrepresentation. I have reason to believe that the misapprehension of Mayor Lindsay or of his speechwriters may well be based on some of the misrepresentations that have appeared in the press. For this reason, I am constrained to insert in the RECORD copies of my letters of February 27 to Mayor Lindsay and the president of the New York City bar. The explanation of the error should be interesting. Copies of the letters are as follows:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERNAL SECURITY,
Washington, D.C. February 27, 1970.

Hon. JOHN V. LINDSAY,
Office of the Mayor,
New York, N.Y.

DEAR MAYOR LINDSAY: There has been brought to my attention a report of your recent speech before the Association of the Bar of the City of New York in which you took occasion to refer to a bill (H.R. 14864), titled the "Defense Facilities and Industrial Security Act of 1970," co-sponsored by me and other members, which the House passed on January 29 by a vote of 274–65. The *Washington Post*, generally regarded as the arbiter elegantiarum on national security matters, in printing an extended excerpt from your speech quotes you as saying with respect to the bill that "It would authorize federal agents to examine the political association and acts of people in private industry—and it would permit these private citizens to be fired from their jobs without even being told the basis for the dismissal."

Your comments on the bill grossly misrepresent its terms and provisions. Apparently neither you nor your speech-writer had read the bill, the report on the bill, or the extended debate on the bill. While the bill permits the Government to screen personnel for access to designated sensitive positions in highly essential and selected industrial defense facilities, and for access to classified information, it does not authorize the screening for all people in private industry, nor does it permit "private citizens to be fired from their jobs without even being told the basis for the dismissal." Section 407 of the bill, which establishes basic hearing procedures for determining a person's eligibility for access to sensitive positions or to classified information, requires that no person be finally denied such eligibility unless he is given—

"(1) a written statement of reasons for the denial, suspension, or revocation stated as comprehensively and detailed as the national security permits;

"(2) an opportunity, after he had replied in writing within a reasonable time under oath or affirmation in specific detail to the statement of reasons, for a personal appearance at which time he may present evidence in his own behalf;

"(3) a reasonable time to prepare for the proceeding;

"(4) the opportunity to be represented by counsel; and

"(5) a written notice advising him of final action, which notice, if final action is adverse, shall specify either the finding has been for or against him with respect to each allegation in the statement of reasons."

Apparently, the major theme of your address to the Bar was to remind them, as you say, "of our obligations as lawyers to protect our citizens' rights and liberties from threats and infringements." While your thought is undoubtedly valid, it is hardly original. You would, of course, concede that your concern for constitutional and civil liberties may be shared by the Members of the House, including the overwhelming majority which voted in support of my bill. As a matter of fact, it was the major purpose of the bill to write into law an express legislative requirement that in the application of screening programs the rights of individuals should be fully assured to the maximum degree consistent with the imperative requirements of national security. The bill, in effect, codified such procedures as are now administered principally under President Eisenhower's Executive Order 10865, and for the first time writes into an Act of Congress procedures which require the Executive to administer relevant security programs with meticulous regard for the rights of individuals.

It seems to me that the bill should merit the support of genuine civil libertarians. To misrepresent its terms and effect serves only to pollute the stream of public discourse and does no service to the bar or to the cause of human freedom.

I therefore think that you should take the time to examine the bill, the report on the bill, and the House debate on the bill, and then sit down and have a quiet talk with your speech writer, so that on future occasions you may deal with this subject in a more reasoned manner. Meanwhile, I am addressing a letter to the President of the Association of the Bar of the City of New York, a copy of which I enclose herewith.

Sincerely yours,

RICHARD H. ICHORD,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERNAL SECURITY,
Washington, D.C., February 27, 1970.

Dr. RUSSELL D. NILES,
President, Association of the Bar of the City of New York, New York, N.Y.

DEAR DR. NILES: I have been much disturbed by the report of a speech made by the Mayor of the City of New York at the centennial program of the Association of the Bar of the City of New York. In this speech, the Mayor purports to discuss a House-passed bill, H.R. 14864, to which he refers as a "Defense Facilities Bill" and in which he grossly misrepresented the terms and effect of the bill. I enclose herewith a copy of my letter to the Mayor which is self-explanatory.

I also forward for your review a copy of the bill, the House Report on the bill (to which is appended a dissenting opinion), my response to the dissenting opinion, and the House debate on the bill. You can thus judge for yourself as to the accuracy of the representations of your Mayor to the Bar on this subject. It also seems to me that this matter should be brought to the attention of the members of your Association. Should you require any additional copies of the enclosed material, please feel free to call upon me.

I thank you for your attention to this matter.

Sincerely yours,

RICHARD H. ICHORD,
Chairman.

DIRECTION NEEDED IN THREATENED TRANSPORTATION TIEUP

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

Mr. PICKLE. Mr. Speaker, as I understand it—unless there has been any late developments within the past few hours, today, the Federal court's stay order expires and unless some additional delay is enforced, this Nation will wake up tomorrow with a railroad strike and lockout of national proportions. Obviously, we need clear direction to avert this threat which has been hanging over our heads for more than a year.

Against the backdrop of a threatened transportation tieup, President Nixon's transportation strike proposals should be an indication that this problem has not been met. His proposed legislation will not help at all on the problem at hand. I am amazed that there is an appalling sense of apathy on this national issue. Hardly anyone is giving it any serious thought.

I am happy to see the administration join in a battle in which there are no legislative or executive heroes. I have been pushing for effective modernization of the Railway Labor Act for years and I know firsthand that few people will risk the combined frown of labor and management in this matter.

I understand the President's approach to transportation strikes is similar to mine in many respects. However, I am not in favor of his suggestion to combine the emergency strike section of the Railway Labor Act with the Taft-Hartley Act. This only confuses the issue. At first blush, it would appear the President has included trucking and maritime industries in his proposal.

The main thing is—there is a glaring gap in the methods we have available to us to use in settling national transportation disputes. This Nation simply cannot afford a transportation tieup. And, in developing a solution, it is important to protect and preserve the theory of collective bargaining.

I urge the Congress to get to the task at hand. Hopefully, we can begin investigation and debate soon on legislation to prevent a national transportation strike. Hopefully, we can avert the transportation tragedy that looms larger each day.

FREEDOM'S CHALLENGE

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

Mr. WHITTEN. Mr. Speaker, in these days of stress when you cannot pick up a newspaper, cannot turn on the television set, cannot listen to your radio without hearing all the reports of crime, riots, demonstrations, it is easy to become engulfed in a smog of depression. Then along comes a fresh breeze, clean, true, and in the language of today's young people, "beautiful."

Such was the feeling that came to me as I read the words of a speech prepared by Miss Katherine Allen Townes, age 17, of Grenada, Miss., a fine community, which I am proud to represent in this body.

Katherine's speech on "Freedom's Challenge" was entered in the Veterans of Foreign Wars Voice of Democracy Contest. It was the winning speech from the State of Mississippi. When you read it, I know you will know why. The speech is herewith attached, in full:

FREEDOM'S CHALLENGE

The First Amendment to the Constitution of the United States of America reads as follows:

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

This Article clearly expresses the great value our forefathers placed upon freedom. For more than one hundred and eighty years these ideas have withstood the tests of time. Now these beliefs are more important than ever to us, because they are being challenged from every direction in our rapidly changing world.

Can it be that the greatest challenge to our freedom is freedom itself? This challenge is a two-edged sword. One edge grants freedom of speech, press, and assembly—even though these instruments may be used against the government which grants this freedom. The other side of the blade calls for the government that grants these freedoms to preserve itself and its integrity—and at the same time to protect these rights which are the backbone of our freedom and liberty.

How can the first challenge—that is, the seeming abuse of free speech, free press, and free assembly—be met? Should we destroy the freedom which is essential for its existence? Or should we attempt to do away with dissent by trying to impose upon every citizen the same opinions, the same feelings, and the same interests? Either way, the remedy would be much worse than the disease. James Madison said, "As long as the reason of man continues fallible, and he is at liberty to exercise it, different opinions will be found."

Our great freedoms—so abused by many, so taken for granted by too many—must be preserved. They have been procured and protected by the sacrifice of many lives. Beginning with the "Minutemen" at Lexington and continuing to the present minute, lives have been sacrificed to preserve and protect our liberty.

To meet this challenge—to create from this double-edged sword a standard which we can all follow, we must have a strong government. This means a strong people—people who use these freedoms to develop ways and means to see that the greatest measure of truth that is available be given to all people for their judgment and consideration. To accomplish this, we must become a more vigorous part of our government. We must inform ourselves of what is going on, and let our voices be heard.

Here in America we do not engage in free discussion *only* with the consent of the Government. The Government governs *by* our consent, and this is what makes us the great nation that we are.

John Stuart Mill said, "The will of the people, practically speaking, means the will of the most numerous or the most active part of the people—which is the majority, or those who succeed in making themselves accepted as the majority." Here, I fear, is where we let the challenge fall. We allow a vocal minority to speak for each of us. We must protect the freedom of this minority, but we must also bolster our Government by being better participants in all the aspects of our Government. We must inform ourselves. We must let our feelings be known. We must become a vital part of self-government, based on the rule of the majority—a Government OF, BY, and FOR the people—*all* of the people. Through this process, freedom will survive. The challenge will be met.

U.S. PRESS COVERAGE OF LATIN AMERICAN NEWS

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

Mr. FASCELL. Mr. Speaker, one of the complaints all of us have heard from Latin American friends is that the American press pays scant attention to what is happening in the southern half of our hemisphere.

The Latin Americans, understandably, have been concerned about this and many of them have felt that developments in their countries are of little interest to their northern neighbor.

Until recently it has been difficult to reply to such complaints. While I have long felt that some leading American newspapers, particularly the Miami Herald, have given extensive coverage to Latin American news, concrete evidence on this point has been largely unobtainable.

A giant step in the direction of remedying that situation was recently taken by Mr. George Beebe, the senior managing editor of the Miami Herald, and I believe that all of us will be very much interested and gratified by the tremendous public service which he has performed.

Mr. Beebe is an outstanding leader among American journalists and he possesses a wealth of background and experience in matters relating to Latin America. Last year, Mr. Beebe traveled with Governor Rockefeller on his special mission for President Nixon. In the course of those travels he revisited many countries of Latin America, heard the complaints about U.S. press treatment of Latin American news, and decided to collect a few facts.

Through his personal initiative, Mr. Beebe conducted a survey of the major American newspapers and discovered that, through their pages, the American public learns a lot what is happening in our sister republics.

Mr. Beebe's findings, outlined in an article which he prepared for the American Society of Newspaper Editors bulletin, were printed by the Miami Herald, and appear at the conclusion of my remarks. I would recommend them warmly to my colleagues and to all others interested in the current and future state of our relations with Latin America.

As I mentioned at the outset, Mr. Beebe performed a valuable public service in exploding at least one part of the myth that the American press and the American people are not interested in what happens in the southern half of our hemisphere.

The job which he undertook is not finished, and Mr. Beebe plans next to survey the small city dailies to find out whether the situation that obtains with respect to our larger newspapers applies also to papers with smaller circulation.

I know that members of the Subcommittee on Inter-American Affairs, which I have the honor to chair, will be just as interested as I am in studying the results of Mr. Beebe's second survey, and I plan to place it in the CONGRESSIONAL RECORD when it becomes available.

The findings of Mr. Beebe's first survey follow:

NO LATIN NEWS UP HERE? LET'S CHECK THAT

(By George Beebe)

For long years, Latin Americans and the people of the Caribbean have complained that the United States press uses little or no news about their regions.

"And when you do, it usually is negative," is the oft-repeated remark.

Alberto Lleras Camargo, former president of Colombia and now board chairman of Vision, the Hemispheric magazine, told the Inter American Press Association at its Mexico City meeting in 1964:

"Since the peoples of the United States and Europe are not familiar with Latin America, no news about Latin America is given (in the U.S.-Europe press) even though the international news agencies cover events using millions of words that are never published.

". . . although our colleagues in those regions seem to understand our indignation at the world's indifference to Latin America, they must say to themselves: If you don't do anything more important than make revolutions, we are not going to invent the news ourselves."

Camargo was challenged by a U.S. editor, who termed his lament "an old record which should be smashed because it no longer plays a true tune."

But this theme persists, as I found out in talking with some 300 members of the news media in 20 countries while accompanying Nelson Rockefeller on his fact-finding missions to the Latin and Caribbean countries in 1969.

I told them I thought they were wrong, but when I returned home I would conduct a survey to determine who is right.

The survey was conducted October 6–12 and December 15–21—weeks picked at random. It is significant that these were just average news weeks, with no major happenings in Latin America or the Caribbean.

Twelve metropolitan newspapers were given a cover-to-cover check: the Baltimore Sun, Boston Globe, Chicago Tribune, Christian Science Monitor, Dallas Times Herald, Houston Chronicle, Los Angeles Times, Miami Herald, New York Times, San Diego Union, St. Louis Dispatch and Washington Post.

The decisiveness of the results was surprising.

In the 14-day period, the survey showed that the 12 newspapers used a total of 528 stories on Latin America and the Caribbean.

Of these, 375 contained favorable stories about those regions, while 153 stories could be considered negative to the countries from which the news emanated (terrorist attacks, a nationwide strike, airplane hijackings, rat infestations, an aborted coup in Panama).

I am certain that the percentage of positive and negative stories would vary little for any given week of the year.

So it is gratifying to put to rest for the time being, at least, the feeling of countries to the south of us that we ignore them.

There were some happenings difficult to classify. For instance, a Cuban air force officer stole a Russian-made MIG and flew it to Florida as he sought exile. This was a positive story from the standpoint of Miami's Cuban colony, but extremely negative from Fidel Castro's angle.

Likewise the Brazilian priests who quit the Catholic church to marry.

Both these stories went into the negative column, for they reflected adversely on a Latin nation.

On the positive side were some excellent interpretive stories used at length on such subjects as:

"Latins Face Big Election Year."
"Peru Reaches Mining Accord with U.S."
"Venezuela Oil Leases Popular Despite Terms."
"Colombia Proves Democracy Can Work."
"Move Made to Save Rio's Eroding Beaches."

There were some tempting travel stories, and a large number of sports stories.

The news media executives with whom I talked on the Rockefeller mission trips, while complaining about U.S. press coverage, hesitantly admitted that they probably had a tendency to emphasize the negative news coming their way about the United States.

Stan Swinton of The Associated Press, in a survey conducted several years ago, found that Latin American newspapers have little interest in their neighbors.

He found that they devote more news space to North America (7.7 per cent) than they do to Latin America (5.4 per cent). Their heavy emphasis (76.7 per cent) is on national and local news.

But the Latins are more sensitive to what the U.S. newspapers report.

I showed the results of the recent survey I conducted to two Latin American publishers who visited Miami recently.

They both admitted surprise, but gratification.

"Now," said one, "how about your small city dailies? Are they aware that Latin America exists?"

That's the next survey.

SETTLEMENT OF LATIN AMERICAN FISHING DISPUTE: NOW OR NEVER

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

Mr. PELLY. Mr. Speaker, early last week I reported to the House that Peru had seized the American tuna vessel *Western King*, 30 miles off its coast.

On Wednesday of last week, another seizure took place. This time it was the *Day Island*, and it was forced into port from a point 35 miles offshore.

These outrages against American citizens on the high seas would seem to have forestalled any further talks by Peru, Chile, and Ecuador and the United States aimed at a settlement of our fishing disputes. But, before one can ascertain definitely what will happen, the Department of State must determine the attitude of these three Latin American countries.

I have asked to be informed on this latter point and have further requested that the President review various laws regarding sanctions and retaliation by the United States where the President has been given the authority by Congress to waive or invoke such statutes as the Arms Sales Act and foreign aid.

If the international talks are not to be rescheduled and no settlement of the fishing dispute is possible, then, of course, the Nixon policy of helping Latin American countries sell their goods in the United States can be forgotten. Instead, we must provide armed protection for our fishing fleet and deter these acts of piracy by sanctions and other stern measures. In this connection, Chairman GARMATZ has announced that our House Committee on Merchant Marine and Fisheries will hold hearings on these seizures.

Meanwhile, I hope no impulsive action, though there is understandable indignation, will be taken by our longshoremen or other unions to picket ships containing goods from or to any of these offending countries.

I hope a determination as to the attitude of Peru and Ecuador will be made public. It is now or never, it seems to me, if a settlement is possible at the conference table. In the past, our requests for mediation, arbitration, or reference to the International Court of Justice have been summarily rejected.

Our industry has lost its patience and these fishermen are apt to follow through with their suggestion of arming themselves and their vessels.

Mr. Speaker, their indignation is, as I said, understandable. For the last decade and a half these American citizens, working their trade in international waters and under the flag of the United States, have been harassed, threatened with bodily harm, pirated from the high seas and held against their will in the ports of Latin American countries. The fines against the owners of the vessels have been prohibitive.

As an example, the *Day Island*, the vessel which was seized by Ecuador last Wednesday, was not released until the owner had paid a total of $84,050. This same vessel had been seized by Ecuador in December 1968, at which time she was fined $81,875. The fines against this vessel in six seizures by four different Latin American countries in the last 7 years have reached almost $200,000. This is the case of just one vessel, Mr. Speaker. The list of seizures is long indeed.

And, this is not to lessen the seriousness of the incidents in which American fishermen have been injured by gunfire from the capturing Latin American vessel.

Meanwhile, and of special interest to the House, the Congress has passed a law stating that the amount of any illegal fine imposed by one of these countries will be deducted from any foreign aid due that country. I understand that no such action has been taken by our State Department. What is worse, our State Department has delayed and used interpretations of the law that have caused additional and undue hardship on the boatowners.

As provided by law, all these fines should have been deducted from foreign aid. They have not been. Furthermore, in my opinion, the President should cut off all foreign aid to these countries seizing vessels, which he has the right to do. I shall ask the President to do this.

In addition, Mr. Speaker, I am asking the Committee on Foreign Affairs to attach a rider to the next foreign aid bill providing that no funds be permitted for State Department salaries until the Department abides by the law and deducts the amounts of these illegal fines.

The American taxpayers, whose money is used to reimburse the boatowners for these fines, deserve better treatment than they have been receiving from the State Department. Their money could be reimbursed by the offending country if the law passed by this body were only enforced.

ICC HITS INTERSTATE MOVERS

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

Mr. CEDERBERG. Mr. Speaker, any of us who have had to move our households know of the problems which such an action can create. The Interstate Commerce Commission receives hundreds of complaints each month about problems encountered by people moving across State lines. In an attempt to protect both the citizen and the moving companies from the problems which can arise due to misunderstandings the ICC is, during the first week of March, publishing new regulations covering the interstate movement of household goods. I want to commend the Commission on its efforts in this area and, in this connection, bring to the attention of my colleagues an article outlining some of the areas which the Commission treats. The article, from the Detroit News, describes both the problems and some of the proposed cures. I am hopeful that the new regulations will go a long way toward alleviating what is fast becoming a very serious situation.

The article follows:

[From the Detroit News, Feb. 17, 1970]

ICC HITS INTERSTATE MOVERS

(By Sue Hoover)

For six and a half weeks, Daniel Druia and his family thought they had lost nearly everything they owned.

In mid-December they loaded a Greyhound Van Lines truck to move to Roseville from Ft. Leavenworth, Kan., where Druia had been stationed in the Army. They were told their goods would be delivered no later than Dec. 26.

The truck finally came Jan. 31, but their six-month-old baby's dresser was missing, three boxes of other items (they're finding out what by the process of elimination) were missing, and their air conditioner was in pieces.

As the movers unloaded the truck, the bottom fell out of a box containing a good share of their clothing, which was dumped in the street. Druia and his father ended up unloading most of the load themselves.

While waiting, they had to stay with Druia's parents and make payments on a house they couldn't occupy without furniture.

Druia couldn't interview for a job because all his suits were loaded on the van. The baby had no crib.

When they called the movers, they first were told the driver had gotten drunk. They were told he had tried to deliver the load on Dec. 24 and when no one was home, he returned to Kansas.

Later, Druia found their goods had been delivered by way of Orlando, Fla.

The Druias aren't unusual: The Interstate Commerce Commission (ICC), the regulating agency for household movers, reported some 5,000 consumers complained of poor service last year.

Mostly, they said salesmen underestimated their loads, carriers failed to pick up and deliver loads when they said they would, and no one notified them when the delivery was delayed.

The ICC and the moving industry alike recognize the problems. The ICC is trying to pass new regulations to be in effect by summer.

The moving industry is pretty much convinced the problems revolve around peak load periods from June to October, and there's little remedy.

"There just are no solutions," said Ed Wilson, a salesman for 40 years with North American Van Lines in Detroit.

"Everybody wants to move in the first 10 days after school's out in June, and there aren't enough trucks in the United States to move them all at once."

The ICC says 40 million citizens—more than 12 million households—move every year. Only about 17 percent of the moves—those across a state line—are regulated by the ICC.

Nevertheless, officials think stiffer interstate controls might prompt states to improve their regulations as well.

There are several areas in which the ICC has suggested new regulations.

ICC officials would eliminate or at least change the salesman's practice of estimating weight, and thus the cost, of shipments. Gerald Davis, of the Detroit ICC office, explains the estimate is often a competitive tool, used by companies to vie for a shipment. For that reason, it may be deliberately low. The ICC is considering requiring an independent weight-estimating service sponsored by the moving companies.

ICC would require a "reasonable" dispatch of shipments which they define as "the performance of transportation on the dates or during the period of time agreed upon by the carrier and shown on the carrier's order for service and recorded on the bill of lading."

The moving industry came up with its own plan concerning delivery dates a couple of months ago. They would offer a "premium" service which guranateed exact day delivery for those customers who wanted to pay more.

The ICC would require the moving company to notify the shipper of his actual charges, rather than just the estimate, before the goods arrived, and notify him when there was a delay.

They would require the actual weight certification of the load on the bill of lading. Now, the weight is typed on the bill from a separate certification—leaving a chance for error or fraud.

They would improve the contents of a brochure given prospective movers which describes services and costs. The ICC now requires each moving company to give the pamphlet to every shipper, although many customers report they don't receive them.

In the last year, the ICC's Bureau of Enforcement has increased its prosecution of moving companies which don't comply with the rules already in existence. Penalties have been as high as $10,000 and have averaged more than $1,000.

If you feel you've been cheated or are entitled to better service, write the Bureau of Enforcement, Interstate Commerce Commission, Washington, D.C., 20423, or call the Detroit ICC office, 226-7245.

NEW LOOK AT CRISIS STRIKES

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

Mr. LLOYD. Mr. Speaker, President Nixon has performed a courageous act of leadership in presenting to the Congress a tangible proposal to prevent nationwide transportation strikes which would seriously impair the health and safety of the Nation.

It is a courageous move because neither labor nor management has given encouragement to the proposals and indeed both will oppose part or all of the congressional action as proposed by the President. The President's recommendations are designed to promote the public interest, and to start the search for a civilized way out of a jungle created by labor-management impasses in which the public has an overriding involvement.

The House Republican Task Force on Labor Law Reform, which I have the privilege of chairing, has had many meetings over the past year with representatives of management and labor organizations, and it has been made unmistakably clear to us that general legislation proposing compulsory settlement of labor disputes would have vigorous opposition from both labor and management. Free collective bargaining simply will not work in the opinion of most of those with whom we have talked if there is available an alternative of compulsory settlement by a third party. Moreover, the imposition of a third party settlement, even if authorized under some legislative enactment, would be beset by great difficulty and lack of acceptance.

This Presidential message does not propose such general compulsory settlement of disputes. It is limited to transportation and the possibility of a compulsory settlement even here is remote and available only where all other means have failed and the Nation is faced with gravest danger to its health and safety.

Transportation tieups crippling the national interest continue to be a lurking specter, and twice since 1963 this Congress has been called upon to enact compulsory arbitration legislation to keep vital transportation moving. It was quite apparent when we last took this action in 1967 that an increasing number of Members of the House were becoming less inclined to exert Government intervention and more inclined to leave the parties alone.

This is the first time in many years that the White House has actually come to grips with labor law which deals with one of society's great domestic problems. The President has proposed first that Congress eliminate entirely the emergency strike provision of the Railway Labor Act which applies to the railroads and the airlines; second, that Congress remove the railroads and the airlines from the Railway Labor Act's jurisdiction and make them subject to the emergency provision of the Taft-Hartley Act and; third, that Congress amend the Taft-Hartley Act to give the Executive three additional weapons that he could invoke in a major transportation dispute at the end of the "cooling off" period. He could invoke only one of the three alternatives. These three alternatives are:

First. Extend the present 80-day "cooling off" period for an additional 30 days.

Second. Authorize the President to require partial operation of the struck industry to minimize the dangers of health and safety to the Nation.

Third. The President would be empowered to invoke a novel "final offer selection procedure" under which both parties would submit one or two "final offers" to the Secretary of Labor after which 5 more days would be allowed to bargain over these offers. If an agreement could not be reached, the parties to the dispute would choose three persons to select one of the "final offers" in the exact form in which it was presented and impose it as the final settlement. If the disputants could not agree upon the three person panel, the panel would be appointed by the President. The President is also at liberty to use none of the three alternatives or to go to Congress again for compulsory arbitration.

President Nixon has come forward with concrete proposals as he promised the American people he would do. The consequences of inaction by the Congress are increasing nationwide transportation tieups in avoidance of the public interest and the public welfare. The Nixon proposals are much milder than many other alternatives which have been urged upon him. Certainly he has not suggested general compulsory arbitration. The factual situation of past strikes and impending strikes does however, confront him with a challenge and a responsibility which he has chosen not to ignore. I urge the Education and Labor Committee to begin early hearings on this legislation and to allow the House of Representatives to work its will. The President has taken the essential first step. Our clear responsibilty is to proceed with hearings which will enable spokesmen and representatives of all points of view to present their case for the consideration of the Congress.

An editorial in the New York Times dated February 28 entitled "New Look at Crisis Strikes" is on target in my judgment, and I include it with these remarks:

NEW LOOK AT CRISIS STRIKES

The most welcome aspect of the proposals President Nixon sent to Congress yesterday for better public protection against transportation strike emergencies is that they introduce fresh approaches into a field in which progress has been blocked for twenty years by prejudices too mossgrown to dislodge.

The President, acting on the recommendations of Secretary of Labor Shultz, has recognized that the national emergency provisions of the Railway Labor Act have operated to frustrate collective bargaining without providing dependable safeguards against cutoffs of rail and airline service. He has also recognized that the worst breakdowns in labor-management relations, at greatest cost to the economy, have tended to be in transportation—not only airlines and railroads but maritime, longshore and trucking as well.

As the soundest road to more effective statutory protection, the President has decided to build on the eighty-day cooling-off period that is now the basic defense against national emergency strikes in steel, aerospace and other industries. Even though labor made this injunction provision the chief basis for its 1947 denunciation of the Taft-Hartley Act as a "slave labor law," experience has demonstrated that it is as useful a safeguard for unions as it has proved to the nation.

The problem the Nixon bill seeks to deal with is how to assure an equitable solution when the court-enforced truce runs out with no settlement. The President would have three new weapons on which to draw in such circumstances. One would be a straight thirty-day extension of the no-strike, no-lockout period.

A second option would be to let the strike or lockout go forward after the injunction but to insist on operation of such limited facilities as the White House deemed necessary for the national health and safety. The third choice, and the most original, would

introduce a desirable element of finality into the peace process while seeking to by-pass the almost phobic semantic hurdles both labor and management would throw up if the Administration advocated complusory arbitration.

There is very little rationality left in most sections of labor or industry on the merits and defects of compulsory arbitration. Experts on both sides automatically rush to the barricades at the mere mention of the term. The President is trying to get around that hurdle by a proposal that would seek to encourage good-faith contract bargaining while giving an impartial panel final and binding authority to break deadlocks in the public interest.

What would happen is that, instead of splitting the difference between the last management offer and the final union demand—a conventional practice in arbitration—the panel would have to choose one or the other of the two last-ditch positions.

No one can make too informed a judgment on how well this approach might work since such minor experience as has been had with it anywhere is confined to Germany in the post-World War I days of the Weimer Republic. But it could provide a spur to realistic proposals by both sides in the hope of winning the Presidential "selectors" endorsement for the union or industry stance.

The plan for partial operation sounds better in theory than it is likely to prove in practice. First, there are many industries in which tidy delimitation of what is needed for the national health or safety would be extremely difficult. An even more potent drawback would be the danger that allowing one company to operate while most others stayed down would lead to "whipsaw" pressures on the idle enterprises to capitulate.

However, one virtue of the entire plan is that the President would not be obliged to utilize any of the options. He could let nature take its course at the end of the initial eighty days or he could ask Congress to adopt a special arbitration law as it has twice done in the railroads since 1963. This broad range of choices would keep both sides guessing and thus reinforce the pressures on them to work out an accommodation of their own.

To guard against White House arbitrariness, either house of Congress could act within ten days to veto any specific Presidential decision. Labor and management could also go to the Federal courts for relief if they considered the White House intervention capricious. On top of all this, there would be a seven-member national commission to review the bargaining situation in other problem industries and to advise the President on how well or badly the new remedies were operating in transportation.

After years of timorous White House refusal to grapple with the strike problem, Congress finally has been given a good bedrock document on which to start the search for improved public protection.

ELIMINATION OF FEDERAL PROGRAMS

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

Mr. EDWARDS of Alabama. Mr. Speaker, President Nixon in his message to Congress last week put forth a plan to eliminate some 57 Federal programs for a $2.5 billion savings in the next fiscal year. Some of these cuts of course, will require congressional approval. All bear close scrutiny; and I would guess that many of the proposed cuts should be made. But for every one proposed there must be a dozen other Federal programs that could be terminated.

The time has come for this body to join with the President in seeking out offices, bureaus, agencies, sections, commissions, divisions, administrations, boards, councils, committees, corporations, services, and authorities and any of the other assorted conglomeration of bureaucratic fiefdoms that have long since outlived their usefulness.

One estimate puts the vast bureaucratic waste at $30 billion. And who do we listen to during committee meetings to refute this claim? Those who have a vested interest in perpetuating the monster they thrive on, the bureaucrats themselves. Daily the cadre of directors, chiefs, supervisors, commissioners, board chairmen, consultants, specialists, and experts that hold the reins of the bureaucratic power make their way to the committee rooms on this Hill to tell their tale of such a great need for more and more of the taxpayer's dollars.

If we are to exercise our duly constituted right to oversee the expenditures made out of the Federal Treasury, then we should begin by questioning more closely the motives behind requests for funds by the users of the same funds.

I believe, Mr. Speaker, that President Nixon and his administration is going to make the effort to cut back on wasteful expenditures within the Federal Government. But the greater burden rests with we Members of Congress, duly elected representatives of the people, charged with protecting the Federal Treasury from wasteful spending. Let us not shirk our duty in that respect.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, D.C., February 27, 1970.

The SPEAKER,
U.S. House of Representatives.

DEAR SIR: I have the honor to transmit herewith a sealed envelope addressed to the Speaker of the House of Representatives from the President of the United States, received in the Clerk's Office at 12:07 p.m., on Friday, February 27, 1970, and said to contain a message from the President wherein he transmits a Message concerning National Emergency Labor Disputes.

With kind regards, I am
Sincerely yours,

PAT JENNINGS,
Clerk, U.S. House of Representatives.

EMERGENCY PUBLIC INTEREST PROTECTION ACT OF 1970—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91-266)

The SPEAKER laid before the House the following message from the President of the United States, which was read and referred to the Committee on Interstate and Foreign Commerce and ordered to be printed:

To the Congress of the United States:

Early in my Administration I pledged that I would submit a new proposal for dealing with national emergency labor disputes. Since that time, members of my Administration have carefully reviewed the provisions of these laws and the nation's experience under them. We have concluded from that review that the area in which emergency disputes have created the greatest problem is that of transportation.

Our highly interdependent economy is extraordinarily vulnerable to any major interruption in the flow of goods. Work stoppages in the railroad, airline, maritime, longshore, or trucking industries are more likely to imperil the national health or safety than work stoppages in other industries. Yet, it is in this same transportation area that the emergency procedures of present laws—the Railway Labor Act of 1926 and the Taft-Hartley Act of 1947—have most frequently failed.

It is to repair the deficiencies of existing legislation and to better protect the public against the damaging effects of work stoppages in the transportation industry that I am today proposing that Congress enact the Emergency Public Interest Protection Act of 1970.

TWO MAJOR OBJECTIVES

Our past approaches to emergency labor disputes have been shaped by two major objectives.

The first is that health and safety of the nation should be protected against damaging work stoppages.

The second is that collective bargaining should be as free as possible from government interference.

As we deal with the particularly difficult problems of transportation strikes and lockouts, we should continue to work toward these objectives. But we must also recognize that, in their purest form, these two principles are mutually inconsistent. For if bargaining is to be perfectly free, then the government will have no recourse in time of emergency. And almost any government effort to prevent emergency strikes will inevitably have some impact on collective bargaining.

Our task, then, is to balance partial achievement of both objectives. We must work to maximize both values. Ideally, we would provide maximum public protection with minimum federal interference. As we examine the laws which presently cover the transportation industry, however, we find that interference has often been excessive and protection has often been inadequate.

THE RAILWAY LABOR ACT

Work stoppages in both the railroad and airline industries are presently handled under the emergency procedures of the Railway Labor Act. Under this law, the President can delay a strike or lockout for sixty days by appointing an Emergency Board to study the positions of both parties and to recommend a settlement. If the sixty-day period ends without a settlement, then the President has no recourse other than to let the strike occur or to request special legislation from the Congress.

Past events and recent experiences

demonstrate the failure of these provisions. Since the passage of the Railway Labor Act 45 years ago, the emergency provisions have been invoked 187 times—an average of four times yearly. Work stoppages at the end of the sixty-day period have occurred at a rate of more than one per year since 1947. Twice the President has had to request special legislation from the Congress to end a railroad dispute, most recently in 1967.

Why does the Railway Labor Act have such a bad record? Most observers agree that the Act actually discourages genuine bargaining. Knowing that the Emergency Board will almost always move in with its own recommendation whenever a strike is threatened, the disputants have come to look upon that recommendation as a basis for their own further bargaining. They have come to regard it as a routine part of the negotiation process.

Over the years, the members of one Emergency Board after another have concluded that little meaningful bargaining takes place before their involvement. Most of what happens in the early bargaining, they report, is merely done to set the stage for the appearance of the Federal representatives. Designed as a last resort, the emergency procedures have become almost a first resort. The very fact that an official recommendation is *possible* tends to make such a recommendation *necessary*.

The disputants also know that government participation need not end with the Board's recommendation. They know that the nation will not tolerate a damaging railroad strike—and that even compulsory arbitration is a possible legislative solution if they are unable to compromise their differences. This expectation can also have a significant, discouraging effect on serious bargaining. Aware that arbitrators and public opinion will often take a middle ground between two bargaining positions, each disputant feels a strong incentive to establish a more extreme position which will put the final settlement in his own direction. Expecting that they might have to *split* the difference tomorrow, both parties find it to their advantage to *widen* that difference today. Thus the gap between them broadens; the bargaining process deteriorates; government intervention increases; and work stoppages continue.

Many of the deficiencies in the Railway Labor Act do not appear in the Taft-Hartley Act. Therefore, as the first step in my proposed reform, *I recommend that the emergency strike provisions of the Railway Labor Act be discontinued and that railroad and airline strikes and lockouts be subject to a new law—one which draws upon our experience under the Taft-Hartley Act.*

THE TAFT-HARTLEY ACT

Labor disputes in other transportation industries—maritime, longshore, and trucking—are now subject to the emergency provisions of the Taft-Hartley Act, legislation which I helped write in 1947.

Under the Taft-Hartley Act, the President may appoint a Board of Inquiry when he believes that a strike or lockout or the threat thereof imperils the nation's health or safety. After the Board of Inquiry has reported on the issues involved in the dispute, the President may direct the Attorney General to petition a Federal District Court to enjoin the strike for an eighty-day "cooling-off" period. During the eighty-day period, the Board of Inquiry makes a second finding of fact and the employees have an opportunity to vote on the employer's last offer.

There are a number of features in the Taft-Hartley Act which encourage collective bargaining to a far greater extent than does the Railway Labor Act. First, government intervention is more difficult to invoke since the Taft-Hartley Act—unlike the Railway Labor Act—requires a court injunction to stop a strike or lockout. Moreover, the Taft-Hartley Act, explicitly prohibits the Board of Inquiry from proposing a settlement. Thus neither party is tempted to delay an agreement in the hope that the Board's recommendation will strengthen its hand. Finally, the standard for judging whether the threatened work stoppage justifies government intervention is stricter under Taft-Hartley than under the older Act—though the use of stricter standards does *not* imply that a strike or lockout which primarily involves one region of the country could not be enjoined if it threatens the national health or safety.

But even the Taft-Hartley Act gives the President inadequate options if a strike or lockout occurs after the eighty-day cooling-off period has elapsed—something that has happened in eight of the twenty-nine instances in which this machinery has been invoked since 1947. All of these instances of failure have involved transportation industries. As is the case under the Railway Labor Act, the President has no recourse in such a situation other than to submit the dispute to the Congress for special legislation.

Each of the last four Presidents, the President's Labor-Management Advisory Committee, numerous voices in the Congress, and many other students of labor relations have concluded that the President's options at this point in the dispute should be broadened. I share this conclusion—but I believe it advisable to limit its application at present to the transportation field. It is in the area of transportation, after all, that our present procedures have encountered the greatest difficulty. If at some later date, conditions in other industries seem to demand further reform—and if our experience with the new transportation procedures has been encouraging—we may then wish to extend the application of these new procedures.

THREE NEW OPTIONS

The President must have additional procedures which he can follow at the end of the cooling-off period if damaging work stoppages in vital transportation industries are to be avoided. *Accordingly, I propose that the Taft-Hartley Act—as it applies to transportation industries—be amended to give the President three additional options if, at the end of the eighty-day injunction period, the labor dispute in question has not been settled and national health or safety is again endangered.*

1. The first option would allow the President *to extend the cooling-off period for as long as thirty days.* This choice might be most attractive if the President believed the dispute were very close to settlement.

2. The President's second option would be *to require partial operation of the troubled industry.* Under this provision, the major part of the strike or lockout could continue. But danger to national health or safety could be minimized by keeping essential segments of the industry in operation or by maintaining service for the most critical group of service-users. This procedure could be invoked for a period of up to six months.

It is important, of course, that the precise level of partial operation be correctly determined—it must be large enough to protect the society but small enough so that both parties feel continued economic pressures for early settlement. Responsibility for determining whether partial operation is possible and for establishing the proper level of operations would be assigned to a special board of three impartial members appointed by the President. The panel would be required to conduct an extensive study of the matter and to report its findings within thirty days of its appointment. The strike or lockout could not continue during that period.

3. The President's third option would be *to invoke the procedure of "final offer selection."* Under this procedure, each of the parties would be given three days to submit either one or two final offers to the Secretary of Labor. The parties would then have an additional five days to meet and bargain over these final proposals for settlement. If no agreement emerged from those meetings, a final offer selector group of three neutral members would be appointed by the disputants or, if they could not agree on its membership, by the President. This group would choose one of the final offers as the final and binding settlement.

The selectors would hold formal hearings to determine which of the final offers was most reasonable—taking into account both the public interest and the interests of the disputants. They would be required to choose one of the final offers in the exact form in which it was presented; in no case could they modify any of its terms nor in any way attempt to mediate the conflict.

The final offer selection procedure would guarantee a conclusive settlement without a dangerous work stoppage. But—unlike arbitration—it would also provide a strong incentive for labor and management to reach their own accommodation at an earlier stage in the bargaining. When arbitration is the ultimate recourse, the disputants will compete to stake out the strongest bargaining position, one which will put them at the greatest advantage when a third party tries to "split the difference." But when final offer selection is the ultimate recourse, the disputants will compete to make the most reasonable and most realistic final offer, one which will have the

best chance to win the panel's endorsement.

Rather than pulling apart, the disputants would be encouraged to come together. Neither could afford to remain in an intransigent or extreme position. In short, while the present prospect of government arbitration tends to widen the gap between bargaining positions and thus invite intervention, the possibility of final offer selection would work to narrow that gap and make the need for intervention less likely.

It should be emphasized that the President could exercise any one of these options only if the eighty-day cooling-off period failed to produce a settlement. Whatever option the President might choose, either House of Congress would have the opportunity—within ten days—to reject his recommendation under a procedure similar to that established by the Reorganization Act of 1949.

Either a partial operation plan or a final offer selection could be voided in the courts if it were judged arbitrary and capricious. If the President were to choose none of the three additional options, if the Congress were to reject his choice, or if one of the first two options were chosen and failed to bring a settlement, then the President could refer the entire matter to the Congress as he can do under the present law.

OTHER RECOMMENDATIONS

The effort to broaden Presidential options is at the heart of the reforms I propose. There are a number of additional repairs, however, that would also strengthen our labor disputes legislation.

—*I recommend that a National Special Industries Commission be established to make a comprehensive study of labor relations in those industries which are particularly vulnerable to national emergency disputes.* Experience has clearly shown that such labor crises occur with much greater frequency in some industries than in others. The Commission, which would have a two-year life span, should tell us why this is so and what we can do about it.

—The Railway Labor Act presently calls for final arbitration by government boards of unresolved disputes over minor grievances. Usually these disputes involve the interpretation of existing contracts in the railroad or airline industries. Again, the availability of government arbitration seems to have created the necessity for it; the National Railroad Adjustment Board, for example, has a backlog of several thousand cases to arbitrate. The growing dependence on government represents a dangerous trend: moreover, the resulting delay in settlement is burdensome and unfair to both labor and management.

I propose therefore that the National Railroad Adjustment Board be abolished. A two-year transition period should be allowed for completing cases now in process. The parties themselves should be asked to establish full grievance machinery procedures, including no-strike, no lockout clauses and provisions for final binding arbitration. When necessary, the Federal Mediation and Conciliation Service would assist in this process.

—A labor contract in the railroad or airlines industry presently has no effective termination date. This is true because the right of the parties to engage in a strike or lockout depends on a declaration by the National Mediation Board that the dispute cannot be resolved through mediation. Negotiations can thus drag on for an indeterminate period, far beyond the intended expiration date of the contract, with no deadlines to motivate serious bargaining.

I recommend that this unusual procedure be discontinued and that new labor contracts for railroads and airlines be negotiated in the same manner as those for most other industries. The party which desires to change or terminate any contract would be required to provide written notice to that effect sixty days in advance of the date on which the change is to go into effect. The schedule of negotiations would thus depend not on the decision of the National Mediation Board, but on the decisions of the parties; earlier, more earnest, and more independent bargainiing would be encouraged.

—The National Mediation Board now handles two very different functions: mediating railway and airlines disputes and regulating the process by which bargaining units are determined and bargaining representatives are chosen. This combination of functions is unique to the railroad and airlines industries, and again, I propose that the discrepancy be eliminated. *The mediation functions of the National Mediation Board should be transferred to the Federal Mediation and Conciliation Service*—which presently handles this work for the vast majority of our industries. *The regulatory functions should remain with the National Mediation Board, but its name should be changed to the Railroad and Airline Representation Board to reflect this new reality.*

Whenever possible, the government should stay out of private labor disputes. When the public interest requires that government step in, then it should do so through procedures which bring the current conflict to an equitable conclusion without weakening the self-reliance of future bargainers.

The nation cannot tolerate protracted work stoppages in its transportation industries, but neither should labor contracts be molded by the Federal government. The legislation which the Secretary of Labor is submitting to the Congress would help us to avoid both pitfalls; it would do much to foster both freedom in collective bargaining and industrial peace. The hallmark of this program is fairness; under its procedures we will be able to end national emergency labor disputes in our transportation industries in a manner which is fair to labor, fair to management and fair to the American public.

RICHARD NIXON.

THE WHITE HOUSE, *February 27, 1970.*

COLONEL KIRKMAN'S LIFE TRIBUTE FLORIDA HIGHWAY PATROL

The SPEAKER. Under a previous order of the House, the gentleman from Florida (Mr. FUQUA) is recognized for 10 minutes.

Mr. FUQUA. Mr. Speaker, the retirement of Col. H. N. Kirkman as director of the State department of public safety brings to a close a distinguished career of public service. That career, however, is one which has served as a model for integrity and service for not only our State, but the Nation as well.

His retirement on February 19 was also his 78th birthday. Colonel Kirkman has been compared in our State with FBI Director, J. Edgar Hoover. Certainly the comparison is apt, for Colonel Kirkman directed the Florida Highway Patrol with fairness and with such a degree of integrity that it has the respect and admiration of those it serves.

More than this, the innovations in the service which Colonel Kirkman instituted served as an example and model for other highway patrols across the Nation.

He can look back on a life of service and a department that reflects the sterling character of the fine gentleman who helped create it.

Those who know Colonel Kirkman best know that there has been one person who has assisted and sustained him through all of the many difficult periods he has had to endure—his charming wife. He would be the first to state that any success he has had in life was made worth while because of Mrs. Kirkman, a lady I admire and consider to be a warm personal friend.

The colonel began his career of public service in 1936 as head of the State road department patrol under Gov. Dave Sholtz. He was asked to organize and train the Florida Highway Patrol in 1939, after its creation by the State legislature.

From a force of 32 men trained at the Bradenton Training School in that year, it has grown to the crack outfit it is today. There were problems through the years as in any new field. It was the firm dedication of Colonel Kirkman that gained for the Florida Highway Patrol the support of the people of my State.

Today, it is composed of a courteous, neat force of almost 900. Recent reorganization of State government placed the highway patrol and the department of motor vehicles into the State department of public safety, with Colonel Kirkman serving as its first director.

Another outstanding public servant, Ralph Davis, succeeds him and is destined to add to the stature and progress of the department which has been so ably advanced by the colonel and his staff in the past.

On a very personal note, I have many warm personal friends among the membership of the Florida Highway Patrol. They are a friendly and outgoing group of men who have earned the respect in which they are held by the people of Florida.

Looking back over the years, it took all the ingenuity and perseverance of a dedicated man like Colonel Kirkman to do the building job which had to be done.

One newspaper pointed out that Colonel Kirkman is a stickler for cleanliness and courtesy. He always told his recruit classes that a "good patrolman keeps his head cool, his feet warm, and his mouth shut."

Records show that more men were dis-

missed for being discourteous than for any other 10 reasons.

Not only are our patrolmen dedicated to their law enforcement duties, they are amdassadors of good will to the millions of tourists who come to our State.

Colonel Kirkman is respected by the men and women of his department. His trademark is a high, beige, wide-rimmed Stetson hat, the style he has worn for as long as anyone can remember.

The problems were never easy and a lesser man than Colonel Kirkman might have despaired. Those who know him best can attest that when the going was the toughest, that is when he was best.

A native of North Carolina, he came to Florida in 1912, maintaining a permanent residence in Putnam County since 1916. He was engaged in the construction business for many years, particularly the building of bridges which include the Memorial Bridge at Palatka and the bridges on the Clearwater Causeway.

He served in World War I, entering the Army as a private and being discharged at the end of the war as a first lieutenant. During World War II, he served in Europe and was U.S. district engineer in England, constructing bomber stations, fortresses, and warehouses. He served overseas during both wars for a total of some 38 months, being decorated for his service in World War II with the Legion of Merit.

In late 1945, after his release from military service, he rejoined the patrol as director of the department of public safety and at the time of his retirement was senior director in the United States.

Colonel Kirkman is a charter member of the American Legion of Florida and was State commander in 1923–24. He is a member of the National Safety Council; Florida Peace Officers Association; a member and past chairman of the State and Provincial Section, International Association of Chiefs of Police; past president of Region II, American Association of Motor Vehicle Administrators, and now president of the American Association of Motor Vehicle Administrators; National Committee on Uniform Traffic Laws and Ordinances; commissioner from Florida to the Vehicle Equipment Safety Commission; National Security Committee of the American Legion; Elks; 32d degree Mason and Shriner.

Much more could and should be said about Colonel Kirkman.

But, the finest tribute to his life and work that I can think of is the Florida Highway Patrol itself. When he left the black and cream colored headquarters for the last time as director, he left a building named for him as a tribute from the people of his State who know full well what contributions he has made.

The Florida Highway Patrol is second to none in the Nation. Colonel Kirkman would want no finer tribute paid him.

INDEPENDENT RHODESIA—A REPUBLICAN FORM OF GOVERNMENT

The SPEAKER. Under a previous order of the House, the gentleman from Louisiana (Mr. RARICK) is recognized for 15 minutes.

Mr. RARICK. Mr. Speaker, I rise to congratulate the sovereign state of Rhodesia on the occasion of its final step in adopting the Republican form of government for which its citizens overwhelmingly voted last June.

This event was relegated to the back page of the local newspaper. The wire service story followed the usual line of leftists—that the indigenous savages were not running the show instead of the civilized people who built the country. We can expect this plaintive cry to continue, although not honestly enough to compare the welfare of the blacks in Rhodesia with that of their racial brethren in Biafra, where the savage majority does rule.

At the same time, we continue to play the foolish game of boycott and embargo. This may serve the purpose of the collection of tribes, financed by American taxpayers, who claim to be the United Nations Organization. It certainly serves the purposes of the masters of the Kremlin. It is not only immoral of us to continue this shabby pretense, but it is plainly detrimental to the security of the United States.

To punish our natural friends, at the insistence of the tools of our self-professed enemy, we have deliberately put in the hands of that enemy the strategic materials necessary for our own defense.

I, for one, have not forgotten the boast that "We will bury you"—nor am I unaware of the monopoly on chrome which we have deliberately given to the Soviet boaster. This is the kind of insanity which must cease.

The notice attached to a purchase which I made last week points up the absurdity—chrome which we refuse to buy from friendly Rhodesia is such a critically short item for defense that we must use substitutes. What chrome we buy is from the Soviets—watered down in quality and marked up in price.

Foreign policy should be founded in the protection and welfare of the people of these United States. It should not be designed to aid our enemies, and it should not be planned for damaging our defenses. When it does, it is either wrong or treasonous—and in any case cries for correction.

Since the Republic of Rhodesia has followed, for exactly the same reasons, the course charted by our forefathers some 200 years ago, it would be altogether fitting and proper for the United States to be the first to recognize its de jure as well as de facto existence.

Mr. Speaker, I call on the President to repudiate the cheap sham of sanctions, invalidly and dishonestly applied by the United Nations Organization, and in furtherance of the enlightened self-interest of these United States, to promptly extend diplomatic recognition to our friends in the Republic of Rhodesia.

I include herewith the article referred to and the notice of the chrome shortage mentioned in my remarks:

[From the Washington (D.C.) Star, Mar. 2, 1970]

RHODESIA FORMALLY CUTS LAST TIES WITH BRITAIN

SALISBURY, RHODESIA.—This nation where 241,000 whites dominate 4.5 million blacks formally declared itself an independent republic today with a constitution insuring the continuation of white rule.

A proclamation signed yesterday dissolved the "Queen's Parliament" as of midnight, severing the last ties with the British crown, installed the new constitution and named Clifford DuPont as acting president.

Premier Ian Smith and DuPont, who has been administering the government since Smith declared independence from Britain on Nov. 11, 1965, signed the document in DuPont's study at Government House with a minimum of fanfare.

In London, British officials called the move illegal, and at least one black African leader urged the use of force if necessary to topple the white minority regime.

President Ahmadou Ahidjo of Cameroon said in a message to the Organization of African Unity that his government "reaffirms the imperative need . . . if need be, (of) recourse to force to reach a democratic solution of the Rhodesian problem."

The new Rhodesian constitution provides for the election April 10 of a new Parliament with 50 white members and 16 blacks. It will allow more black members when the native population begins paying more than 24 percent of the nation's income taxes. The blacks now pay less than 1 percent.

Rhodesia's white population voted 81 percent in favor of the new Constitution last June, making today's proclamation anticlimactic. Said a government spokesman, "We just think of it as a dull little occurrence."

IMPORTANT NOTICE FROM HAMILTON COSCO, INC., COLUMBUS, IND.

Certain parts of the trim and finish on this product are finished in an attractive new bonderized, baked enamel, which is highly resistant to chipping and scratching.

This change has been made to conserve critcial chrome plating materials for the nation's defense effort.

This new finish on this product meets every exacting standard of quality and durability promised in our guarantee.

SUPPORT FOR ISRAEL

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. ADDABBO) is recognized for 15 minutes.

Mr. ADDABBO. Mr. Speaker, yesterday, March 1, it was my privilege to participate in various meetings in Queens, New York, sponsored by the Queens Jewish Community Council, under the chairmanships of Rabbi Moshe Kwalbrun, Rabbi Rafael Saffra, Rabbi Samuel Landa, Rabbi Walter Wurzurger, and others. Participating in these meetings also were the Hadassah, B'nai B'rith, Jewish War Veterans groups and, more importantly, thousands of individuals—not only individuals of the Jewish faith.

In conjunction with these meetings, the borough president of Queens, the Honorable Sidney Leviss, had declared Sunday, March 1, "Israel Solidarity Day."

The meetings, as I said previously, attended by thousands, were called to show public concern and interest and to ask for our Government's support of the democratic State of Israel—the last bastion of democracy in the Middle East.

I take this time to commend the sponsors, the coordinators and all who worked to arrange the meetings on the success of their efforts. I especially commend all those thousands of individuals who attended and were willing to sit hours indoors on such a lovely Sunday afternoon. They gave meaning and life to the many

resolutions we here in Congress have sponsored in support of and commendation of the free State of Israel.

They have given support and meaning not only to our resolutions in support of material and diplomatic aid to Israel and direct negotiations between Israel and the Arab nations, but also my and many of my colleagues boycott of the appearance of the President of France, Georges Pompidou before the Congress.

Mr. Speaker, in conjunction with the meetings of yesterday, the following resolution, which I am now privileged to read, was unanimously endorsed by those attending the various meetings and many others. I quote:

Whereas, as Americans we are profoundly concerned with our country's national interests and the cause of world peace; and

Whereas, we recognize that there is serious danger that a new round of hostilities in the Middle East may trigger another world conflict; and

Whereas, we believe that it would not be in the interest of the United States or in the service of world peace if Israel were left defenseless in the fact of the continuing flow of sophisticated offensive armaments to the Arab nations; and

Whereas, Israel has repeatedly sought direct negotiations with its neighbors, and unremittingly expressed its earnest desire to live in peace and dignity with the Arab countries; and

Whereas, we believe that the parties to the conflict must be parties to the peace achieved, by means of direct, unhampered negotiations;

Now therefore, we here assembled call upon our President and the Secretary of State to reaffirm our country's support for the democratic State of Israel; we urge that they do not permit an arms imbalance to develop in the Middle East; and that they use their good offices and exert every effort to encourage direct negotiations between Israel and the Arab states looking toward a firm and lasting peace—a peace which will be of benefit not only to the countries of that area but to the world at large.

Mr. Speaker, I have this day sent a copy of this resolution to the President of the United States, Mr. Nixon, and Secretary of State, Mr. Rogers.

THE AGONIZING RETURN OF COMMONSENSE

The SPEAKER. Under a previous order of the House, the gentleman from Louisiana (Mr. WAGGONNER) is recognized for 30 minutes.

Mr. WAGGONNER. Mr. Speaker, in the last few days, more and more columnists and editorial writers are acknowledging with varying degrees of enthusiasm, the death of forced school integration. Some, the more perceptive ones, see the phasing out of the unsupportable doctrine of heavyhanded force which has been used on our children, as a welcome thing. Certainly there can be no question in the minds of the reasonable that the people of every section of the country and every race are opposed to forced integration for the sole purpose of integration, and this includes busing of schoolchildren among a wide variety of examples.

The tide which has finally swept up even some of the former liberals who were unaffected by what was being done to the South, is now running strongly against mixing for the sake of mixing and strongly for concentration on making available the best quality education for our children.

Even the extreme left New York Times admits that forced mixing of the races has not worked; that student absences now run from 40 to 50 percent; that racial violence is the common denominator in schools from coast to coast. In those cases where actual violence has not flared, it seethes beneath the surface. Teaching and learning are sidelines; the major interest is survival. This is the condition which has been brought about by sociological meddling.

That this era is dying is occasion for rejoicing. It should never have been born and only the militant whites and blacks who make their sorry living promoting racial strife and hatred will mourn its passing. But there is a great deal more we need to do here in the Congress.

We need, for instance, as I have for years said to you to pass, in forceful, unequivocal language a freedom of choice law. As a beginning point for consideration, I again suggest a resolution which I have cosponsored with six other members of the Louisiana delegation. It is a simple statement framed as a constitutional amendment and one any reasonable man should support. It says:

The Congress shall make no law restricting freedom of choice in any area of human discretion wherein a person has a lawful right to choose between two legal alternatives; in particular, all persons shall have freedom of choice in selecting schools, domicile, marital status, employment and the ownership, use and disposal of property.

Now, you and I know that all of this is guaranteed by the Constitution of the United States already. It would be idiocy to say that the framers of the Constitution did not mean for us to have at least these basic rights. Yet, you and I know as well, too, that we do not have these rights today, thanks, in part to the Congress and thanks in part to the Supreme Court and other courts. They must then, be specifically restated.

For instance, we cannot select the schools our children will go to. We cannot select the employees we want to hire and we cannot dispose of our property as we see fit. We have to meet whatever standards the courts and the bureaucracy set up, unreasonable, unworkable standards which effectively strip us of these rights.

I mention, this particular resolution (H.J. Res. 346) as an example of what this Congress must do. There are dozens of others in the dead files of the Judiciary Committee. I, myself, have submitted others on this subject in each of the 9 years I have been here. It makes no difference to me and it makes no difference to the people which one is passed. My abiding interest and theirs is that something be done by the Congress to curb the courts and the zealots of HEW and other agencies.

If the Congress turns its back on the people in this crisis, I do not dare contemplate what the people will do. It may be the revolution which the militant minority is promoting. It may be a civil war with whites pitted against blacks. It may take the form of an acceleration in the present trend away from accepted moral standards, respect for authority, religious faiths and ethics. Regardless of which, this Nation cannot continue on this path and this Congress cannot continue to allow, even condone it.

This is not the hour for any man to play with the demagog. The hope this Nation has held out to mankind is the only hope of the world today. This legacy carries the obligation to preserve that hope and pass it on the future generations. We are not doing so by participating in this destruction of our educational system and society.

In all solemnity, I tell you gentlemen we are either at midnight on the clock or zero-zero-zero one. It may be that it is already too late. We must pray it is not. We must work as if it is not.

The solution does not lie simply with additional legislation from the Congress. The core of the difficulty is, as it has always been, with the Supreme Court and the lower courts. We had a perfect example of what we are faced with in the Harris County, Ga., case which District Judge W. A. Bootle ruled on on Wednesday of last week. In this case, the Georgia copy of the New York State statute prohibiting school busing, was summarily dismissed out of hand and the judge demanded additional busing and pairing to achieve his particular idea of racial balance.

The Nation's schools are at the mercy of men such as Judge Bootle, a man who has no experience in the field of education, no experience as an administrator and, obviously, no understanding of the psychological or sociological problems faced in the education of our children. Until men like him are curbed, there will be no settlement in this crisis. And it is to this end that we must direct our intelligence and our energy.

There is no question but what the House has correctly interpreted the mood of the country when we passed the freedom of choice language and the busing prohibition in the HEW appropriation bill, but the Senate has failed to read the clear mandate of the people as evidenced by their precipitous action last Saturday in striking down these safeguards.

For my own part, I guarantee that I will leave no stone unturned, no idea untried, to save education in Louisiana and the rest of the Nation. I owe it to the people I represent and so do you.

The articles which I have referred to are reprinted below and I urge your attention to them.

[From the Washington Post, Feb. 24, 1970]

OBITUARIES FOR DESEGREGATION WRITTEN BY LEFT, RIGHT, CENTER

(By David S. Broder)

CAMBRIDGE, MASS.—It was a great ecumenical funeral they arranged last week for the 15-year-old policy called school desegregation. They said the kid never accomplished much when he was alive, but he sure drew a crowd for his burial.

The President and Vice President of the United States came, and so did most of the Republicans and Democrats in the House and Senate, and they all threw a handful of dirt into the grave.

The obituaries had been written by the best commentators of the left, the right

and the center, the New Republic's Alexander Bickel, the National Review's William Buckley and Newsweek's Stewart Alsop. They agreed it was a darn shame it happened, but the fool kid had been warned time and again to stay off buses and to quit messing around neighborhood schools. He just wouldn't listen.

They listed all the trouble the kid had caused in his short lifetime. He'd made race relations worse, they said, and helped pile up a vote for George Wallace. He'd caused violence in the schools. He'd scared the whites out into the suburbs and made the cities more segregated than before.

Even those who had been the kid's friends and had tried to help him had to admit that the effort was costly when measured against the pitifully little genuine integration that had been achieved since the Supreme Court delivered the unwanted infant on the nation's doorstep that May Monday in 1954.

There was no call for an inquest into the cause of death. Maybe it could have been shown that what really killed integration was the unwillingness of the white majority to stick the cost and inconvenience of desegregating the schools. But everyone knew the cost—in dollars and in disruption of familiar patterns—was bound to go up, and most agreed it was better the kid was dead, with no questions asked.

One of the new "realists" was Sen. Abraham Ribicoff (D-Conn.), who has progressed in only 10 years from being John Kennedy's favorite governor to being John Stennis's favorite senator. He came pretty close to telling the truth at the funeral when he said, "We are talking about a segregated society. . . . It is not the kids who are racists; it is the adults who are racists. I do not want to make the children innocent pawns."

But even Ribicoff, the supreme realist, could not quite bring himself to admit what it was that had been killed—or even that a death had occurred. He kept talking about opening the suburbs to Negroes and making big improvements in ghetto schools—trying to comfort the bereaved.

However, the kid's friends know now that desegregation is probably finished, except in those rare communities where local conditions and attitudes are so favorable that the federal courts can enforce their orders with the minimal help likely to be available from federal, state or local authorities. No politicians—and few judges—will work very hard at propping up a corpse.

Most of the country will now revert to the reservation policy, as Sen. Clifford Hansen (R-Wyo.) suggested, when he compared the "mistake" of integration to the "mistake" of sending Indian children off the reservations to school.

It is, of course, a somewhat chancier proposition to adopt a reservation policy for 22,000,000 blacks, whose reservations are the centers of our cities, than it is to impose that policy on 5,000 Indians in Wyoming.

But even if every Negro parent passively accepted reservation status for his children, which will not happen, one would still have to ask how much of the soul of America was in the casket that was buried last week. This was the question Leon Panetta, the ousted administration civil rights official Sen. Walter F. Mondale (D-Minn.) and a few others tried unavailingly to raise at last week's state funeral.

School desegregation was a last, desperate effort to erase the ugly heritage of slavery. It was an effort to vindicate in the next generation the founder's faith that this could be one nation of many peoples, a free society based on the equality of all men.

History may judge that vision was foreordained to failure by the tragic fact that slavery preceded independence on our continent.

But that is a judgment only history can make, and the test of statesmanship today surely must be resistance to that fateful admission of failure.

It is tragic that a President who only a month ago spoke of giving this country "the lift of a driving dream" should have acquiesced, with nary a protest, in the death of the American dream.

[From the Washington Post, Feb. 22, 1970]

DRIFT TO THE RIGHT—SENATE VOTES ON SCHOOL DESEGREGATION SEEN AS REACTION AGAINST BLACKS

(By Joseph Kraft)

The latest Senate votes on school desegregation make it plain that a reactionary tide is running in American politics. But the present move to the right is a curious phenomenon—different from what happened in the 1920s and the 1950s.

This time the reaction is without visible leaders and organization. It is less a swing than a drift—something allowed to happen, which probably means that it will be that much harder to arrest and reverse.

The prime targets of the present reaction are the blacks in this country. They constitute an obvious and unpopular minority, geographically centered in the major cities, and without inner economic balance. They were the chief beneficiaries of the liberal surge under Presidents Kennedy and Johnson.

And at the heart of that liberal surge was the principle, implicit in the famous 1954 Supreme Court decision against school segregation, that fairness required a progressive lowering of the barriers between the races.

Nobody knows the exact meaning of the many amendments voted up and down last week by the Senate. But that is precisely the point. The ambiguity is large enough to mean a field day for the local officials in the South who have so long and so tenaciously resisted the spirit of the 1954 decision.

They will now halt school desegration dead in its tracks. There will be efforts to stop desegregation of such public accommodations as hospitals and hotels. The real requirement, which is to move forward to break up residential concentration of the races, is distant beyond imagination. For there has been a turnabout in race politics.

But this momentous change-over had about it nothing of the dramatic. There was no moment of truth, no big speeches or policy statements. On the contrary, the transformation was wrought with minimum breakage. The visible signs were a certain fogginess at the White House, and a couple of marginal shifts in Democratic ranks.

The fogginess at the White House was central and calculated. The starting point was the administration's Southern strategy. That strategy would plainly have been compromised if the administration were obliged to enforce court orders on school desegregation over the opposition of Southern politicos like George Wallace. Accordingly, the President had a political interest in letting the segregation issue sink from sight without a big fuss.

The administration played that interest to near perfection. Through various spokesmen, the White House issued a series of statements on school desegregation that added up to any position anybody wanted to take. Inside the administration, this waffling caused one casualty—the resignation of the Special Assistant to the Secretary of Health, Education and Welfare, Leon Panetta.

But on the floor of the Senate there was almost complete confusion about the administration's desires. At one point there were two Republican senators—Minority Leader Hugh Scott of Pennsylvania and John Tower of Texas—standing on the floor claiming White House support for opposite views.

On the key vote—the vote on the amendment submitted by Sen. John Stennis of Mississippi—only 11 diehard Republican liberals stayed with Sen. Scott in opposition. Twenty-six Republicans joined Sen. Tower in supporting the Stennis amendment.

On the Democratic side the fuss was not much greater. Sen. Abraham Ribicoff of Connecticut had a personal crisis of confidence about a desegregation policy that was concentrated on the South. His stance made it easy for his colleague from Connecticut, Thomas Dodd, and three liberal Democrats from border states to support the Stennis amendment.

That Ribicoff had even that much clout said something about the weakness of the Democratic leadership effort. Sen. Walter Mondale of Minnesota did see what was brewing and fought it all the way. He emerged with enhanced national standing as a result.

But Sen. Edward Kennedy who might have made a difference, was in bed with pneumonia and a temperature of 104. And the senior Democrats were not prepared to make a big deal about the blacks.

What this really means is that the reaction now registered in the Senate is a popular reaction. The majority of the country, not just a few demagogues skilled at whipping up passions, has had it with blacks. And presumably that mood will endure until events and a new set of leaders show that the United States cannot decently turn its back on what we all know to be our main social problem.

[From the Washington Post, Feb. 23, 1970]

ENFORCED SCHOOL INTEGRATION POLICY STARTING TO CRUMBLE

(By Joseph Alsop)

Last week, it was like feeling the first sharp tremor of an earthquake, and seeing the first crumbling of a great landmark that has long dominated the scene for many years. The landmark was enforced school integration, first established in the Supreme Court's 1954 decision in the Brown case.

The tremor began when Sen. Abraham Ribicoff of Connecticut took his stand with the Southerners in the fight on the Stennis amendment to the education bill.

In that fight's first test vote, on an additional amendment by Ribicoff, the liberal Democrats openly broke ranks on the school integration issue that has united them for so long.

Half a dozen of the liberals, like Sen. Alan Cranston of California and Joseph Tydings of Maryland, joined Ribicoff, along with civil rights-minded Republicans like Sen. John Sherman Cooper of Kentucky. The tally was 63 to 24.

Sens. Edward M. Kennedy of Massachusetts, Eugene McCarthy of Minnesota, and George McGovern of South Dakota did not vote at all. They could well have had their "nay" votes recorded, despite their absence, as did Sen. Edward Brooke of Massachusetts. But they did not trouble to do so.

To be sure, the ranks of the Democratic liberals partly reformed in the final vote on the Stennis amendment itself. Yet the end of an era was clearly announced in the roll call analyzed above. The reason for it, or part of the reason for it, was in turn revealed by a story frankly told to Ribicoff by an old liberal comrade-in-arms, who was helping to lead the attack on the new stand Ribicoff had taken.

The son of the senator in question needed to buy a pen. The senator offered him an expensive one. The boy instead asked for a whole handful of the very cheap pens, made to be soon thrown away, that they now sell in drug stores. The senator asked why.

"Oh," said his son, "It's not worth having an expensive one. They take away any pen you have after one, two, three days—not more than that. So it's much better to have a lot of very cheap ones."

"They" turned out to be the tougher black

boys in the majority-black public school that the senator's son attends in Washington. The school-yard toughs, of course, were natural products of the cruel deep ghetto life from which they come. But the senator, who nonetheless continued to fight for school integration, did not respond to his son's news from school as millions of other white parents have by now responded to the troubles in the schools.

The terrible fact is that the Supreme Court's decision in Brown vs. Board of Education, has wholly lost the majority support it unquestionably had in 1954. The further fact is moreover, that speaking to the angrily disillusioned white majority about the troubles in the schools is a major element in President Nixon's daring plan for major intervention in the 1970 congressional campaign.

The President himself, one may guess, will take what may be called code-positions, such as emphatic opposition to busing and condemnation of disorder in both schools and universities. Vice President Agnew, whose assigned role is that of the plain-speaker, will no doubt go a lot further than the President.

In any case, it can be said on positive authority that drugs, crime and the troubles in the schools are to be the three main themes, if the President does not change his campaign plan in the interval. What the effects of stressing the school theme may be, can in turn be judged by what has happened already.

To give one example, Ribicoff has even come to favor what amounts to a quota system for black children in integrated schools—"because, you may as well face it, the whites move away if the blacks go over 20 per cent." This kind of violent, though reluctant, about-face is the customary sign that a political earthquake is in progress.

In earthquakes, as long experience has shown, the decisions of the courts tend to be altered or disregarded. That, too, must be expected, if the earthquake is as severe as the first tremors indicate. So what is to be done in this heart-breaking situation?

The best answer has come from the brilliant black columnist of the Washington Post, William Raspberry. In a memorable piece, Raspberry has quitely suggested that "we have spent too much effort on integrating the schools and too little on improving them."

It has to be faced that radical school improvement, especially in the ghetto neighborhoods, will cost a great many billions of dollars a year. But no degree of sacrifice is too great to give every American child, whether black or white, the education needed to be a citizen with a full share in our country. As this reporter has been glumly saying for years, the national future will almost certainly depend on doing this job that now cries out to be done with redoubled urgency.

[From the Washington Post, Feb. 20, 1970]

CONCENTRATION ON INTEGRATION IS DOING LITTLE FOR EDUCATION

(By William Raspberry)

Racial segregation in public schools is both foolish and wrong, which has led a lot of us to suppose that school integration must, therefore, be wise and just.

It ain't necessarily so. It may be that one reason why the schools, particularly in Washington, are doing such a poor job of educating black children is that we have spent too much effort on integrating the schools and too little on improving them.

The preoccupation with racial integration follows in part from a misreading of what the suit that led to the 1954 desegregation decision was all about.

The suit was based (tacitly, at least) on what might be called the hostage theory. It was clear that black students were suffering under the dual school systems that were the rule in the South. It was also clear that only the "separate" part of the separate-but-equal doctrine was being enforced.

Civil rights leaders finally became convinced that the only way to ensure that their children would have equal education with white children was to make sure that they received the same education, in the same classroom.

Nor would the education be merely equal, the theory went: It would be good. White people, who after all run things, are going to see to it that their children get a proper education. If ours are in the same classrooms, they'll get a proper education by osmosis.

That, at bottom, was the reasoning behind the suit, no matter that the legal arguments were largely sociological, among them, that segregated education is inherently unequal.

(Why it should be inherently more unequal for blacks than for whites wasn't made clear.)

In any case, the aim of the suit was not so much integrated education but better education. Integration was simply a means to an end.

Much of the confusion today stems from the fact that the means has now become an end in itself. Suits are being brought for integration, boundaries are being redrawn, busing is being instituted—not to improve education but to integrate classrooms.

The results can sometimes be pathetic.

In Washington, blacks send their children (or have them sent) across Rock Creek Park in pursuit of the dream of good education. But as the blacks come, the whites leave, and increasingly we find ourselves busing children from all-black neighborhoods all the way across town to schools that are rapidly becoming all-black.

The Tri-School setup in Southwest Washington is a case in point. Of the three elementary schools in the area, only one was considered a good school: Amidon, where the children of the black and white well-to-do attended. Bowen and Syphax, populated almost exclusively by poor kids from the projects, were rated lousy schools.

Then the hostage theory was applied. A plan was worked out whereby all first- and second-graders in the area would attend one school, all third- and fourth-graders a second, and all fifth- and sixth-graders the third.

The well-to-do parents would see to it that their children got a good education. All the poor parents had to do was see to it that their children were in the same classrooms.

That was the theory. What happened, of course, is that instead of sprinkling their children around three schools, the luxury high-rise dwellers, black and white, packed their youngsters off to private school. Now instead of one good and two bad schools, Southwest Washington has three bad ones.

After 16 years, we should have learned that the hostage theory doesn't work. This is not to suggest that integration is bad but that it must become a secondary consideration.

Busing makes some sense (as a temporary measure) when its purpose is to transport children from neighborhoods with overcrowded classrooms to schools where there is space to spare.

It works to a limited degree when it involves children whose parents want them bused across town for specific reasons.

But it has accomplished nothing useful when it has meant transporting large numbers of reluctant youngsters to schools they'd rather not attend.

The notion will win me the embarrassing support of segregationist bigots, but isn't it about time we started concentrating on educating children where they are?

[From the National Review Bulletin, Mar. 3, 1970]

WHAT'S AHEAD: END OF INTEGRATION?

"It will be the continuing policy of this Administration to vigorously oppose—by all legal means—the forced busing of California school children," responded Governor Ronald Reagan to the February 11 court order that Los Angeles must integrate its public schools by September 1971. The California decision, characterized by Reagan as "utterly ridiculous," officially certifies the school crisis as national. Los Angeles school officials believe the desegregation plan will mean "the virtual destruction of the public school system," estimate it will cost $40 million to bus the quarter of a million children involved. The odds are that Angelenos, traditionally conservative and individualistic, will simply choose not to comply. If they do not, the whole movement toward total integration may grind to a halt.

The issue has been sharpened. Senator John Stennis' amendment to the four-year $35-billion education authorization bill, requiring that rules for cutting off aid to school districts failing to desegregate "should be applied uniformly in all regions of the U.S. . . . without regard to the origin or cause of such segregation" has now been passed by the Senate and goes to the House. Support came from an unexpected source: Senator Abraham Ribicoff of Connecticut, liberal of liberals. "The North is guilty of monumental hypocrisy in its treatment of the black man," said Ribicoff. "Without question, Northern communities have been as systematic and as consistent as Southern communities in denying the black man and his children the opportunities that exist for white people." Ribicoff argued that there is in fact no practical difference between the results of de jure and de facto segregation. Recent HEW figures seem to support the contention. In New York City 43.9% of all Negro students attend schools 95 or 100% black. In Chicago the comparable figure is 85.4%; in Washington, D.C., 89.2%.

And so, Northerners will have a chance to practice what they have long preached—or perhaps to modify their preaching. A Mississippi congressman has officially requested that Attorney General Mitchell file desegregation suits against 27 non-Southern school districts. Among them: Boston, New York and San Francisco. The result may be a hard rethinking of the whole concept of total integration; either that, or massive defiance. The end of the public school system? Or the end of integration?

[From the Washington Star, Feb. 25, 1970]

RACIAL "GRADUALISM" GETS NEW LEASE ON LIFE

(By Richard Wilson)

If, as some believe, school integration has proved to be a colossal failure, especially in the North, what is to be done next?

The answer to that question is discouraging. It is that nothing is being done next. Urban public schools of the nation are to remain mainly segregated, white or black, in an atmosphere more hostile than when social reformers converted the clear dictum for the racial desegreation of public facilities into a social imperative for integration of the races at all levels.

Everyone knows what went wrong and no one likes to speak of it. Integration as a social imperative was no more a cure for bigotry and discrimination than the prohibition amendment was for alcoholism. That attempt to control the mores and habits of a society had to be abandoned, and it begins to appear that before progress on racial amelioration can be resumed the concept of integration as a social imperative will have to be abandoned.

It hasn't worked. It goes against prejudices which cannot be reformed in a few years time. It is a faster process than the public generally has been willing to accept. Those who have favored gradualism at the risk of being accused of bigotry have been told that the black race won't wait. The time has come. The social revolution is here. But the time has not come. Integration has not been achieved however dire the threatened consequences without integration, and partly because of those threatened consequences.

So far as the schools are concerned, what the white liberals in Congress are really talking about now is abandoning integration as a social imperative for the very simple reason that it won't work. They are beginning to talk about integration in the North as a mirage which must be replaced by real-life goals which don't include mixing of the races by busing students over long distances or establishing quotas and goals by judicial edict.

It hurts some of the liberals to admit this. They deny they are lowering their sights. But, in fact, they are talking about other more practical objectives such as federal action in the housing field, the location of new industries, efforts to lure back the white population of central cities, improving the quality of Negro education as a higher imperative than whether a black child sits next to a white child in the classroom.

Gradualism is thus getting a new lease on life after years as a code word for bigots, and to be shunned as a mere diversion from true integration.

It is rather strange that this change in atmosphere should have come so suddenly on the issue of the relatively meaningless Stennis amendment that no federal funds can be used for school integration except on an equal basis between North and South.

For years the Southerners have been trying to tell Northerners that desegregation in Charlotte, N.C., is far more complete than in Chicago, Ill. What brought the change evidently was the realization that white families in the North have changed their living patterns to such a drastic extent that many all-white schools have become all-black, nearly all black, or a majority black. This has been accompanied by disorder in Northern public schools in many cities. All at once it became an established fact that Northern white families would escape school integration wherever and however they could.

Under the Stennis amendment there is not much that can be done about this or anything else. The amendment is more like an official recognition of what had become an established fact.

The conclusion must be reached that the Nixon administration, with all its confusing and contradictory actions and pronouncements in this field, has come down on the side of gradualism in integration. That was probably responsible for the adoption of the Stennis amendment, and Senator John Stennis, D-Miss. and the Southerners would conclude that they have now succeeded in slowing down Southern integration by demonstrating the hypocrisy of the Northern liberal attempt to impose further desegregation in the South.

The problem, however, does not rest with the hypocrisy of the Northern liberal position on Southern integration. The problem is in the courts, not alone the federal but the state courts, which order, as in Los Angeles, integration on a numerical or qouta basis.

This is the heart of the matter, whether or not segregation is legal if based on the living patterns of neighborhoods, and that issue will ultimately have to be decided by the Supreme Court.

In the meantime, the change in atmosphere in official Washington, and among those who in the past have been leading spokesmen for integration, is the principal outcome of the present school integration crisis. This changed attitude solves nothing but it might lead to solutions by stripping away the sham and pretense which has enveloped the integration issue.

[From Newsweek magazine, Feb. 23, 1970]

THE TRAGIC FAILURE

WASHINGTON.—Surely it is time to face up to a fact that can no longer be hidden from view. The attempt to integrate this country's schools is a tragic failure.

There are good reasons why this fact should be hidden from public view. To admit that it is a fact is to delight every racist and reactionary in the land. Moreover, the failure of integration is a failure of the American system itself, of the whole *mythos* of the melting pot. Yet truth, like murder, will out, and there is no longer any escaping the plain truth that integration is a failure.

Among those who know the realities, that ugly truth is almost universally recognized. This reporter, no educational expert himself, read the first paragraph of this report to a dozen or more people who do know the realities. What was surprising was the similarity of their reactions. Here, for example, are the reactions of three leading Negroes:

Ben Holman, director of the Justice Department's Community Relations Service: "Of course it's true. I started out at 14 picketing for integration, but it's just not going to work. We've got to admit publicly that we've failed, so we can stop pursuing this phantom, and concentrate instead on gilding the ghetto—a massive diversion of manpower and money to the central city schools."

Dan Watts, editor of The Liberator, intellectual organ of the black militants: "You're so right. There's more race hatred in New York today than there is in Mississippi, and it all goes back to the schools. Its a traumatic experience, anyway, for a black kid to be bused clear across town for the privilege of sitting next to Miss Ann . . . we've got to move away from integration and toward coexistence."

Julius Hobson, Washington's leading black militant: "Of course—integration is a complete failure . . . what we've got is no longer an issue of race but of class, the middle class against the poor, with the Federal government standing idly by . . . the schools in Washington have deteriorated to a point almost beyond repair—if I could afford it, I'd send my own children to a private school . . . I have an opinion I hesitate to voice, because it's too close to George Wallace, but I think it's time we tried to make the schools good *where they are* . . . the integration kick is a dead issue."

White liberals are more reluctant than blacks to acknowledge that "the education kick is a dead issue." Here, for example, is James Allen, U.S. Education Commissioner: "You have to have an optimistic view, or you'd go nuts in this game . . . We thought the problem could be settled in a decade or two, but we were wrong . . . there is no good way out at any time in the immediate future, and we've just got to face that fact."

MORE REACTIONS

Here (in a tone of anguish) is Richardson Dilworth, liberal Democrat, former mayor of Philadelphia, and president of that city's Board of Education: "I've never seen the cities in such terrible shape . . . people don't listen, they just scream at us, and a lot of the whites are worse than Georgia rednecks. But I just don't think you can give up on integration. If you do, the cities are lost."

Here is Dr. Alan Westin of Columbia University, an educational expert: "We've got to make sure that we don't sell out integration where it's been successful—in Teaneck, N.J., where I live, for example. But that's admittedly an atypical situation. Where integration has failed, the answer may be some sort of biracialism . . . but if the white doesn't want to integrate, he damn well better be prepared to pay . . ."

Here is Richard Scammon, the best political statistician-analyst in the business: "The danger is that you could have a white-working-class revolt against the Federal judiciary and the whole liberal Establishment. For example, Denver votes 70–30 against busing and the courts reverse the people's decision. The up-tight white liberals think the way a soldier does—somebody else is going to get it, not me. Justice Douglas talks about a violent revolution against the Establishment. One day the working-class whites may take his advice—and hang Bill Douglas."

As these excerpts suggest, there has been very recently a sort of sea change in national opinion, both black and white, on the integration issue. Last week, for example, The New York Times, the bellwether liberal newspaper, published two devastating reports. The articles, which had a heavy impact on Capitol Hill, reported "conditions of paralyzing anarchy" in some integrated New York City schools, and "racial polarization, disruptions, and growing racial tensions . . . in virtually every part of this country where schools have substantial Negro enrollments."

Also last week, Sen. Abraham Ribicoff of Connecticut, one of the shrewdest and most perceptive politicians on Captol Hill, rose to brand the North "guilty of monumental hypocrisy" on the race issue. In the colloquy that followed, Ribicoff gave this chilling description of the American school system:

"When we have a school system ready to blow up across the nation, when teachers have to be escorted to school by police, and when students are fighting one another in the schools and classrooms, we have a civilization in disintegration."

The implication is clear—that integration threatens disintegration. But if integration is a failure, what is to be done?

REALITIES

Again, what is surprising is how often the same note is struck by those who know the realities. First, "don't sell out integration where it's been successful." The bridges between the races are too few and fragile anyway, and they must be preserved at all costs. The best way to strengthen and increase them, as Ribicoff suggests, is not to try to force middle-class whites to send their children to school in the ghettos, but to open up middle-class jobs and the middle-class suburbs to Negroes.

Second, as Julius Hobson says, "Make the schools good where they are." On this point, all those consulted by this reporter are in agreement. "We should proceed to upgrade the schools where they are now," says John Gardner, chairman of the Urban Coalition, "and not sit around waiting for integration that may never happen." Given the eroded tax base of the central cities, all agree, only the Federal government can really do the upgrading job.

Finally, both black militants and whie liberals seem to be reaching out for a new relationship—what Dan Watts calls "coexistence," and Alan Westin calls "biracialism." Both words are disturbing, for there is in them an echo of that discredited phrase, "separate but equal." And yet it is always better to proceed on the basis of a recognition of what is, rather than what ought to be. And it has become impossible to hide from view any longer the fact that school integration, although it has certainly been "an experiment noble in purpose," has tragically failed almost everywhere.

[From the Washington Post, Feb. 26, 1970]

GEORGIA SCHOOLS BOW TO U.S. JUDGE ON BUS LAW

(By Bruce Galphin)

ATLANTA, Feb. 25—The South's newest roadblock to widespread school integration—an antibusing law patterned on a New York

State statute—was put to the test in Georgia today, but a federal court order drove right through without a bump.

The showdown came in Houston County, just south of Macon.

It proved to be no contest. Local officials and citizens chose to heed U.S. District Judge W. A. Bootle's warning against contempt rather than Gov. Lester Maddox's call for defiance of the court.

Houston school officials declined to give attendance figures, but schools did reopen peacefully under Bootle's order to transfer 3,500 pupils and 130 teachers to achieve more racial balance.

In neighboring Bibb County, Macon Mayor Ronnie Thompson ended his nine-day defiance of a similar order by allowing his 12-year-old son Johnny to transfer to a new school designated by Bootle. The mayor's son had been attending his old school, though officials said he was receiving no credit.

In issuing a stern warning against interference with his court's orders, Bootle ignored the newly enacted Georgia law. He told the Houston board to implement the integration plan immediately and warned that "any activity or conduct which will serve in any way or fashion to impede" it could be punished by a year in jail, a $1,000 fine, or both.

The antibusing law has become the most popular rallying point for the hard-core South since the early 60s.

Legislatures of Louisiana, Georgia and South Carolina all have passed almost identical bills in the past couple of weeks. A similar proposal is pending in the Mississippi assembly, and the Alabama legislature, called into special session Monday, gave unanimous initial approval to the proposed law.

Taken almost verbatim from a New York statute, the legislation provides in part: "No student shall be assigned to or compelled to attend any school on account of race, creed, color or national origin, or for the purpose of achieving equality in attendance, or increased attendance or reduced attendance, at any school, of students of one or more particular races, creeds, colors or national origins . . ."

The Georgia statute includes a ban on racial transfer of teachers.

The New York statute currently is under court challenge.

Southern governors apparently varied in their assessment of the law's effectiveness. Gov. Albert P. Brewer of Alabama thought enough of it to call a special session. But Gov. John McKeithen of Louisiana indicated he thought its greatest value would be to focus national attention on the New York assembly's reasons for passing the law.

Southern civil rights lawyers apparently see the antibusing law as no particular threat.

"We don't even plan to bring suit to get it declared unconstitutional," said Peter E. Rindskopf, of the plaintiff's attorneys in the Houston County case.

The statute does not specifically mention busing, but it is aimed at busing, pairing and other plans to achieve greater racial balance in schools.

THE URGENT NEED FOR A NATIONAL MANPOWER ADVISORY COUNCIL

The SPEAKER. Under a previous order of the House, the gentleman from Illinois (Mr. PUCINSKI) is recognized for 30 minutes.

Mr. PUCINSKI. Mr. Speaker, on October 16, 1968, President Johnson signed into law the Vocational Education Amendments of 1968 which had been passed by both bodies of the Congress without a dissenting vote. This act modernized the programs of education and training for employment conducted by the public schools of this Nation. This legislation was long overdue but, in my estimation, brought vocational and technical education into the 20th century.

Since 1917, the beginning of vocational education as a part of the public school system, the major purpose of the program has been to prepare youth and adults to advantageously enter employment and to provide opportunities for people to be upgraded in their occupational field and retrained when necessary. Never has the Federal, State, and local governments provided adequate resources for the vocational education to do the total job and as a result, in most communities, only a small percent of those who could profit from the instruction had the opportunity to do so. Even with the limited Federal, State, and local financial support approximately 8 million people benefited from the program during fiscal year 1969. Vocational education has, over the years, been the major source of manpower development and will continue to be in the years ahead.

Mr. Speaker, I want to make a point that I am firmly convinced that this Nation and this Congress is on the right track in preserving and further expanding the opportunities of all its people by making vocational education an integral part of the public school system. No other institution exists in our society that is available to all the people for this purpose. Furthermore, the efficiency with which we provide the educational component of manpower development and the effectiveness of the educational program in terms of developing attitudes; providing basic education, and related technical education will determine how well we can develop an adequate development program for this last quarter of the 20th century.

Attitudes toward work are not developed in a short period of time for adults after leaving school. It must start in early childhood and be undergirded by continuing education. Basic education is not relevant for some people unless related to a job-related activity. Related technical knowledge is a practical extension of mathematics, science, social, and communication skills taught in the schools. Unless the schools are forced to structure their education and training programs to meet the needs of all the people we are headed toward a caste system in our society that has its origin in our education system. To a certain extent, we already have moved in that direction because of the fact that we have neglected vocational education. We must reverse that trend.

Unfortunately, our schools, in the past, have failed some people causing them to "fall between the cracks" of our society and economy. We are having to pick them up again at great expense to the individual and to the taxpayer. Perhaps we will always have a number of such individuals but it is high time we stop the flow of unprepared and unmotivated into the ranks of the unemployed. Today more people are flowing into the pool of unemployed than we are able to remove with all of our special manpower programs.

The Manpower Development and Training Act of 1962 has served a very useful purpose. There is no doubt in my mind that it will be needed for years to come in order that the unemployed and underemployed can be made productive members of our society. The needs of the individual served through the MDTA program are much broader than those served only through the regular vocational education program. In fact, they have left the school because the schools were unable to provide subsistence, health, psychological, and psychiatric services. The schools have never had the resources to do the job, especially those in our major cities.

I have been in communication with many vocational educators and they wholeheartedly agree that the job of serving the disadvantaged requires the expertise that many agencies and specially trained individuals can bring to bear on the needs of these individuals. They are fully aware of the need for specialized training of the professional person who serves the disadvantaged. They are greatly concerned that this is not being done and that in many cases they are being ignored as specialists in providing the education component of the manpower development program.

Mr. Speaker, the House of Representatives will undoubtedly be giving attention to the proposed Comprehensive Manpower Act this year. I have been a great supporter of both vocational education and special manpower programs for the disadvantaged. In some way we must meld them together so that the expertise of all can be brought to bear on developing the manpower resources needed by this Nation. This is my concern and I believe is the concern of a great majority of the citizens of this Nation.

The General Education Subcommittee of the Education and Labor Committee, which I serve as chairman, has studied the role of vocational education, has learned of the capabilities of the vocational educators and has modernized the program through the Vocational Education Amendments of 1968. I would like to make the following points and ask that we, as Members of the House, give serious consideration to them:

First. This Nation does not have a comprehensive manpower program. We have bits and pieces which are carried out by many agencies at the Federal and State levels. In many cases, duplication, overlapping and inefficiency exists. We should not limit our consideration in any new legislation to only those programs conducted by the Department of Labor. We need to give serious consideration to an overall national manpower program that would be coordinated through somebody at the Federal level.

I would suggest a National Manpower Advisory Council appointed by the President that would be representative of agencies and departments involved in manpower programs and services, as well as representatives of the general public. The Council would be authorized to engage the services of a full-time professional, technical, and clerical staff to perform its duties. It would be charged with

the responsibility of preparation of a manpower report to the President and the Congress, thus, eliminating some of the self-serving aspects of a report prepared by a single Federal department. The Council would have four major responsibilities independent of those of the Federal agencies responsible for the actual operation of their programs. These would be:

To establish national manpower goals and to develop appropriate standards for programs and services designed to meet these goals;

To advise the Secretaries of the several departments of the Federal Government concerning the administration of preparation of general regulations for and operation of manpower programs and services coming under their jurisdiction;

To review the administration and operation of manpower training programs and services; and

To conduct independent evaluations of manpower programs and to publish and distribute the results of such evaluations. In order that the various manpower programs of the Federal Government could be coordinated I propose a position of special assistant for manpower to the President. This special assistant to the President would act as liaison to the National Manpower Advisory Council and to the President for matters of national manpower policy.

Second. We cannot ignore the role of the States in carrying out a national manpower policy. Many are doing a good job and others should be guided in their efforts. Many State constitutions prohibit the establishment of a comprehensive manpower agency. Therefore, I propose that there be a State manpower advisory council appointed by the Governor to develop a yearly and 5-year projected comprehensive manpower plan that would include programs, services, and other activities. This council would consist of representatives of established State agencies that are concerned with manpower programs and services and the general public. It would be the responsibility of the State advisory council to see that the State plan was carried out.

However, all federally supported education and manpower programs would be administered through the agencies in the State currently responsible for that type of program, service or activity. As in the case of the education component of manpower development, I propose that the State Board for Vocational Education have the prime responsibility. The education programs could be contracted with local public schools, private schools, or industry depending upon the capability of the institution or business to render such services. I firmly believe that any Federal manpower act must provide specific standards for such programs to insure quality and a prudent expenditure of public funds. Likewise, it is imperative that there be a provision in any Federal manpower act for any of the Federal departments to carry out manpower programs where the State has failed to submit an acceptable plan or where all or portions of the plan has been disapproved by the Federal agency administering that portion of the plan.

Third. Since vocational education is an integral part of a manpower development system, including preemployment training and upgrading for youth and adults, any provision for the educational component in manpower legislation should become a part of the State plan for vocational education and be administered in accordance with standards set up in the State plan. The Congress has expressed great concern about the duplication and overlapping of programs to train the disadvantaged unemployed and underemployed currently administered by the U.S. Department of Labor. I firmly believe it is time that we not only consolidate and coordinate these programs but put the bits and pieces from all Federal agencies together into a coordinated manpower development program.

Fourth. The education component of a manpower program has never been adequately defined in the administration of the Manpower Development and Training Act. This needs to be done.

The concept of the neighborhood youth corporation could be strengthened if administered under the part H—work-study programs for vocational education students—of Public Law 90-576. Youth who take advantage of this program should be required to enroll in education and training programs that would begin to prepare them for a continued work role in our society. It is my understanding that both the Bureau of the Budget and the Department of Labor has expressed an opinion that this should be done. I urge the U.S. Office of Education in the Department of Health, Education, and Welfare to assume leadership in seeing what could be done to effect this transfer. Work study programs provide an opportunity for youth to experience a work role in our society and also an opportunity for them to earn so that they might stay in school. Why not tie this program to a meaningful education and training program in our schools?

I am not convinced that any one department of the Federal Government has the expertise to develop and administer all the components of a comprehensive manpower program. However, I do believe that through the coordination by the National Manpower Advisory Council and the State manpower advisory councils, this Nation can have an efficient and effective manpower development program.

WAR ON THE MAFIA

The SPEAKER. Under a previous order of the House, the gentleman from Virginia (Mr. POFF) is recognized for 10 minutes.

Mr. POFF. Mr. Speaker, the March 1970 Reader's Digest contains an excellent article by Senator JOHN L. MCCLELLAN dealing with one of our society's most difficult problems—lenient sentencing of organized criminals. The article clearly establishes the scope of that serious problem by citing a number of prominent examples of over-lenient sentences given to Mafia leaders, as well as statistics from the FBI and other sources detailing the fact that our courts could be doing more to make crime less profitable for organized criminals.

Mr. Speaker, as many of us know, Senator MCCLELLAN has introduced legislation, based on recommendations of the President's Crime Commission and others, which would both provide a check on light sentencing by trial judges and allow those trial judges who are concerned with organized crime to impose special, extended sentences on members of criminal organizations preying on our society. That legislation now is found, of course, in title X of S. 30, the Organized Crime Control Act of 1969, which passed the other body by a vote of 73 to 1, and currently is pending before the House Judiciary Committee.

I know that there may be some attempts made here in the House to weaken or limit title X, just as there were in the other body. One amendment offered in the other body would have restricted the special prison terms to a list of specified offenses, supposedly typical of all organized crime activity. The Reader's Digest article, however, illustrates well the fact that La Cosa Nostra members engage in too great a variety of criminal operations to permit restriction of special sentences to a list of offenses. Among the examples in the Reader's Digest are cases in which Mafia leaders were convicted of operating a liquor business without a license, filing false statements, tax evasion, smuggling funds into jail, and assaulting a Federal officer, as well as the offenses considered more typical of organized crime. The American Bar Association, the American Law Institute's Model Penal Code, and the National Council on Crime and Delinquency's Model Sentencing Act all approve the concept of special sentencing for aggravated offenders, and none have adopted the suggestion that the concept must be limited to any list of offenses, however inclusive. Application of special prison terms, all agree, is more appropriately limited, instead, by the definitions of the factors aggravating sentences and certain key procedural provisions, as title X and the proposals of those distinguished bodies do. The Senate recognized the correctness of title X's approach to this issue, and overwhelmingly defeated the proposed amendment.

Another attack on title X in the other body would have imported the common law rules of evidence that properly apply only during the trial of guilt into the sentencing hearing, where traditionally these rules have not applied. Indeed, that amendment would have reversed the Supreme Court's holding that modern sentencing principles preclude extension of such evidentiary rules to sentencing—*Williams* v. *New York*, 337 U.S. 241 (1949). It would have also departed from the well-considered recommendations of the ABA Model Penal Code, and Model Sentencing Act, all of which have rejected the notion that special offender sentencing requires use of the trial-type rules of evidence. The other body again acted wisely by its decisive rejection of that motion.

I trust that this body, too, will reject such attempts to weaken S. 30. The act is the product of long and careful con-

sideration. It successfully accommodates the public interest with that of individual defendants, and I expect House examination of the act to lead swiftly to its enactment.

Before this body can express its will to adopt more effective and fair organized crime legislation, however, the Judiciary Committee, of course, must report the legislation. I urge most strongly that the committee proceed at the earliest date to consider and report S. 30 favorably, so that we may give the public these vital new laws for the struggle against organized crime.

The article follows:

WEAK LINK IN OUR WAR ON THE MAFIA

(As Chairman of both the Government Operations Committee and the Criminal Laws and Procedures Subcommittee, Sen. John L. McClellan (D., Ark.) has won bipartisan respect for his penetrating investigations into labor racketeering and organized crime. He presided over the televised 1963 hearing at which Mafia defector Joseph Valachi first publicly revealed the inner workings of what he called "this second government," known to its members as La Cosa Nostra.)

(By Senator JOHN L. MCCLELLAN)

Time and again, dedicated investigative work has been all but nullified by the lenient sentences meted out to notorious syndicate criminals.

In the last decade, the nation's law-enforcement agencies have mounted an increasingly vigorous assault against the estimated 500 Mafia members who dominate organized crime in America. Yet, despite some significant successess in prosecution, President Nixon told Congress last April that we "have not substantially impeded the growth and power of organized criminal syndicates. Not a single one of the 24 Cosa Nostra families has been destroyed. They are more firmly entrenched than ever before."

This disheartening failure is due in significant part to shocking judicial leniency in sentencing convicted *mafiosi*. Consider these instances:

In Chicago, Internal Revenue Service agents for two years dogged gambling kingpin Rocco Potenzo, right-hand man of local Mafia boss Sam "Momo" Giancana. They suspected him of secretly operating several honky-tonks under false licensing arrangements. Through persistent investigation, they were eventually able to prove that Potenzo feloniously operated without federal liquor licenses, under the names of "front" men. One of the small fry, whose name Potenzo fraudulently used got a three-year sentence. Potenzo himself, convicted before another judge on five counts and facing up to 15 years and a $10,000 fine, got only a $1000 fine—and no jail term. As Potenzo's lawyer rose to enter the usual appeal, Potenzo grabbed his arm. "Sit down, you — — —!" he snapped, and marched grinning to the clerk and peeled off his fine from a crisp bankroll.

In Pennsylvania, Mafia corrupter Walter Joseph Plopi plunked $300 on the desk of a state senator to persuade him to influence a newly elected Allegheny County prosecutor to ignore gambling. As a starter, Plopi promised $2000 a month to the prosecutor to allow his McKeesport numbers racket to continue, and $200,000 a year, a 50-50 share of all future profits, and money for any political campaigns "if you really want to play ball on a county-wide basis." State police, hidden by prearrangement with a tape recorder running, stepped forward and seized Plopi's $300 as evidence. For this flagrant attempt at corruption, Plopi could have received a year in jail. Yet the judge ordered a mere $250 fine, and Plopi, handed back the $300 seized as evidence, walked out of court $50 richer than when he entered.

In California, Jimmy "The Weasel" Fratianno, released after a five-year prison term for extortion, turned up with a Mafia-financed fleet of trucks hauling dirt on a federal interstate project. Could the "West Coast executioner for the Mafia" (so labeled in a California legislative report), officially credited by police intelligence with at least 16 gangland killings, suddenly "go legit"? Investigators soon found out: Fratianno, over a period of months, had swindled his drivers of $24,374 by paying them substandard wages while collecting federal highway funds for the prevailing union scale. On July 28, 1968, the U.S. Attorney won a conviction on 16 counts of conspiracy and filing false statements. But Fratianno, instead of a possible 80 years in prison, got a mere $10,000 fine and three years' probation.

Galling Experience. Since 1960, the Justice Department has convicted 129 identified Cosa Nostra members under statutes giving judges discretion in sentencing. A study by our Senate Subcommittee on Criminal Laws and Procedures shows that most of the offenders got only about half the maximum sentence. Fifteen received *no jail term whatsoever*, only fines or probation, and 85 got less than the maximum jail terms for the crimes for which they were convicted. Such lenient sentencing has so crippled the war on organized crime that the National Crime Commission in 1967 concluded: "There must be some kind of supervision over those trial judges who, because of corruption, political considerations or lack of knowledge, tend to mete out light sentences in cases involving organized-crime management personnel."

I know from galling experience what it is to assault entrenched criminal syndicates only to see years of dedicated investigation nullified. One of the worst gangsters we uncovered in my years as chairman of the Senate labor-rackets investigations was Anthony Corallo. A captain in one of New York's five Mafia "families," Corallo won his nickname of "Tony Ducks" because he always managed to duck the law. (Exception: a 1941 narcotics conviction that got him six months.) Our hearing record showed how Corallo helped Jimmy Hoffa gain control of New York City's 140,000 Teamsters by bringing in 40 hoodlums—with records of 178 arrests and 77 convictions for crimes ranging from extortion to murder—to intimidate the rank-and-file membership.

By 1962, Corallo was convicted under a federal anti-racketeering statute: he had conspired to pay a $35,000 bribe to a New York judge and a U.S. Attorney to "fix" a friend's sentence for a $100,000 bankruptcy fraud. Yet when Corallo's sentence was handed down, he drew—despite his public record as a vicious racketeer—only two years, instead of the maximum five-year prison term. (Of the two years, he actually served 18 months.) In 1968, federal investigators publicly stated, Corallo and his gangster associates were once again controlling at least seven of the 56 Teamster locals in the New York area, forcing millions of consumers to pay hidden tribute.

In June 1968, Corallo stood before the same judge, again convicted under the same federal anti-racketeering statute. This time, by loan-sharking a financially pressed New York City water commissioner, he had been able to arrange and share a $40,000 kickback on a city contract. Nevertheless, although he specifically recalled the 1962 sentence he had given Corallo, the judge gave Corallo only three years, instead of the maximum five-year sentence. Is there any doubt that Corallo's gangland flunkies will keep his criminal empire running while he takes his short leave of absence and returns soon to the very same stand?

The Worst Condoned. Tragically, this is far from an isolated case:

Louis Taglianetti, a "soldier" in the Patriarca crime family which dominates New England, was convicted of income-tax evasion, for which he could have got five years. Since Taglianetti's Mafia record was exposed at our 1963 Senate hearings, the judge could hardly have been unaware that he was dealing with a significant organized-crime figure. FBI electronic-surveillance logs, later placed on the public record, confirmed that the organization to which Taglianetti belonged dealt constantly in murder, extortion, kidnaping, bribing state police and judges, fraud, perjury, loansharking, gambling and labor racketeering. Yet the judge gave Taglianetti seven months. Ironically, for the ordinary citizen convicted that same year of tax evasion, the average sentence was *ten* months in jail.

John Lombardozzi, brother of a captain in New York's Gambino Mafia family, pleaded guilty to bankruptcy fraud and conspiracy to smuggle funds into a federal jail. The bankruptcy scheme defrauded creditors of a Brooklyn jewelry store of some $20,000. For that, Lombardozzi got a two-year suspended sentence and five years' probation—not one day in jail. For the smuggling conviction, a possible ten-year rap, he got probation, too. Convicted with three other *mafiosi* of assaulting an FBI agent whose skull they fractured, Lombardozzi went to jail for 16 months. In the theft of more than a million dollars' worth of securities from a Wall Street broker, he got four years' imprisonment. Altogether, on his four separate felony convictions, which could have got him 28 years, Lombardozzi drew just over five.

Jerry Angiulo, underboss in the Patriarca family and controller of Boston's criminal syndicate, was publicly charted in our 1963 hearings at New England's No. 2 thug, involved in gambling, shylocking, burglary, robbery and larceny. In 1966, he was convicted for assaulting a federal officer, FBI agents, electronically monitoring boss Patriarca's headquarters, recorded how Angiulo discussed his pending prosecution in detail, plotting to defeat it by procuring a blind man to perjure himself and establish an alibi, then getting a second "standup" witness to lie that he, too, saw the phantom encounter. Yet, instead of the possible three years, Angiulo got only 30 days in jail.

In 1966, after four years of effort, the FBI unraveled a complicated transaction and made an airtight case against Joey Glimco, one of the worst labor pirates ever uncovered by our Senate labor-rackets investigations. Glimco rules Chicago's Teamster Local 777, embracing 5000 taxi drivers and miscellaneous maintenance workers. Crony of Chicago's top mobsters, Glimco had a record of 36 arrests on charges including robbery and murder.

As payoffs for a bogus contract that protected a businessman from the organizing efforts of legitimate unions, Glimco had taken gifts ranging from a home sprinkler system to a sporty Jaguar. The investigation and prosecution cost the government well over $200,000, and resulted in a four-count indictment that could have got Glimco a year in jail on each count. Yet, in February 1969, he was allowed to plead guilty, pay a $40,000 fine and return to his union piracy. "It was the finest piece of investigative work I have ever seen," the young prosecutor, Assistant U.S. Attorney David Shippers, said. "When Glimco got a kiss and went free, it was devastating to us all."

Heartening Exceptions. Today the occasional defector like Joe Valachi, plus the FBI electronic-surveillance logs, has ripped the veil of secrecy from the Mafia's innermost workings. There can be little excuse any longer for ignorance about its nature. Heart-

eningly, some judges *are* dealing toughly with the Mafia criminals:

Judge Walter R. Mansfield, last December in New York, gave key Mafia monarch Anthony DiLorenzo the ten-year maximum on a conviction in a conspiracy to transport interstate more than a million dollars' worth of stolen IBM stock. Judge Julius J. Hoffman, in Chicago, sent Sam "Teetz" Battaglia, anointed heir to the Chicago syndicate throne, and his top lieutenant, "Joe Shine" Amabile, to prison with 15-year sentences on an extortion conviction in 1967. Citing testimony that witnesses had been threatened with being "beat into jelly with baseball bats" and had to be kept in jail during the trial for their own safety, Judge Hoffman denied the usual appeal bond as soon as the jury's guilty verdict was in, and locked the defendants up without further ado.

Such judicial toughness, if continued, could in time begin to hurt the crime confederation. But even the toughest judges can hardly do the full job needed, under present statutory sentencing limits. Despite long records of criminal activity, two thirds of the 328 *mafiosi* indicted by the federal government since 1960 have faced maximums of five years or less—hardly sufficient even to seriously inconvenience their continuing criminal organizations.

The National Crime Commission proposes two major reforms in sentencing organized-crime offenders:

1. Congress and the state legislatures should provide for special sentences for hardened professionals and criminal repeaters. Our present criminal-justice system, fundamentally created to cope with random felons, has been outmoded by the rise of modern criminals cartels. The Mafia's top hoods have plotted their criminal syndicate to insulate the principals against prosecution for crimes that involve severe sentences. Today, however, the public welfare demands that our judges in fixing sentence must be allowed to consider not merely the isolated felony perpetrated but the surrounding fact of a permanent criminal organization.

The National Crime Commission would like to see special-length sentences where a pre-sentence hearing shows that a felony was "committed as part of a continuing illegal business in which the convicted offender occupied a supervisory or other management position." Similarly, the Model Sentencing Act, drawn up by a distinguished National Council on Crime and Delinquency advisory panel of 52 federal and state judges, recommends a 30-year term for professional criminals convicted of a felony "committed as part of a continuing criminal activity." Says the chairman, Chief Judge Alfred P. Murrah of the U.S. Court of Appeals for the Tenth Circuit: "Prolonged incarceration is necessary for certain individuals whose behavior patterns and personality make them highly dangerous to society."

2. Prosecutors should be allowed to appeal sentences that they deem too lenient or too short to protect the public from dangerous and habitual offenders. In some cases, undoubtedly, ignorance about the nature and scope of organized crime accounts for light sentences. But we cannot escape the fact that the Mafia has demonstrated that it can corrupt judges, too. A New York judge went to jail on a two-year sentence in 1962 along with "Tony Ducks" Corallo in his sentence-fixing conviction. And New Jersey's Supreme Court was forced last December to suspend a trial judge who was charged with offering a prosecutor a $10,000 bribe to quash a case against two Mafia gambling figures.

With Senators Sam J. Ervin (D., N.C.), James B. Allen (D., Ala.) and Roman L. Hruska (R., Nebr.), I am co-sponsoring the pending Organized Crime Control Act of 1970 (S. 30), which provides for both prosecutor appeals and special sentences for habitual offenders and members of organized criminal conspiracies. Under its provisions, the trial judge would, after a conviction, hold a presentence hearing at which the offender would have the right to call witnesses, cross-examine the government's witnesses and be informed of the substance of any information the judge might rely on. Upon finding that the offender had two prior felony convictions, or had committed a felony as part of a conspiracy with three or more others to engage in a pattern of criminal conduct, the judge could order a sentence up to 30 years.

Record of Terror. The record of our decades of Mafia murder, torture and terror is plain: We cannot really rehabilitate the hard-core members of organized criminal syndicates. Leniency has no place in dealing with them. An FBI study of 386 *mafiosi* shows that, of an average 47 years of age, they have had criminal careers involving an average eight arrests stretching over 20 years, studded by repeated convictions and short prison terms. Society's only hope for real protection is prolonged imprisonment for such criminals.

This is, in fact, the cornerstone of the federal government's mounting campaign against organized crime. "Through large-scale target investigations," says President Nixon, "we believe we can obtain prosecutions that will imprison the leaders, paralyze the administrators, frighten the street workers and, eventually, paralyze the whole organized-crime syndicate in any one particular city."

This strategy *can* succeed—but only if the court record of the past ten years can be reversed.

FIFTY-THIRD ANNIVERSARY OF U.S. CITIZENSHIP TO PUERTO RICO

The SPEAKER. Under a previous order of the House, the gentleman from Puerto Rico (Mr. CÓRDOVA) is recognized for 10 minutes.

Mr. CÓRDOVA. Mr. Speaker, this day marks the anniversary of the extension of American citizenship to the citizens of Puerto Rico, 53 years ago, a memorable and proud event for us.

On March 2, 1917, a few weeks before the United States declared war on Germany, President Woodrow Wilson approved the act of the 64th Congress, since known as the Jones Act, which bore the signatures of Vice President Thomas R. Marshall as President of the Senate and Champ Clark as Speaker of this House, and which provided in substance that all citizens of Puerto Rico were declared and held to be citizens of the United States.

It had been 18 years since the Congress had been charged by the Treaty of Paris with the duty of determining the civil rights and political status of the inhabitants of Puerto Rico. In 1900, Congress established a civil government in Puerto Rico under the Foraker Act, but withheld from the inhabitants of Puerto Rico both citizenship and most of the self-governing power.

The Jones Act, while still withholding from us the right to choose our own executive and judiciary departments, did permit our community to exercise substantial legislative power. But above all, in extending collective citizenship to Puerto Rico, the 1917 legislation started the Puerto Ricans on the road to legal equality with the other citizens of the Nation.

This equality has not yet been achieved in practice by the Puerto Ricans as a group, no more than by the blacks or the Mexican-Americans. Indeed the rights of the blacks are being recognized to a greater degree than those of the Puerto Ricans on the mainland, undoubtedly because the blacks have been more militant. But we in Puerto Rico know the value of our citizenship, and therefore prize it highly. Indeed, the Constitution of the Commonwealth of Puerto Rico, adopted by the people of Puerto Rico in 1952, contains in its preamble the following language:

> We consider as determining factors in our life our citizenship of the United States of America and our aspiration continually to enrich our democratic heritage in the individual and collective enjoyment of its rights and privileges.

I have said that the extension of collective citizenship in 1917 started the Puerto Rican on the road to equality with our fellow citizens. In Puerto Rico we have progressed along the road. In 1947 the Congress finally acknowledged our right to elect our own Governor, and in 1952 our right to adopt our own constitution. But we are still short of equality. Although we are truly self-governing in local matters, we are governed in matters of vital national interest by a President and a Congress in whose election we take no part. And no one in our community of American citizens is satisfied, nor should he be satisfied, that this should continue indefinitely to be so.

My own view is that Puerto Rico should become a State of the Union, and the sooner the better. I firmly believe that a definitive majority of the people of Puerto Rico favor eventual statehood, although many of these have been persuaded that economic considerations require that we postpone moving toward that goal.

This fear of the economic disaster that immediate statehood allegedly threatens must be borne in mind in considering the results of the 1967 plebiscite in Puerto Rico, which resulted in a vote of over 99 percent favoring permanent union with the United States, of which slightly more than 60 percent expressed a preference for continuing the present status, and slightly less than 39 percent voted for immediate action toward statehood.

The results of the 1967 plebiscite reaffirmed the sentiments expressed in the preamble of the 1952 constitution from which I have quoted above.

Our American citizenship is indeed the determining factor in our political life. Thus the importance of March 2, 1917, in the political history of the people of Puerto Rico cannot be exaggerated. On that day our political future was determined. On that day we became an integral part of the United States of America.

In honoring that date, and that occasion, recognition must be made of the vital role played by the elected representative of the people of Puerto Rico in Washington at the time, the late Luis Muñoz Rivera, a great leader of our people, who unfortunately died a few months before final action was taken by Congress on the measure he had long

labored to perfect. To him Puerto Rico is indebted, in the field of its political development, in a measure greater perhaps than that due any other of our leaders.

THE LATE HOWARD FITZPATRICK

Mr. McCORMACK. On February 23, 1970, the Honorable Howard W. Fitzpatrick, one of Massachusetts' most respected citizens, with a legion of friends throughout the country, died in the Holy Ghost Hospital, Cambridge, Mass.

At the time of his death, Howard Fitzpatrick was, and had been for some years, high sheriff of Middlesex County in Massachusetts. Throughout his life, he was a businessman, public official, and was universally known as a man of charity—a man of mercy.

Howard Fitzpatrick was a man of God, with an intense love of his fellow human beings, without regard to race, color, or creed. He was truly a charitable gentleman.

A little over two decades ago, upon the death of the then high sheriff, Howard Fitzpatrick was appointed for the interim term by the late Governor, Paul A. Dever. At that time, Middlesex County was the Republican stronghold of Massachusetts. Time and time again, Howard Fitzpatrick proved himself a tremendous vote-getter, winning election after election, and sweeping fellow Democrats into county office who before could never defeat the Republican candidates. Howard Fitzpatrick changed Middlesex County from a Republican stronghold into a Democratic stronghold.

Despite his popularity, and changing Middlesex County politically, he enjoyed the respect of his Republican friends, and of all others without regard to political affiliation.

In Massachusetts, he was "Mr. Democrat" and properly so. There is no question but what he could have been elected Governor of Massachusetts years ago, if he had such an ambition, but he dedicated his public life to the service of the people of Middlesex County.

Despite his friendship with Presidents, Governors, and others in public, financial, and business life, Howard Fitzpatrick was always a humble man—one of deep faith and, as I have said, with an intense love for his fellow human beings.

Howard Fitzpatrick possessed deep faith. He loved the Catholic Church of which he was a communicant, and respected all other religions and the religious conscience of all other persons.

The Catholic Church recognized his deep faith and fine, understanding mind and his broad charities, by conferring many high church honors upon him. He was one of the most highly honored Catholic laymen in the United States.

For years, Howard Fitzpatrick was a close and valued friend of His Eminence, Richard Cardinal Cushing, Archbishop of Boston, and the late Francis Cardinal Spellmen, Archbishop of New York.

For many years, Howard Fitzpatrick was my dear and valued friend. I miss him very much.

Howard Fitzpatrick made his favorable imprint upon Massachusetts politics, and more, upon the minds of the people of Massachusetts, with the wonderful life he led. The spirit of Howard Fitzpatrick, represented by his wonderful, inspiring life, will continue to live as an example for all others to follow.

To his brother, Robert Fitzpatrick and his sister, Miss Barbara Fitzpatrick, Mrs. McCormack and I extend our deep sympathy in their great loss and sorrow.

INFLATION AND RECESSION

Mr. ALBERT. Mr. Speaker, last Thursday the Commerce Department reported that the Government's index of leading economic indicators fell 1.8 percent in January, the steepest monthly drop since the 1957–58 recession. At the same time, the Labor Department reported that during February the wholesale price index had risen at a 3.6-percent annual rate. It now stands at 4.7 percent higher than a year ago. We can confidently anticipate that this rise will be reflected with a vengeance in increased consumer prices in the immediate future. These latest reports once again bear witness to the fantastic and tragic results of the economic policies being pursued by the present administration. After but 12 months in office the Republican Party has succeeded in attaining a truly Alice in Wonderland result: Full-blown inflation in tandem with an economic recession.

Now, superficially, the wholesale price index and the index of leading economic indicators may seem a bit esoteric, and appear far removed from the concerns of the average citizen. Such regrettably is not the case. The danger signals for our economy which these two reports reflect are matters of grave concern which the administration would be most unwise to ignore. Stripped of the professional jargon of the economist these reports give clear evidence that in the months ahead the average American is going to have less income with which to purchase the necessities of life, necessities which are going to carry a higher and higher price tag. More of our fellow citizens will be unemployed. More of our fellow citizens will experience temporary layoffs, more will be working reduced hours.

Overtime pay, which for many families during a period of high prices has become a necessity to maintain their standard of living, will vanish. The labor force will fail to grow in proportion to our population increase. As teenagers, wives, and others find job opportunities nonexistent, they will not enter, and in some cases will withdraw from, the labor force. While these people will not technically be classified as unemployed, they will regard themselves, and rightly so, as unemployed. Increased joblessness, official or otherwise, counted or hidden, results in less money for consumers to purchase products. Buyer resistance caused by inflation will thus be reinforced by lack of purchasing power. So, a recession feeds on itself. The unemployed carpenter or automobile production worker who does not purchase the TV that he had planned to buy this year will contribute to the economic ill health of the appliance industry. If he cannot pay his bills at the local grocery store, the owner and, yes, the employees of such a store will be adversely affected.

Mr. Speaker, for officials in the executive branch of the Government, the present deterioration of our national economy may be something which can be viewed as a dip in the business cycle, a moderate correction in an overheated economy, or a slight pause in upward growth before we resume "a more solid basis for sustainable growth in the future." To the worker who is hurt this is just so much mumbo-jumbo.

Do these gentlemen take a detached, disinterested, or "scientific" attitude toward the tragedy which is transpiring? These are not robots who are losing their jobs in Detroit. The carpenter and bricklayer, unemployed because of the administration's tight money policy, are human beings just like you and I. They must feed and shelter and clothe their families. Yet their economic well-being and even their human dignity are being trifled with in the interest of testing some economic theory of extremely doubtful validity.

Mr. Speaker, I weigh my words carefully. The economic policies being pursued by the present administration are unbelievable. They have produced both unprecedented inf ation and a recession. But of even greater importance, I find, Mr. Speaker, is the attitude of this administration toward the human consequences of its maladroit economic policies.

IN MEMORY OF THE HONORABLE JAMES B. UTT

Mr. CRAMER. Mr. Speaker, I join with my colleagues in expressing my personal and deep sorrow over the untimely death yesterday of one of our most esteemed members, the Honorable JAMES B. UTT. JIM UTT was highly respected and regarded as an able and effective legislator, a man who was extremely conscientious in fulfilling the responsibility of his duties as a Member of this body. He was a stalwart of the Ways and Means Committee and was recognized, both by his colleagues and throughout the Nation, as a true conservative. He fought valiantly for the ideals and principles in which he fervently believed. JIM UTT was, first and foremost, a truly fine person, whose impeccable integrity, strong character, and personal dedication were his hallmarks. I was privileged to have been his friend and both his friendship and his presence in this House will be sorely missed.

HON. JAMES B. UTT

Mr. ADAIR. Mr. Speaker, like my colleagues, I was shocked and saddened at the news of the death of the Honorable JAMES B. UTT.

I have known JIM ever since he came to the House and was aware of the dedication and quiet, hard work which he brought to this position. Although he sometimes remarked that he was feeling less than first rate, I was not aware of any physical condition serious enough to take his life.

As a friend, he was loyal, courteous,

and accommodating. His devotion to the United States of America was unquestioned.

There was no one, I think, who was more regular in attendance at the House of Representatives prayer breakfast than was JIM, and in that connection also he will be sadly missed.

Mr. Speaker, in expressing my own personal sorrow at his passing, I would like to extend my sympathy to his surviving family.

HON. JAMES B. UTT

Mr. MILLER of Ohio. Mr. Speaker, I join my friends and colleagues in their expression of sorrow over the passing of JIMMY UTT.

It seems strange and unreal to be joining JIMMY'S devoted friends and colleagues in paying respect to his memory and expressing our sympathy to his family. Though God in His wisdom has called him to a higher purpose and physically JIMMY is not with us, somehow he has never left this Chamber and this House of Representatives which he loved and served so well.

JIMMY UTT was a deeply conscientious legislator. He was a student of the legislative process who enjoyed his work. He was a statesman first and a politician second. He consistently voted the way his conscience and intellect dictated. He maintained an expert knowledge of the complex legislative problems facing his committee, and his judgment and reasoning were respected by all.

JIMMY UTT was a good man, fine and decent. He had a bright and wholesome outlook on life. He greeted everyone with a friendly smile and pleasant salutation. We are poorer for the loss of JIMMY, but we are the richer because we knew him.

He served his Nation well.

He was my good friend.

I shall miss him.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ASPINALL for March 3, 1970, on account of official business.

Mr. FALLON (at the request of Mr. ALBERT) for today and the balance of the week 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. DENT, for 1 hour, tomorrow.

Mr. FUQUA, for 10 minutes, today.

Mr. WAGGONNER, for 30 minutes, today.

Mr. PUCINSKI, for 30 minutes, today; to revise and extend his remarks and include extraneous matter.

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

Mr. POFF, for 10 minutes, today.

Mr. CÓRDOVA, for 10 minutes, today.

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

Mr. RARICK for 15 minutes today.

Mr. ROONEY of New York for 60 minutes today.

Mr. ADDABBO for 15 minutes today.

EXTENSION OF REMARKS

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

Mr. ICHORD in two instances and to include extraneous matter.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 2523. An act to amend the Community Mental Health Centers Act to extend and improve the program of assistance under that act for community mental health centers and facilities for the treatment of alcoholics and narcotic addicts, to establish programs for mental health of children, and for other purposes.

S. 2809. An act to amend the Public Health Service Act so as to extend for an additional period the authority to make formula grants to schools of public health, project grants for graduate training in public health and traineeships for professional public health personnel.

ENROLLED BILLS SIGNED

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

H.R. 11651. An act to amend the National School Lunch Act, as amended, to provide funds and authorities to the Department of Agriculture for the purpose of providing free or reduced-price meals to needy children not now being reached.

H.R. 14733. An act to amend the Public Health Service Act to extend the program of assistance for health services for domestic migrant agricultural workers, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on February 26, 1970, present to the President, for his approval a bill of the House of the following title:

H.R. 2. To amend the Federal Credit Union Act so as to provide for an independent Federal agency for the supervision of federally chartered credit unions, and for other purposes.

THE LATE HONORABLE JAMES B. UTT

Mr. SMITH of California. Mr. Speaker, I offer a resolution and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 859

Resolved, That the House has heard with profound sorrow of the death of the Honorable James B. Utt, a Representative from the State of California.

Resolved, That a committee of forty-three Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the Houe.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolutions were agreed to.

The SPEAKER. The Chair appoints as members of the funeral committee the following Members on the part of the House: Messrs. HOLIFIELD, GERALD R. FORD, MILLER of California, GUBSER, HOSMER, MAILLIARD, MOSS, BOB WILSON, SISK, TEAGUE of California, MCFALL, SMITH of California, COHELAN, JOHNSON of California, BELL of California, CORMAN, BROWN of California, EDWARDS of California, HANNA, HAWKINS, LEGGETT, ROYBAL, TALCOTT, VAN DEERLIN, CHARLES H. WILSON, DON H. CLAUSEN, DEL CLAWSON, BURTON of California, TUNNEY, REES, WALDIE, MATHIAS, PETTIS, WIGGINS, MCCLOSKEY, ANDERSON of California, GOLDWATER, BYRNES of Wisconsin, BETTS, BROYHILL of Virginia, CHAMBERLAIN, ULLMAN, and SCHNEEBELI.

The Clerk will report the remaining resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect the House do now adjourn.

The resolution was agreed to.

ADJOURNMENT

Accordingly (at 12 o'clock and 31 minutes p.m.), the House adjourned until tomorrow, Tuesday, March 3, 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:

1694. A communication from the President of the United States, transmitting a report relating to the investigation undertaken by the Tariff Commission on flat glass and tempered glass, together with a copy of a Presidential proclamation relating to the adjustment of duties on certain sheet glass, pursuant to section 351(a)(2)(A) of the Trade Expansion Act of 1962; to the Committee on Ways and Means.

1695. A letter from the Secretary of the Treasury, transmitting the 14th annual report on the financial condition and results of the operations of the highway trust fund, June 30, 1969, pursuant to section 209(e)(1) of the Highway Revenue Act of 1956, as amended (H. Doc. No. 91–265); to the Committee on Ways and Means and ordered to be printed.

1696. A letter from the Assistant Secretary of Agriculture (Export Marketing Service), transmitting annual report by the Secretary of Agriculture covering orderly liquidation of stocks of agricultural commodities held by the Commodity Credit Corporation and the expansion of markets for surplus agricultural commodities, pursuant to Section 201(b), Public Law 540, 84th Congress; to the Committee on Agriculture.

1697. A letter from the Secretary of State, transmitting a report concerning certain proposed shipments of chemical munitions, pursuant to the provisions of section 409(c)(2) of the Public Law 91–121; to the Committee on Armed Services.

1698. A letter from the Secretary of Health, Education, and Welfare, transmitting the report of actual procurement receipts for medical stockpile of civil defense emergency supplies and equipment purposes for the quarter ending December 31, 1969, pursuant to the provisions of subsection 201(h) of the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

1699. A letter from the Secretary of the Treasury, transmitting a report giving the status of foreign credits by U.S. Government agencies and by certain international lending agencies as of June 30, 1969, pursuant to the provisions of section 634(f) of the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

1700. A letter from the Secretary of Health, Education, and Welfare, transmitting a report of disposal of excess property in foreign countries, for the calendar year 1969, pursuant to the provisions of the Federal Property and Administrative Services Act of 1949; to the Committee on Government Operations.

1701. A letter from the Comptroller General of the United States, transmitting a report on the questions regarding mortgage loan insurance ceilings and land appraisals for large cooperative housing communities, Department of Housing and Urban Development; to the Committee on Government Operations.

1702. A letter from the Comptroller General of the United States, transmitting a report on the opportunities for improving management of excess property transferred to the military affiliate radio system, Department of Defense; to the Committee on Government Operations.

1703. A letter from the Director, Bureau of Mines, Department of the Interior, transmitting a copy of a proposed contract with West Virginia University for research and development to determine the feasibility of underground crushing of coal and related purposes, pursuant to the provisions of subsection (a) and (d) of Public Law 89–672; to the Committee on Interior and Insular Affairs.

1704. A letter from the Secretary of Labor, transmitting a draft of proposed legislation to provide more effective means for protecting the public interest in national emergency disputes involving the transportation industry and for other purposes; to the Committee on Interstate and Foreign Commerce.

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. JOHNSON of California: Committee on Interior and Insular Affairs: H.R. 15689. A bill to increase the authorization for appropriation for continuing work in the Missouri River Basin by the Secretary of the Interior (Rept. No. 91–857). Referred to the Committee of the Whole House on the state of the Union.

Mr. JOHNSON of California: Committee on Interior and Insular Affairs: H.R. 15700. A bill to authorize appropriations for the saline water conversion program for fiscal year 1971, and for other purposes; with amendments (Rept. No. 91–858). 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. BUTTON:

H.R. 16220. A bill to provide an equitable system for fixing and adjusting the rates of pay for prevailing rate employees of the Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DELLENBACK:

H.R. 16221. A bill to amend the Interstate Commerce Act in order to give the Interstate Commerce Commission additional authority to alleviate freight car shortages, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 16222. A bill to provide for study and experiment concerning the establishment of daylight saving time on a year-round basis; to the Committee on Interstate and Foreign Commerce.

By Mr. DINGELL (for himself, Mr. PELLY, Mr. CLARK, Mr. GROVER, Mr. MURPHY of New York, Mr. KEITH, Mr. KARTH, Mr. POLLOCK, Mr. ANNUNZIO, Mr. BUTTON, Mr. MCCLOSKEY, Mr. FREY, Mr. OBEY, Mr. NEDZI, Mr. MOSS, Mr. VANDER JAGT, and Mr. WILLIAM D. FORD):

H.R. 16223. A bill to provide for advance notice to the U.S. Fish and Wildlife Service and certain State agencies before the beginning of any Federal program involving the use of pesticides or other chemicals designed for mass biological controls, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. FARBSTEIN:

H.R. 16224. A bill to amend title XVIII of the Social Security Act to permit payment thereunder for necessary professional services furnished by a physician to a member of his family; to the Committee on Ways and Means.

By Mr. FISH:

H.R. 16225. A bill to amend the act of March 3, 1899, relating to penalties for wrongful deposit of certain refuse, injury to harbor improvements, and obstruction of navigable waters; to the Committee on Public Works.

By Mr. GERALD R. FORD (for himself, Mr. LLOYD, Mr. STEIGER of Arizona, Mr. WINN, Mr. ESHLEMAN, and Mr. MAYNE):

H.R. 16226. A bill to provide more effective means for protecting the public interest in national emergency disputes involving the transportation industry and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GARMATZ (for himself, Mr. PELLY, Mrs. SULLIVAN, Mr. CLARK, Mr. DINGELL, Mr. LENNON, Mr. DOWNING, Mr. BYRNE of Pennsylvania, Mr. ROGERS of Florida, Mr. STUBBLEFIELD, Mr. MURPHY of New York, Mr. POLLOCK, Mr. JONES of North Carolina, Mr. FEIGHAN, Mr. HANNA, Mr. ANNUNZIO, Mr. BIAGGI, Mr. ST. ONGE, and Mr. LONG of Louisiana):

H.R. 16227. A bill to amend the Fisherman's Protective Act of 1967 to require the return of certain vessels of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. MILLS:

H.R. 16228. A bill to amend title II of the Housing Amendments of 1955 to provide that certain cities within the area of the Arkansas River navigation project shall be eligible for community facility loans thereunder without regard to the population limits otherwise applicable; to the Committee on Banking and Currency.

By Mr. OTTINGER (for himself, Mr. MOORHEAD, Mr. MIKVA, Mr. REES, and Mr. ROE):

H.R. 16229. A bill to amend the National Environmental Policy Act of 1969 to require the Secretary of the Army to terminate certain licenses and permits relating to the disposition of waste materials in the waters of the New York Bight, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. OTTINGER:

H.R. 16230. A bill to amend title 39, United States Code, to permit certain reproductions of periodical publications to be entered and mailed as second class mail; to the Committee on Post Office and Civil Service.

By Mr. COLLIER:

H.J. Res. 1107. Joint resolution proposing an amendment to the Constitution of the United States relating to the ratification of treaties; to the Committee on the Judiciary.

By Mr. BOLAND:

H. Con. Res. 518. Concurrent resolution to express the sense of the Congress on U.S. involvement in Laos; to the Committee on Foreign Affairs.

By Mr. FARBSTEIN:

H. Con. Res. 519. Concurrent resolution expressing the sense of Congress concerning the use of certain real property in New York City for low- and moderate-income housing; to the Committee on Public Works.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. MILLS:

H.R. 16231. A bill for the relief of the estate of Theodore Leon Mercer, deceased; to the Committee on the Judiciary.

By Mr. OTTINGER:

H.R. 16232. A bill for the relief of Mrs. Gregoria Grande Bermudes; to the Committee on the Judiciary.

By Mr. ROGERS of Colorado:

H.R. 16233. A bill for the relief of Sgt. Gary F. Scrivner, USMC; to the Committee on the Judiciary.

MEMORIALS

Under clause of rule XXII, memorials were presented and referred as follows:

316. A memorial of the Legislature of the State of Alaska, relative to protection of American personnel captured in military operations other than in a "declared war"; to the Committee on Foreign Affairs.

317. Also, a memorial of the legislature of the State of Louisiana, relative to an amendment to the Constitution dealing with attendance at public schools; to the Committee on the Judiciary.

318. Also, a memorial of the House of Representatives of the Commonwealth of Massachusetts, relative to amending the "Pledge of Allegiance to the Flag" to read "equal justice for all"; to the Committee on the Judiciary.

319. Also, a memorial of the Legislature of the State of South Carolina, relative to restraining and curbing the importation of foreign textiles; to the Committee on Ways and Means.

PETITIONS, ETC.

Under clause 1 of rule XXII,

408. The SPEAKER presented a petition of Henry Stoner, York, Pa., relative to publication of a document concerning civil rights and civil powers; to the Committee on House Administration.