

in the Ninetieth Congress, Mr. Lipscomb urged restrictions on trade with Communist nations and cautioned against aiding in building up the economic base on which Soviet military power depends. He warned that much recent criticism of American defense efforts has completely ignored the security threat posed by growing Russian armament and missile capabilities. In July, he welcomed the Administration's establishment of a "Blue Ribbon" panel to conduct an independent study of the Department of Defense. He urged the panel to undertake a rigorous review of the defense structure and to recommend ways to eliminate wasteful practices.

As ranking minority member of the Committee on House Administration, Mr. Lipscomb has taken a leading role in urging a comprehensive review and overhaul of election laws to update the procedures governing Federal nomination and election processes. He is the author of a bill which would create a 5-member bipartisan Federal Election Commission to receive reports and statements regarding campaign contributions and expenditures. The Commission would have full power to enforce the law, issue reports, and make information available to the public, not only with regard to general and special elections, but also primaries, conventions, party caucuses and Presidential preference primaries. Members of the House and Senate and all candidates would be required to disclose gifts of more than \$100, and personal use of the proceeds of testimonial dinners by Senators, Representatives, and Congressional candidates would be prohibited. Mr. Lipscomb's bill appears to take account of modern needs and present realities in political fund raising and campaign financing. He explained that the purpose of the legislation is "to make reporting of contributions and expenditures a present and realistic factor in the decision-making process of the voter" and to establish the principle of "full and timely public disclosure".

Several areas of the Twenty-fourth District, including Glendora, Azusa, San Dimas and Mt. Baldy Village, were hard-hit by the January and February storms. Mr. Lipscomb co-sponsored the California Disaster Relief Act and testified before the Subcommittee on Flood Control of the House Committee on Public Works urging authorization of the San Gabriel River Watershed-Western Area Project to reduce future storm damage in the area above Glendora and Azusa.

Shortly before the summer recess, Mr.

Lipscomb entered the hospital for major surgery. He returned to work in the fall and has continued to make a good recovery.

NOTE TO PMG: POD'S ZIP IS NOT PDQ

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 3, 1970

Mr. HUNGATE. Mr. Speaker, I would like to bring to the attention of my colleagues an article written by Mr. Tom Warden, editor of the Gasconade County Republican in Owensville, Mo.

I believe the editor has done an excellent job of describing the problems encountered by so many, and I am sure we are all in agreement that this is an area in which there is plenty of room for improvement.

The article follows:

NOTE TO PMG: POD'S ZIP IS NOT PDQ

Most everyone, at some time or another, writes an indignant letter to a public official . . . not so much in the belief that it will be read, but for the mental relief enjoyed from letting off some steam.

For several years now, I've wanted to write a letter to the Postmaster General. For three reasons, I didn't. One is that he probably wouldn't read it. Two is that I wouldn't enjoy any mental relief; and three is that it would probably get lost in the mails anyway.

When I do write that letter—and after the latest new rule manufactured by that big paper mill in D.C., I just might—my first words will be about that miracle-working, wondrous Zip Code.

I just can't forget when the Zip Code first came out. We hurried to add Zip Codes to all addresses on our mailing list because the Post Office Department said the Zip system and a new sectional center distribution system would change things greatly.

And change things it did! Greatly, verily.

In pre-Zip code days our newspapers, mailed here Thursday, reached Rosebud—six statute miles to the east—the next day.

The Zip Code did change all that.

Now, that same newspaper mailed Thursday, travels some 60 miles to Jefferson City; another 100 or so miles to St. Louis; and then about 80 miles back to Rosebud. Sometimes it

makes the round trip the next day, Friday. Sometimes it is Saturday . . . or the next Monday.

That's not really the point. It is those 244 extra miles—that we as taxpayers and mail patrons must finance—that really irks me.

Dear readers, do not complain to us when your newspaper does not arrive as usual. It is mailed here faithfully every Thursday . . . sometimes earlier because of holidays. Write the Postmaster General.

There are a few other things which wrought great dissatisfaction upon my brain, your honor Mr. Postmaster General sir.

Newspapers must fill out a mailing form, detailing number of copies to various zones, their weight and percentage of advertising so the post office knows how much to charge us. This service by the editor, by the way, is free of charge.

Weights formerly were figured by utilizing the weight of a single copy carried two digits. Apparently, such simple arithmetic did not take enough time, so some mickey mouse club member in the POD decided it must be carried six digits. For many newspapermen—not acquainted with such depths of mathematics—that meant buying a new seven-digit adding machine.

And now to compound what was a relatively simple chore, a new rule states that the division is to be written upon the applicable newspaper—not via adding machine—so the POD, like the first grade math teacher, can see if our division is correct. They don't care what the answer is . . . they want to see how we arrive at it!

There is, in fact, so much of this mickey mouse busy work that it cannot be itemized here lest more pages increase the cost of delivery.

It is my firm belief that these kindergarten rules do no more than to establish another section in the POD sectional centers where they can double-check our arithmetic!

Let me state here that we have sympathy for the postmasters, postal clerks and letter carriers who must live with such a system. They are only doing a job.

One more complaint, Mr. Postmaster General. The next time you ship pre-stamped envelopes for use by our commercial printing department, send them via United Parcel Service. Our last order was shipped about a month ago and apparently has been lost in the mails.

I do not know who invents rules in the Post Office Department. But I hereby volunteer to buy him a tinker-toy set to keep his mind otherwise occupied, that he may leave alone what was once a pretty good system.

HOUSE OF REPRESENTATIVES—Wednesday, March 4, 1970

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

*Why art thou cast down, O my soul? and why art thou disquieted within me? Hope thou in God.—Psalm 42: 5.*

O Thou whose presence underlies all that we do, whose power overarches all that we say, and whose peace surrounds all that we think, we bow at the shrine our fathers founded and lift our spirits unto Thee in prayer. As we offer unto Thee the devotion of our hearts, may the fruits of Thy spirit—love and joy, gentleness and goodness, patience and peace—come to new life within us.

We pray for our country and for our people in every section of our land. May the hungry be fed, the ignorant receive knowledge, the fearful find faith, and the weary come to rest at eventide.

Grant that we may do all we can that children be raised to walk in right and good paths, that youth discover high ideals for clean and creative living, and that adults in body become adults in mind.

Abundantly bless our President, our Speaker, Members of Congress, and direct them in all Thy ways—to the glory of Thy holy name. Amen.

THE JOURNAL

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the amendment of

the House to a bill of the Senate of the following title:

S. 2701. An act to establish a Commission on Population Growth and the American Future.

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

S. 3427. An act to increase the authorization for appropriation for continuing work in the Missouri River Basin by the Secretary of the Interior.

APPOINTMENT AS MEMBERS OF BOARD OF VISITORS, U.S. COAST GUARD ACADEMY, 1970

The SPEAKER laid before the House the following communication:

FEBRUARY 19, 1970.

HON. JOHN W. MCCORMACK,  
The Speaker, House of Representatives,  
Washington, D.C.

DEAR MR. SPEAKER: Pursuant to section 194 of title 14 of the United States Code, I have appointed the following members of the Committee on Merchant Marine and Fisheries to serve as members of the Board of Visitors to the U.S. Coast Guard Academy for the year 1970: HON. FRANK M. CLARK of Pennsylvania, HON. ALTON LENNON of North Carolina, HON. JAMES R. GROVER, JR., of New York.

As chairman of the Committee on Merchant Marine and Fisheries, I am authorized to serve as an ex officio member of the Board.

Sincerely,

EDWARD A. GARMATZ,  
Chairman.

**TWENTY-FIFTH ANNIVERSARY OF CAPTURE OF BRIDGE AT REMAGEN**

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

Mr. HECHLER of West Virginia. Mr. Speaker, the 7th of March marks the 25th anniversary of one of the most courageous and significant events in World War II; namely, the surprise capture of a bridge over the Rhine River at a town named Remagen.

On that 25th anniversary the 11 living winners of the Distinguished Service Cross are being brought together here in Washington to honor this great chapter in the annals of American military history.

Mr. Speaker, many of my colleagues have also asked about the possibility of seeing a certain film which deals with this subject. I am pleased to announce that on Friday, March 6, at 3 p.m., I would like to extend an invitation to my colleagues and members of their staff to come to the New Senate Office Building auditorium—that is, at 3 p.m., on Friday, March 6—to see the film called, "The Bridge at Remagen."

Mr. Speaker, I will ask that at the close of all business and other special orders heretofore granted that tomorrow I may address the House for 1 hour to call particular attention to the heroism of those 11 infantrymen, tankers, and engineers who participated in the capture of the bridge at Remagen, thereby shortening the war in Europe and saving thousands of American lives.

**COMMISSION ON SCHOOL FINANCE**

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

Mr. KYL. Mr. Speaker, in his message on education reform, the President noted that he was creating by Executive order a Commission on School Finance to advise him on the revenue needs of this Nation's schools. I should like to say that I welcome this initiative on the President's part. During the past two decades we increased the number of pupils in our schools by 80 percent. During this same period many local school boards anxiously wondered where the funds were

going to come from to provide the necessary education for these children. The Congress recognized this problem when, in 1965, it passed the Elementary and Secondary Education Act.

Our situation today, however, is changing. If we look at a graph of the expected growth in our schools during the coming decade, we find that the line begins to flatten out. This is merely a reflection of the fact that the birth rate in this country has been declining for the past 10 years. We must not think, however, that we can cut back on our efforts to educate our children to the best of our ability; rather, we should view this respite from the "numbers game" as a golden opportunity to look at what we have done, to keep the best, and to replace the rest with more promising alternatives.

I think the President stated the problem well in his message when he said:

We must stop congratulating ourselves for spending nearly as much money on education as does the entire rest of the world . . . when we are not getting as much as we should out of the dollars we spend.

I have joined in sponsoring a bill which would set up a means of evaluating quality of education. I also believe the President's revenue sharing measure could be the real answer.

**PERMISSION FOR COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE TO SIT DURING GENERAL DEBATE TODAY**

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may sit today during general debate.

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

There was no objection.

**PERMISSION FOR SUBCOMMITTEE ON HOUSING, COMMITTEE ON BANKING AND CURRENCY, TO SIT DURING GENERAL DEBATE TODAY**

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Housing of the Committee on Banking and Currency may sit today during general debate.

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

There was no objection.

**AUTHORITY FOR THE SPEAKER TO DECLARE RECESS TODAY SUBJECT TO CALL OF THE CHAIR**

Mr. ALBERT. Mr. Speaker, if I may have the attention of the distinguished minority leader, I ask unanimous consent that it may be in order at any time today for the Speaker to declare a recess, subject to the call of the Chair.

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

Mr. GROSS. Mr. Speaker, reserving

the right to object, would the gentleman from Oklahoma assure the Members that this recess would be for the sole purpose of considering certain legislation, and would the gentleman designate the legislation?

Mr. ALBERT. Mr. Speaker, if the gentleman will yield, of course the gentleman knows that the Committee on Interstate and Foreign Commerce is meeting, and we do not know whether they will report back to the House today. The gentleman also knows that because of the funeral today any protracted handling of business today by rollcalls or other dilatory methods would not be very apt.

Mr. GROSS. Mr. Speaker, I agree with what the gentleman says, but I would like the gentleman to give us some assurances that the recess would be for the purpose of awaiting specific legislation.

Mr. ALBERT. If the gentleman will yield further, it would be for the purpose of waiting to see whether the Committee on Interstate and Foreign Commerce might report certain legislation to the House today.

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

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

There was no objection.

**ESTABLISHING AN INTERNATIONAL QUARANTINE STATION**

Mr. MATSUNAGA. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 861 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 861

*Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of bill (H.R. 11832) to provide for the establishment of an international quarantine station and to permit the entry therein of animals from any other country and the subsequent movement of such animals into other parts of the United States for purposes of improving livestock breeds, and for other purposes, and all points of order against the provisions following the period on line 2 to the period on line 5 of page 3 of the bill are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. After the passage of H.R. 11832, it shall be in order in the House to take from the Speaker's table the bill S. 2306 and to move to strike out all after the enacting clause of the said Senate bill and insert in lieu thereof the provisions contained in H.R. 11832 as passed by the House.

Mr. MATSUNAGA. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio (Mr. LATTA), pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 861 provides an open rule with 1 hour of general debate for consideration of H.R. 11832 to provide for the establishment of an international quarantine station and to permit the entry therein of animals from any other country and the subsequent movement of such animals into other parts of the United States for purposes of improving livestock breeds. The rule also provides that all points of order be waived against lines 3, 4, and 5, on page 3 of the bill, and that, after passage of the House bill, it shall be in order to move to strike all after the enacting clause of S. 2306 and amend it with the House-passed language.

The waiver of points of order was granted because the specified language on page 3 of the bill mandates the depositing of fees collected from importers in the Treasury of the United States to the credit of the appropriation charged against the operating expenses of the quarantine station in violation of clause 4 of House rule XXI.

The purpose of H.R. 11832 is to provide authority for the Secretary of Agriculture to establish and operate an international quarantine station on an island near the continental United States, most likely off the southeast coast of the United States in the Caribbean area.

This would permit the movement into the United States of animals which are otherwise prohibited or restricted because of general animal quarantine laws. The Secretary would establish terms and conditions to prevent the introduction or spread of livestock or poultry diseases and pests from foreign nations.

The Secretary would be authorized to acquire the necessary real property by purchase, donation, or exchange and to obtain needed personal property, buildings, improvements, or other facilities by private donations, as well as to charge and collect reasonable fees for the use of the station by importers. In addition, the bill authorizes the annual appropriation of such public funds that may be needed.

The Department of Agriculture has estimated the cost of constructing the facility to be \$2.5 million. It is anticipated that the annual operating and maintenance expenses would be \$1.3 million, but that these costs would be largely financed by fees collected from importers using the facilities.

Mr. Speaker, I urge the adoption of House Resolution 861 in order that H.R. 11832 may be considered.

Mr. LATTA. Mr. Speaker, the purpose of the bill is to authorize the Secretary of Agriculture to establish and operate an international quarantine station on an island near the continental United States.

Such a station would permit the movement into the United States of animals which are otherwise prohibited or restricted because of general animal quarantine laws.

It is anticipated that the station will be rebuilt on an island in the Caribbean.

The bill authorizes the Secretary to acquire the necessary real property by purchase, donation, or exchange, and to construct the needed facilities. Reasonable user fees will be charged importers using the facilities. The bill also authorizes annual appropriations.

The American livestock industry believes that foreign stock, if permitted to enter the country, could improve existing breeds. The Department of Agriculture agrees and supports the bill.

The estimated cost of construction of the facilities is \$2,500,000 and the annual operating expenses are estimated at \$1,300,000. Most of the annual cost would be borne by user fees.

There are no minority views.

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

Mr. LATTA. I will be happy to yield to the gentleman from Iowa.

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

Mr. Speaker, I would ask the gentleman from Ohio—do I understand correctly that the points of order waived in the rule are to certain language in the bill in order that the revenue derived through this bill will be used to fund this particular enterprise?

Mr. LATTA. Mr. Speaker, in reply to the gentleman from Iowa, the reason for waiving points of order is found on page 3 of the bill, to wit:

Such fees shall be deposited into the Treasury of the United States to the credit of the appropriation charged with the operating expenses of the quarantine station.

Mr. GROSS. And to be credited to the appropriation?

Mr. LATTA. The gentleman is correct.

Mr. GROSS. I thank the gentleman.

Mr. LATTA. Mr. Speaker, I have no further requests for time, and I reserve the balance of my time.

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

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. PURCELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 11832) to provide for the establishment of an international quarantine station and to permit the entry therein of animals from any other country and the subsequent movement of such animals into other parts of the United States for purposes of improving livestock breeds, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Texas (Mr. PURCELL).

The motion was agreed to.

#### IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 11832, with Mr. MATSUNAGA in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the rule, the gentleman from Texas (Mr. PURCELL) will be recognized for one-half hour, and the gentleman from Iowa (Mr. MAYNE) will be recognized for one-half hour.

The Chair recognizes the gentleman from Texas (Mr. PURCELL).

Mr. PURCELL. Mr. Chairman, I yield myself whatever time I may consume.

Mr. Chairman, the bill we are considering today is a source of personal satisfaction to me. It meets an intense need that has existed for some time, and meets it at little cost to the Federal Government.

The bill provides authority for the Department of Agriculture to establish and operate an international animal quarantine station within the territory of the United States, and permits the movement of animals into the United States otherwise prohibited or restricted under the animal quarantine laws. The quarantine station would be located on an island, selected so that the location would permit the maintenance of maximum animal disease and pest security measures. Under the bill, movements to other parts of the United States would be prohibited unless made in accordance with conditions determined by the Secretary of Agriculture to be adequate to prevent the introduction or dissemination of livestock or poultry disease and pest from foreign countries.

To understand why this is a significant step forward for the country, Mr. Chairman, we have to look at the current status of the law affecting importation of animals:

Due to an intense fear of animal diseases, the Tariff Act of 1930, as amended—19 U.S.C. 1306—contains an absolute prohibition against the importation of all ruminants and swine—except wild zoo animals, and also against importation of fresh, chilled, or frozen meats of such animals from countries declared by the Department of Agriculture to be infected with foot-and-mouth disease or rinderpest. Under very stringent restrictions, including authority for permanent postentry quarantine, wild ruminants and swine may be permitted entry under the act when such animals are solely for exhibition at an approved zoological park from which they cannot be moved except to another approved zoological park.

Provision in the act of February 2, 1903, as amended—12 U.S.C. 111—and the act of July 2, 1962—21 U.S.C. 134—and following—now provide additional authority and responsibility for prohibiting or restricting importation of animals, meat and other articles in order to prevent the introduction or dissemination of foot-and-mouth disease and other destructive livestock or poultry disease and pest such as African swine fever, exotic ticks, African horse sickness, and fowl pest.

These statutes are implemented by extensive and strict regulation in the Code of Federal Regulations, title 9, parts 92, 94, 95, and 96. The regulations apply to the importation of animals, meats, animal by-products, and materials such as hay, straw, and forage from all countries, especially those where foot-and-mouth disease exists. The regulations are

based on the best scientific information available, including the Plum Island Disease Laboratory, Long Island, N.Y.

The sum total of the acts cited, and the regulations written under them, is to bar importation of new strains of breed livestock into the United States. While our primary responsibility is, and must continue to be, the prevention of livestock and poultry disease and pests gaining entry from foreign countries, at the same time it has long been apparent that there are breeds and types of foreign livestock with the potential of bringing about specific desired improvements more rapidly in U.S. livestock production than can be accomplished with domestic breeds. Research activities have demonstrated the high potential of cross-breeding to increase reproduction, vigor, growth, and efficiency in livestock production. Cross-breeding can bring about changes in the character and composition of the product more rapidly than any other breeding procedure.

It has been further shown that the wider the genetic diversity of the parent stock used in cross-breeding, the greater are the benefits from hybrid vigor and the greater the possibility for changing production and product characteristics. For instance, the introduction into the United States of exotic germ plasm of plants from all over the world has been a most important factor in bringing about the phenomenal new varieties of high-yielding crops of numerous kinds that are in everyday use on farms and ranches. The potential benefits in our livestock production, especially of meat-producing animals, from the importation and organized use of exotic breeds of animals are expected to be similar to those experienced in crop production. Some of the improvements that are expected include:

First, beef cattle—an increase in weaning weight, in postweaning growth rates, and in muscularity; a decrease in carcass waste fat; and improved fertility and calf survival.

Second, dairy cattle—an increase in milk production, fertility, and calf survival.

Third, sheep—an increase in lambing rate, in lamb growth, and in muscularity; and a decrease in carcass waste fat; and,

Fourth, swine—an increase in prolificacy and muscularity, and improved efficiency of gain.

In spite of the benefits to be derived, the importation of new and different animal breeds from foreign countries must not be done at the risk of introducing disease and pests not now present in this country which would actually reduce livestock production.

Mr. Chairman, both objectives can be obtained only through the establishment of an international quarantine station—a goal which the bill before us today accomplishes—and, as I indicated earlier, it does so at what is little cost to the Federal Government. The language of the bill authorizes the acceptance of gifts or donations or property to build the station, and the fee schedule for use at the station is designed to require as

little as possible from annual appropriations to meet this need.

This is a bargain for the American people who, through the new blood strains that can be introduced to our domestic herds, will reap the benefits that increased, less expensive productivity can bring—better and cheaper meat, and increased productivity of dairy products. These benefits also aid the farmer and livestock producer.

The Subcommittee on Livestock and Grains held hearings on the proposed bills, and adopted two amendments to the legislation; it was reported to the full Committee on Agriculture which, without a single dissenting vote, recommended its passage. It is truly a bipartisan effort, Mr. Chairman. It is supported across the country by livestock breeders, and has the blessing of the Department of Agriculture. I am pleased to be here speaking in the bill's behalf, and I heartily recommend its passage.

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

Mr. PURCELL. I yield to the gentleman from South Carolina.

Mr. McMILLAN. I take this opportunity to congratulate the chairman and the members of the subcommittee on the hard work they have done on this bill, and I wish to thank him and his committee on behalf of my own calf and hog raisers for bringing this bill to the floor of the House. I have received numerous telegrams asking me to support this bill. I do so, and I wish to take this moment to congratulate all members of the gentleman's committee for the hard work they have done on the bill.

Mr. PURCELL. I thank the gentleman from South Carolina.

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

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

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

Is it the purpose to buy or how is the property to be acquired, the island that the report speaks of, and where?

Mr. PURCELL. The presumption is that an island the United States now owns will be used. We have spoken generally of an island in the Caribbean area. It would have to meet certain scientific criteria.

For example, the scientists have told us it would have to be not closer than 30 miles from shore.

We have made no effort to try to arbitrarily designate an area. We may not own every foot of the land we are talking about, but it would be a U.S. possession. It would be our hope that it is land the Government already owns and therefore not represent an added cost.

Mr. GROSS. But it is not proposed to go out and purchase an island from some other country?

Mr. PURCELL. That is not the proposal.

Mr. GROSS. I seem to get the impression that this might be made quite a research station, and going beyond security against the spread of disease. Would this be in addition to all the research that is now being carried on in behalf of agri-

culture, or would some of the research now being carried on be transferred to this station?

Mr. PURCELL. I would be glad to discuss any specific language, but it is not our intention that there be any duplication of research in any way. This would be primarily a station where these very rigid rules respecting importation of livestock are maintained. I suppose there would be research to the extent of learning how better to protect ourselves from the diseases. But I think it is safe to say that there would not be any great research going on here; and certainly it is not our intention to duplicate the research that is already being done or is being carried on in some other area.

Mr. GROSS. The gentleman just read four or five points that to be found in the report on page 2, which indicate there may be quite a little research carried on—not necessarily with respect to diseases.

Mr. PURCELL. The preamble says:

Some of the anticipated improvements in livestock production include the following:

And then it lists these four items. There may be research carried out with the animals we bring in, but this would be just a way of getting safe animals in order to eventually obtain a better production of beef or swine or mutton, or whatever it might be. There has not been one sentence dropped about establishing this as a research station.

I understand how the gentleman might draw this conclusion, but the intent here is to try to show some of the kinds of opportunities the four listed items would cover.

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

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

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

Mr. Chairman, this bill proposes the construction of a maximum security import animal quarantine station which would be established on an island somewhere off the coast of the United States, this would make it possible to import under proper conditions of security against foreign diseases breeding animals which are very much needed by the American livestock industry. The testimony before our subcommittee very strongly established that the genetic quality of our own domestic livestock can be greatly improved by the organized use of certain foreign breeds. At present, in order to bring any of these foreign breeding cattle into this country, our American cattlemen have to use facilities of the Government of Canada; a Canadian quarantine station which is on an island located in the St. Lawrence River, approximately 30 miles downstream from Quebec City, and the prices which our people have to pay to Canadians for cattle which have gone through that station are really extremely high.

One of the cattle breeders testifying in support of this bill told us something about the cost of a Simmental bull, which is one of the breeds all the experts agree are needed in this country for crossbreeding purposes. He was offered

a Simmental bull calf by a Canadian breeder for the price of \$100,000, just for a Simmental calf. In addition, the Canadian wanted \$30,000 for semen rights, making a total of \$130,000. The cost of semen is also much, much higher than that for our American breeds.

One of the breeds needed to be introduced here for crossbreeding is the Limousin French breed. There are only six Limousin bulls on the entire North American Continent at present, and they are all in Canada. The Canadians sell the semen from imported Limousin bulls to our American cattlemen at prices from \$6 to \$100 per 1 cc ampoule of semen. This is much higher than domestic semen, which costs \$2.50 to \$4 per ampoule.

This bill is going to be of great benefit to American consumers and the American cattle industry by eliminating these high costs.

The location of the proposed station has not been definitely decided. It will be somewhere on an island off the coast, probably in the Caribbean.

The bill is backed not only by the Department but also by the American Veterinary Association, the U.S. Animal Health Association and the North American Limousin Foundation.

I urge the passage of the bill.

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

Mr. MAYNE. I will be glad to yield time to the gentleman from Minnesota, if he wishes.

Mr. ZWACH. Will the gentleman yield for a question?

Mr. MAYNE. Yes; I am glad to yield to the gentleman from Minnesota (Mr. ZWACH), a member of the committee, for a question.

Mr. ZWACH. Mr. Chairman, I want to associate myself with the remarks of the gentleman from Iowa and of the gentleman from Texas. This is a most important bill, and I give it my full support.

The per capita consumption of red meat in the United States has grown steadily during the past several years and is continuing. It is thus ironic that the United States is dependent upon our good neighbor to the north for controlling animals which our cattlemen seek to introduce into this vital mainstream of our agricultural economy. The investment required for a quarantine station is minimal when compared to the benefits to be derived.

Animal science, Mr. Chairman, should be a two-way street. We have exported our livestock and our agricultural technology all over the world. It is time now for us to benefit from some of the superior strains and improved breeds of livestock that originate in other parts of the world. This quarantine station will permit this.

As a member of the Livestock and Grains Subcommittee, I listened to all the testimony presented on this bill. There was no opposition. There was, of course, concern that the legislation fully protect the public and maintain the high standard of animal health that our domestic livestock industry enjoys.

I believe the bill will do just that, and I urge your support.

Mr. HALL. Mr. Chairman, will the gentleman yield for a question?

Mr. MAYNE. I am glad to yield to the gentleman from Missouri, Dr. HALL.

Mr. HALL. I appreciate the gentleman yielding.

I believe I can understand the biological necessity for this quarantine station under the control of the Department of Agriculture, as well as the economic necessity which the gentleman from Iowa has explained.

As a point of information, is it planned to have an insemination laboratory on this island under the quarantine circumstances so that rinderpest, or hoof and mouth disease cannot be tracked in by the inseminating animal, or are we going to have a breeding laboratory on this setup, or are we simply going to hold the animals in quarantine until the danger of infection and infestation has passed and then let them make ingress into the continental United States?

Mr. MAYNE. It is my understanding that the latter is primarily the function of this station, but it does take a considerable period of time to elapse under very strict supervision and observation before it would be safe to admit such animals into the United States.

Mr. HALL. In the opinion of the gentleman from Iowa, then, it would be a holding facility pending the expiration of the requisite quarantine time, after which the animal would then safely be brought in without danger of spreading any infection or infestation, and there would be no artificial insemination laboratories on the island, nor would there be extensive research facilities, and certainly it would not be a breeding lot, so to speak?

Mr. MAYNE. That is the understanding of the gentleman from Iowa.

Mr. HALL. I thank the gentleman.

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

Mr. MAYNE. My colleague from Ohio (Mr. MILLER), a member of the committee, has already asked for recognition, and I will yield to him first and then to my good friend from Iowa.

Mr. MILLER of Ohio. Is it true that we are dependent upon Canada because they now have an animal quarantine station?

Mr. MAYNE. Yes. That station is in operation, as I said, in the St. Lawrence River about 30 miles from the city of Quebec. Semen from these imported cattle and any live animals that can be purchased by Americans have to have gone through that station, and the American cattleman is then charged what I consider to be an exorbitant sum in order to get these breeds in through the Canadian middlemen.

Mr. MILLER of Ohio. I thank the gentleman.

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

Mr. MAYNE. Before I yield I would like to pay tribute to the very fine leadership which the distinguished chairman of the Subcommittee on Livestock and Grain, the gentleman from Texas (Mr. PURCELL), has given throughout the progress of this legislation.

I am now happy to yield to the gentleman from Texas.

Mr. PURCELL. I thank the gentleman.

I would like to state here on this so many other matters that the Subcommittee on Livestock and Grains have worked wholly with a cooperative attitude. I want to express my appreciation to the gentleman from Iowa and the gentleman from Minnesota and the gentleman from Texas (Mr. PRICE), and all the other members of the subcommittee for their cooperation.

In order more fully to answer the questions asked by the gentleman from Missouri (Mr. HALL), I would like to ask the gentleman if it is not true that even prior to these animals being brought to our quarantine station they have come only from very closely supervised areas and have met very stringent requirements as to their not having been inoculated for foot-and-mouth disease and they have been observed all their lives and they are as far removed from these dread diseases as it is biologically possible to have them. Then we bring them on to our quarantine station to try to reduce the cost to our breeders, as the gentleman has so accurately stated with regard to the problem which now exists in Canada. The entire purpose of this is to establish under very close supervision and stringent rules a more economical and more practical system and one whereby the U.S. Government controls the availability of these animals that meet these criteria rather than to have to depend on Canada. Is that not generally the situation that we are dealing with?

Mr. MAYNE. The gentleman from Texas is entirely correct. We satisfied ourselves in the subcommittee in the questioning not only of experts from the Department but those who are in the cattle breeding business that this would clearly be so.

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

Mr. MAYNE. I am happy to yield to the gentleman from Iowa.

Mr. GROSS. Does the gentleman from Iowa concur with the gentleman from Texas in that this is not designed to become a full-blown research station over a period of time, with expanded research in the Department of Agriculture and, if it is to be expanded into a full-blown research station, it shall be staffed by those already in the Department who are conducting similar research? May we have some assurance that we are not now stepping into vastly expanded research programs?

Mr. MAYNE. I can assure the gentleman from Iowa and I would invite the gentleman from Texas, the distinguished chairman of the Subcommittee on Livestock and Grain, who is the manager of the bill today, to join me in assuring the gentleman from Iowa that as far as the Committee on Agriculture is concerned our intention was to create this animal quarantine station for that limited purpose only.

And, of course, such research as could be more appropriately conducted right on the premises in the presence of these cattle being studied for entrance would be contemplated. However, the bill as I

understand it—and I believe that is the understanding by the members of the committee—

Mr. PURCELL. Mr. Chairman, will the gentleman yield to me at that point?

Mr. MAYNE. I shall be happy to yield to the gentleman from Texas.

Mr. PURCELL. I would just restate that today is the very first time to my knowledge that there have been questions in the way of research. It is not our intent to have this in any way and insofar as I am concerned and I think insofar as the committee and this Congress is concerned, the Department of Agriculture would be violating the intent of this statute if they used it for research and development.

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

Mr. MAYNE. I yield further to the gentleman from Iowa.

Mr. GROSS. I have one more question: Would race horses clear through this station from Latin America and other countries—race horses to be run on the tracks—or for breeding purposes be cleared through this station?

Mr. MAYNE. Race horses are already handled at a facility at the Miami Airport. I believe also that at Clifton, N.J. there is a very small facility, but it does not handle cattle. It is contemplated that this facility will be able to handle about 300 cattle a year. At present it is only contemplated that cattle will be imported through this facility.

Mr. GROSS. Mr. Chairman, if the gentleman will yield further, I suspect that the gentleman from Pennsylvania would be considerably interested in whether race horses might be imported for breeding purposes through this quarantine station because it seems to me his stable needs some improvement.

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

Mr. MAYNE. I am happy to yield further to the gentleman from Texas.

Mr. PURCELL. The gentleman stated in response to a question posed by the gentleman from Iowa that cattle would be brought in here. Is it not more correct to say that it is not the intent to bring in horses for breeding purposes, but would include cattle first. It would include cattle, swine, sheep, and other commercial food animals. Would this not be a more full explanation of the ultimate purpose of this station?

Mr. MAYNE. Yes; as to the ultimate purpose, but in the testimony of Dr. Anderson from the Department which appears on page 7, of the report, just below the middle of the page, he said they were only contemplating the introduction of about 300 head of cattle per year. He stated further:

At the present time, our technology of disease testing is not considered to be adequate to allow the introduction of swine or sheep. The research people are working on it, and perhaps, in the not too distant future adequate knowledge of the disease will be such that we can also bring in swine and sheep safely, but we do not now consider that our state of knowledge would warrant such introduction.

Our hope is that when the state of knowledge does warrant it we could for the benefit of sheep and hog people bring in sheep and hogs when it is safe to do so.

I urge passage of the bill.

Mr. Chairman, I yield 5 minutes to the gentleman from Texas (Mr. PRICE), a member of the committee.

Mr. PRICE of Texas. Mr. Chairman, faced with the rigid prohibitions of the Tariff Act of 1930, as amended, livestock producers have tried to create hybrid vigor and provide better beef and dairy products at a lower cost to the American consumer by experimenting with our domestic livestock genetic base. They have been hampered in their efforts, however, because the genetic base of many classes of our livestock is rooted in only a few of the many breeds of the world. In fact, in some cases, our present breeds are based on the relatively few strains of animals that were imported from northern Europe some 60 to 80 years ago.

Fortunately, the Federal Government has not been entirely blind to the production needs of the livestock industry. In an effort to facilitate the efforts of livestock producers, the Agriculture Department issued regulations in 1965 that would permit, under very stringent restrictions, the importation of animal semen from certain countries declared to be infected with destructive animal diseases or pests. To date, these regulations have only been utilized once; although the Department is currently reviewing two other inquiries about the importation of bull semen from countries adjudged infected with hoof-and-mouth disease.

According to livestock producers, more requests for the importation of animal semen have not been submitted to the Department of Agriculture because of the disadvantages attendant to the practice. The most important disadvantage seems to be that semen imports do not permit the establishment of a pure-bred nucleus for future breed expansion. Since the importer can obtain only the male side of the genetic strain, he has to continue repeated importations of animal semen in order to maintain his hybrid experiments. In addition, potential importers have complained that the importation of semen is excessively costly in relation to the benefits received; consequently, it is difficult for any but the largest producers to profit from such imports.

Since the mid-sixties, livestock producers, in an effort to import live animals from foreign countries which are considered unsafe under the Tariff Act, have looked to Canada for a source of live animal supply. Canada operates two international animal quarantine stations. When animals are imported into Canada from countries that are infested with destructive animal diseases or pests, they must pass through a strict quarantine procedure. The effectiveness of these procedures is attested to by the fact that no animal carrying hoof-and-mouth disease has ever been released from either of the two Canadian quarantine facilities.

Canada has proved to be a recent source of bull semen for American livestock producers. In addition, a few of the animals themselves have been imported into the United States from Canada, but only after being subjected to rigorous export controls. Canada requires its ex-

porters to obtain an export permit, a permit which only covers a limited number of specified animal breeds. Within these breeds, export privileges have only been granted for male animals, never for females. Canada makes this distinction for the obvious reason; it wants to protect its monopoly position with regard to the importation of foreign livestock.

From the American livestock producer's point of view, the disadvantages to relying on foreign beef imported from Canada are threefold:

First. American producers are confined to bidding on Canadian surplus livestock. If there is no surplus above Canadian domestic needs, American producers go begging.

Second. Since the Canadian exports are limited to live female animals, American producers cannot establish a pure-bred nucleus for future breed expansion, without importing the necessary semen from Canada.

Third. The cost of obtaining foreign animals from Canada is prohibitive. It has been estimated that it costs at least \$5,000 per head to buy livestock declared safe by the Canadian Government.

In looking at this situation from the national interest point of view, it seems to me that American reliance on foreign livestock imported from Canada has certain disadvantages. The initial one is that since many animals are imported from Canada, it would be desirable if the United States controlled the importation and quarantine apparatus. As it stands now, the Department of Agriculture sends American veterinarians to meet any livestock shipments from foreign lands to Canada which would ultimately be purchased by U.S. producers. This, the Department concedes, is an expensive and burdensome procedure.

The same disadvantages also apply to our running continuing checks on the practices of other countries such as Argentina, France, Germany, Italy, who are seeking to establish quarantine stations for the purpose of shipping livestock into this country.

In my view, if the United States were to establish an adequate international livestock quarantine station of its own, it would solve in large measure, the problems and needs that the livestock producer experiences in regard to the importation of foreign livestock. The establishment of an adequate international livestock quarantine station would also give rise to other desirable conditions. Livestock producers would be able to import and critically evaluate selected foreign breeds not now present in the United States for their ability to improve livestock productivity and livestock quality. In addition, since the facility would be a Federal one, the Department of Agriculture could conduct research in the area of hybrid vigor and publish a running account of its research for the use and benefit of the livestock industry. The Department can also establish an ongoing system for the importation by private industry of larger numbers of breeds or types of livestock that are found to have significant potential usefulness in the United States.

Mr. Chairman, I believe it is absolutely essential for the United States to estab-

lish an adequate international livestock quarantine station if the livestock industry is going to meet the rising demand for meat caused by our rapidly growing population. The Bureau of the Census estimates that by the year 2000 we will have 100 million more people in this country than we have today. By the year 2015, our population will be increased by yet another 100 million people.

This will place a tremendous strain on the productive capabilities and adequacies of our domestic livestock industry. For example, Government experts have estimated that if the cattle industry is to meet consumer demand in the year 2000, the industry will have to produce calves that will have a weaning weight of between 600 and 700 pounds, as compared to the 300 to 400 pounds weaning weight that calves presently have under normal conditions.

The livestock industry can meet the challenges of the future only by the full use and benefit of hybrid vigor. This in turn necessitates the establishment of an adequate American international livestock quarantine station. Through the activities, the research, and the experiments of such a facility, every American will be able to enjoy a greater variety of high-quality livestock products at a reasonable cost in the future.

Mr. Chairman, the question before the House today is whether or not the United States should establish an international livestock quarantine station. This is a matter I have been interested in for several years; for, prior to being elected to Congress, I spent most of my adult life as a rancher and cattleman in the Texas Panhandle. As a result of this personal experience, I speak with some knowledge on this subject.

My position on the issue is a matter of record. Early in this Congress, I supported a bill similar to the one being considered today.

I did so because, based on my experience, I believe that an international quarantine station would be of great benefit to our livestock industry, an industry which has become a leading component of the agriculture sector of our economy.

As a member of the Livestock and Grains Subcommittee of the House Agriculture Committee, I had the advantage of working closely with this legislation from the time I introduced my bill. Throughout the committee deliberations my personal conviction that an international quarantine station was sorely needed was constantly buttressed by both the testimony of the expert witnesses that appeared before the subcommittee and the attitudes of my colleagues. Not only was there no opposition expressed to the proposal at the hearings, the legislation was unanimously reported by both the Livestock and Grains Subcommittee and the full committee.

Mr. Chairman, the livestock industry has been a leading component of the farm sector for many years. Its importance is evidenced by the fact that during the first 6 months of 1969, the livestock industry produced \$13.4 billion in cash receipts out of the \$20.5 billion pro-

duced by the entire farm sector. The industry has achieved this preeminence because, among other things, consumer demand for meat of all kinds has dramatically increased in recent years.

The industry has responded to the stimulus of consumer demand by altering production and initiating innovations designed to provide the American consumer with high quality meat at a reasonable cost.

As is to be expected, livestock producers, in an attempt to improve the competitive position of the industry are constantly striving to improve the quality of their product and lower their costs of production so that both they and the consumer can enjoy a higher return on their dollar. One important means by which the producer is trying to capitalize on his capabilities through experimenting with different animal blood lines.

Crossbreeding animal blood lines has become common practice in the American livestock industry. Experience has demonstrated that the products of crossbreeding have a significantly higher capacity for both gain and the production of desirable cuts of meat. They have what is called increased hybrid vigor.

Livestock experts have unequivocally declared that if the hybrid vigor of the American livestock industry were increased, it would have several widespread beneficial effects for the industry and the consumer. For the industry it is estimated that increased hybrid vigor would boost by three, the number of calves raised per cow bred. It also would effect sheep and swine in much the same fashion. This is an important increase; increasing the potential production percentage by three would permit a reduction in the present number of beef cows by about 1,200,000 animals without sacrificing current production levels. Inasmuch as annual cow maintenance costs are estimated at \$80 to \$120. This would mean that the 3 percent rise in calf productivity would create a production cost savings amounting to between \$96 and \$108 million at present production levels.

For the consumer it is estimated that hybrid vigor also increases the average weaning weight of a calf by about 90 pounds. The economic value of this increase would be realized by virtue of the fact a hybrid calf would gain more pounds of pre- and post-weaning feedlots gains and would require fewer days on feed before reaching market weight. In this connection, the hybrid vigor could possibly increase feedlot gain by one-half to 1 pound per day. Accordingly, feed required per pound or gain would be reduced by about \$7 and the producer would save about 3 weeks time in the feedlot. This would create significant cost savings which could be passed on to the final consumer in the form of lower market prices for meat.

According to USDA figures, yet another projected consumer benefit of hybrid vigor is that it would reduce waste fat on carcasses of finished slaughter animals by 4 pounds per 100 pounds of carcass weight. The economic importance of this reduction can be illustrated as follows. It is currently estimated that waste fat represents 20 percent of car-

ness weight. Assuming that the 20 million cattle now on feed average 600 pounds per carcass, a reduction of 4 pounds per 100 weight of carcass equals 24 pounds per head. This savings has two implications: at present levels of production, the amount of edible beef would be increased by about 480 million pounds, or around 2½ pounds of beef for every man, woman, or child in the United States. In addition, present levels of production could be maintained with 800 thousand fewer animals.

Mr. Chairman, under present law, livestock producers cannot take full advantage of the many benefits to be derived from crossbreeding because livestock from many countries around the world is excluded from the United States. The Tariff Act of 1930, as amended, contains an absolute prohibition against the importation of ruminating animals and swine, except certain wild animals for zoos, and fresh, chilled, or frozen meats of such animals from countries declared by the Department of Agriculture to be infected with hoof-and-mouth disease and other destructive animal diseases and parasites such as African swine fever, rinderpest, exotic ticks, and African horse sickness. As an administrative measure, Federal veterinary officials are assigned to various points of entry to the United States. There, with the assistance of trained inspectors, they inspect animals and animal products, poultry and poultry products, hay, straw, and similar materials that might carry destructive animal diseases into the United States. Those animals and materials that do not pass inspection are refused entry.

While I certainly agree that the Federal Government has the responsibility to see that our Nation is not infected with foreign animal diseases that would endanger our livestock industry and reduce its production, it also has the responsibility not to discharge this obligation in such a fashion that it forecloses a major avenue of improving livestock quality. In my view, the present policy of the Federal Government prohibits, as a practical matter, the full use and benefit of crossbreed experimentation. This condition is not a beneficial one; both the consumer and the producer suffer. I believe that the much needed balance between disease protection and livestock improvement can be best achieved by the Federal Government's establishing an adequate international livestock quarantine station on an offshore island where the U.S. Department of Agriculture can effect maximum security precautions to prevent diseased animals and materials from entering the country.

Mr. Chairman, I wholeheartedly urge my colleagues to respond to the needs of the domestic livestock industry and the Nation's consumers. It is in their interest that this bill was proposed; it is in their interest that this bill be passed.

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

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

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

H.R. 11832

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized, in his discretion, to establish and maintain an international animal quarantine station within the territory of the United States. The quarantine station shall be located on an island selected by the Secretary of Agriculture where, in his judgment, maximum animal disease and pest security measures can be maintained. The Secretary of Agriculture is authorized to acquire land or any interest therein, by purchase, donation, exchange, or otherwise and construct or lease buildings, improvements, and other facilities as may be necessary for the establishment and maintenance of such quarantine station. Notwithstanding the provisions of any other law to prevent the introduction or dissemination of livestock or poultry disease or pests, animals may be brought into the quarantine station from any country, including but not limited to those countries in which the Secretary of Agriculture determines that rinderpest or foot-and-mouth disease exists, and subsequently moved into other parts of the United States, in accordance with such conditions as the Secretary of Agriculture shall determine are adequate in order to prevent the introduction into and the dissemination within the United States of livestock or poultry diseases or pests. The Secretary of Agriculture is authorized to cooperate in such manner as he deems appropriate, with other North American countries or with breeders' organizations or similar organizations or with individuals within the United States regarding importation of animals into and through the quarantine station and to charge and collect reasonable fees for use of the facilities of such station from importers. Such fees shall be deposited into the Treasury of the United States to the credit of the appropriation charged with the operating expenses of the quarantine station. The Secretary is authorized to issue such regulations as he deems necessary to carry out the provisions of this Act.

SEC. 2. The provisions and penalties of section 545 of title 18, United States Code, shall apply to the bringing of animals to the quarantine station or the subsequent movement of animals to other parts of the United States contrary to the conditions prescribed by the Secretary in regulations issued hereunder.

SEC. 3. There are hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this Act.

With the following committee amendments:

Page 2, line 6, after the period insert the following sentence: "The Secretary of Agriculture, on behalf of the United States, is authorized to accept any gift or donation of money, personal property, buildings, improvements, and other facilities for the purpose of conducting the functions authorized under this Act."

Page 3, line 11, strike the word "contrary" and strike all of lines 8 and 9 and insert in lieu thereof the words "including Puerto Rico and the Virgin Islands."

The committee amendments were agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MATSUNAGA, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 11832) to provide for the

establishment of an international quarantine station and to permit the entry therein of animals from any other country and the subsequent movement of such animals into other parts of the United States for purposes of improving livestock breeds, and for other purposes, pursuant to House Resolution 861, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

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

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

The amendments were agreed to.

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

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

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

The bill was passed.

A motion to reconsider was laid on the table.

Mr. PURCELL. Mr. Speaker, pursuant to the provisions of House Resolution 861, I call up for immediate consideration the bill (S. 2306) to provide for the establishment of an international quarantine station and to permit the entry therein of animals from any country and the subsequent movement of such animals into other parts of the United States for purposes of improving livestock breeds, and for other purposes.

The Clerk read the title of the Senate bill.

MOTION OFFERED BY MR. PURCELL

Mr. PURCELL. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Motion offered by Mr. PURCELL: Strike out all after the enacting clause of S. 2306 and insert in lieu thereof the text of H.R. 11832, as passed, as follows:

"That the Secretary of Agriculture is authorized, in his discretion, to establish and maintain an international animal quarantine station within the territory of the United States. The quarantine station shall be located on an island selected by the Secretary of Agriculture where, in his judgment, maximum animal disease and pest security measures can be maintained. The Secretary of Agriculture is authorized to acquire land or any interest therein, by purchase, donation, exchange, or otherwise and construct or lease buildings, improvements, and other facilities as may be necessary for the establishment and maintenance of such quarantine station. The Secretary of Agriculture, on behalf of the United States, is authorized to accept any gift or donation of money, personal property, buildings, improvements, and other facilities for the purpose of conducting the functions authorized under this Act. Notwithstanding the provisions of any other law to prevent the introduction or dissemination of livestock or poultry disease or pests, animals may be brought into the quarantine station from any country, including but not limited to those countries in which the Secretary of Agriculture determines that rinderpest or foot-and-mouth disease exists, and subsequently moved into other parts of the United States, in accordance with such conditions as the Secretary of Agriculture shall determine are adequate in order to prevent the introduction into and

the dissemination within the United States of livestock or poultry diseases or pests. The Secretary of Agriculture is authorized to cooperate in such manner as he deems appropriate, with other North American countries or with breeders' organizations or similar organizations or with individuals within the United States regarding importation of animals into and through the quarantine station and to charge and collect reasonable fees for use of the facilities of such station from importers. Such fees shall be deposited into the Treasury of the United States to the credit of the appropriation charged with the operating expenses of the quarantine station. The Secretary is authorized to issue such regulations as he deems necessary to carry out the provisions of this Act.

SEC. 2. The provisions and penalties of section 545 of title 18, United States Code, shall apply to the bringing of animals to the quarantine station or the subsequent movement of animals to other parts of the United States, including Puerto Rico and the Virgin Islands.

"Sec. 3. There are hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this Act.

The motion was agreed to.

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

A similar House bill (H.R. 11832) was laid on the table.

#### GENERAL LEAVE

Mr. PURCELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous matter in connection with the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

#### EFFECTIVENESS OF EDUCATION PROGRAMS

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

Mr. PERKINS. Mr. Speaker, in his message on educational reform the President has called for fundamental studies related to the learning process and the effectiveness of education programs. The President listed as the first order of business for the proposed National Institute of Education, the determination of what is needed to make compensatory education efforts successful. This is a matter which is close to the Committee on Education and Labor. For in the past few years a major portion of the committee's time has been devoted to this very subject—that of improving American education, particularly education for disadvantaged children. Within the last year and a half the committee has conducted over a month of hearings on elementary and secondary school programs and we have undertaken two extensive surveys which have involved more than 20,000 local school officials. Mr. Speaker, the committee has firm plans to continue this work.

First priority for the committee and



the educational community is completion of the conference on the elementary and secondary school amendments. Immediately after approval of a conference report, the committee will conduct oversight hearings on elementary and secondary education programs. All Members of Congress who have suggestions for changes in education programs or who wish to discuss educational issues will be heard by the committee. In addition, the committee will travel to various sections of the country for the purpose of evaluating on a first-hand basis title I and other elementary and secondary school programs. In addition also, our three excellent education subcommittees are presently carrying out their oversight responsibilities and they will continue this during the coming months.

In summary, all suggestions from the administration, from Members of Congress, from the educational community and from the public at large will be heard and thoroughly considered in our effort to improve American education.

Mr. Speaker, I must today register my deep concern about what amounts to a general indictment of Federal education programs. The suggestion that two-thirds of our involvement in compensatory education is being squandered is, in my judgment, an indictment of the educational leadership in America. It is an indictment with which I wish to disassociate myself and it is an indictment which is in direct conflict with all the evidence the committee has gathered through the hearings and studies I have mentioned. Undoubtedly some funds are not being expended as efficiently or as effectively as they might. On the other hand, school people throughout America have overwhelmingly testified to the effectiveness of title I. Statements from thousands of local administrators pointing to the effectiveness of title I and discussing the "immeasurables" mentioned by the President are on file with the committee.

In addition we have hard data with respect to increased achievement for title I students particularly in reading. In Louisiana over 100,000 students were involved in remedial reading programs last year. In 56 of Louisiana's 66 school systems carrying out title I reading programs students demonstrated an average grade level improvement of 1.3 years. West Virginia also shows an average gain of approximately 1.3 years in reading for their title I students. In St. Louis, Mo., 2,500 title I students who in previous years had an average of 8 months' gain in reading per year showed gains based on achievement tests of 1.4 years. Those who have supplied this and similar information are unanimous in the view that the most serious problem with respect to title I is that of inadequate funding. More adequate funding is what is needed to make compensatory programs more successful. The record before the Committee on Education and Labor on these issues clearly shows that statements concerning waste and ineffectiveness are mere camouflage for the major and uncalled for weakness in the program—that of underfunding. The issue is well joined.

The committee in its planned series of hearings will, in addition to hearing the administration viewpoint, provide an opportunity for administrators and teachers to come forth and testify with their suggestions. As I said we are unable to conduct our hearings until after the conference is concluded on the elementary and secondary education amendments. We were unable to meet this week because Members of the other body were not available. The conference is scheduled for next week and I am confident that we will complete our conference work in the very near future so that we will be able to continue with our very important oversight responsibilities forthright.

**KEE INTRODUCES LEGISLATION TO ENCOURAGE STATES TO PROVIDE CIVIL SERVICE COVERAGE FOR ALL LAW-ENFORCEMENT PERSONNEL OTHER THAN ELECTED OFFICIALS**

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

Mr. KEE. Mr. Speaker, yesterday I introduced in the House of Representatives H.R. 16246, a bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968, relating to law-enforcement assistance, to encourage the States and units of local government to provide civil service coverage for all law-enforcement personnel other than elected officials.

The fact is that Public Law 90-351, the Omnibus Crime Control and Safe Streets Act of 1968, under section 301 (b) (2) authorizes the Law Enforcement Assistance Administration to make grants to States—having approved State plans—for programs for the recruiting and training of law-enforcement officials.

Section 303(2) of this act provides that at least 75 percent of the Federal grants be available to units of general local government to include any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State.

Due to the continued increase in crime, I feel strongly that our qualified law-enforcement officers of experience and ability—after being found qualified by competitive examination—be given job security and, therefore, make it easier for them to qualify and further their professional skills, in addition to providing them with better training standards and adequate pay.

As we all know, law enforcement is a local responsibility. As never before in the history of our Nation, America needs exceptionally outstanding men in all phases of law enforcement to reduce crime on the streets and in the communities throughout our land, regardless of size.

Whenever an experienced officer loses his job because of political consideration, the fight against crime loses, and our Nation loses. In my home State of West Virginia, our State police and our city police are recruited by State or city civil service examinations and they are

trained for the performance of their duties. Unfortunately, our deputy sheriffs do not have the protection of civil service and each 4 years we do lose the services of some valued, reasonable, and experienced men of proven ability because of the political facts of life, rather than because of the performance of their duties.

My legislative proposal recognizes that civil service protection for the qualified men and women is strictly a matter within the exclusive jurisdiction of the State and is designed to encourage the States and units of local government to provide this protection under strict standards.

In any field of endeavor all of the money in the world will not substitute for the experience which has been gained through effective services.

Therefore, in my judgment, due to the extreme importance to the future of our children and grandchildren, I urgently plead for the enactment of H.R. 16246, in order that America may retain our experienced officers of proven ability following their successful completion of competitive examinations and, at the same time, assist our deputy sheriffs in not only recruiting new members with outstanding capabilities, but also to provide more effective training so their careers may benefit the areas in which they serve.

**GADSDEN, ALA., RECEIVES FREEDOMS FOUNDATION AWARD**

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

Mr. BEVILL. Mr. Speaker, the city of Gadsden, Ala., one of the leading cities in the Seventh Congressional District, has received a national award from the Freedoms Foundation of Valley Forge, Pa.

Gadsden's award was in the governmental unit activities category and went jointly to the 23d Artillery Group, the city's adopted unit in Vietnam.

Gadsden received this award for establishing Gadsden, Vietnam, a refugee village in the Binh Dugon Province of South Vietnam. This village was made possible by the citizens of Gadsden as a concrete example of the good will of American citizens.

We are all very proud of this achievement. We are especially grateful to the fine citizens of this city for their concern for the people of South Vietnam.

At this time, Mr. Speaker, I place in the Record three newspaper articles from the Gadsden Times which tell the story of Gadsden, Vietnam:

**KIDS, BUSINESSMEN: ALL HELPED PAY COST**

From the coins of school children to large donations from clubs and business firms, Gadsden, Vietnam has represented the collective heart of Gadsden, Alabama.

An approximate \$22,000 was sent from this city to build a model refugee village that would attract international attention.

Only \$70 will build a house in Vietnam, using native labor, manmade materials, plus some help from other sources. Thus, the \$22,000 was made to stretch and stretch and stretch.

Talk about getting your money's worth . . . The results have been phenomenal.

Mayor Les Gilliland made the first donation (\$300) to help build the village. This was quickly followed by \$100 from the Gold Star Mothers.

Gadsden Lions Club contributed \$500 which made possible a medical clinic or dispensary.

Gadsden Life Underwriters raised over \$1,000 for a community center.

The Gadsden Times gave two checks, totaling \$1,000 which helped provide neat, comfortable homes for the destitute refugees.

Dr. Suzanne Silvercruys, noted sculptor and author, gave a lecture at Convention Hall. The receipts of \$223 were donated to the village.

Merchants donated merchandise and the Gadsden Chamber of Commerce sponsored a public auction. This resulted in \$2,000 added to the project.

The complete list of donors is far too long to print here. But the names are on file in Mayor Gilliland's office.

They include churches, Sunday school classes, Boy Scouts, Girl Scouts, civic clubs, garden clubs and virtually every school in the community.

All can take a measure of pride in the success of Gadsden, Vietnam.

#### A STORY OF AMAZING GROWTH

The finest Civic Action Project in Vietnam. . . . The brightest spot in a dirty war. . . . The showplace for visiting dignitaries.

These are some of the labels given Gadsden, Vietnam.

Following are some of the steps, taken in chronological order, of the amazing growth of this refugee village:

On Dec. 7, 1965, City Commission of Gadsden, Ala. passed a resolution offering to adopt a military unit in Vietnam. Soon after, the 23rd Artillery Group accepted the offer.

The 23rd Artillery Group was officially adopted by the City of Gadsden on Jan. 11, 1966.

A Vietnam Committee, representing a cross-section of the community was organized. Discussions centered on the subject: What to do for the adopted unit in Vietnam.

Rev. Richard Bolen, Gadsden minister, left April 18, 1966 on flight to Vietnam as the city's goodwill ambassador.

Loyalty day observed May 1, 1966 at Convention Hall. Fulton Lewis, Jr. was principal speaker. Rev. Bolen, back from Vietnam, urged Gadsdenites to help adopted unit sponsor a refugee village there.

Mayor Lee Gilliland immediately pledged \$250 toward such a project. He was followed by a \$100 donation from Gold Star Mothers and a personal donation of \$100 by L. C. Wright.

On May 4, 1966, some 2,000 school students took part in a patriotic pageant at Murphree Stadium. Some 15,000 bars of soap were collected and sent to the adopted unit for distribution.

Gadsden observes May 8-14 as 23rd Artillery Group Week. Four men from adopted unit, all with rank of sergeant major, visit the Alabama city and get red-carpet treatment. Numerous public appearances made.

Visitors create strong sentiment to help support refugee village project.

On May 31, 1966, groundbreaking ceremony held at site of Gadsden, Vietnam. Col. James H. Dyson, commanding officer of 23rd Artillery, and Lt. Col. Ly Ba Pham, province chief, among the 150 persons attending.

Col. Thomas H. Sayes assumes command in June, 1966, succeeding Colonel Dyson.

First 10 refugee families move into new concrete block homes, built with native labor using homemade materials. This took place Aug. 8, 1966, only 40 days after laying of first cornerstone.

On Sept. 17, 1966, a cornerstone was laid

for the new medical dispensary for village. It was made possible by a \$500 donation from the Gadsden Lions Club. Building was named after Sgt. James E. Bowers, member of the 23rd Artillery, who was killed by the Communists.

In January, 1967, while Mayor Les Gilliland was in Washington, he presented a scrapbook on Gadsden, Vietnam to President and Mrs. Lyndon Johnson.

Full page article on the village appears in the "Observer", a paper published weekly in Saigon for American forces.

Readers Digest carries brief editorial comment favorable to the village.

Major Norman T. Morse and Sgt. Maj. Robert D. Hendrickson, members of the 23rd Artillery, visit Gadsden with wives and appear at numerous clubs and schools here. The two visitors receive Distinguished Service Medal, Alabama's highest military honor.

Band concert held at Convention Hall, with nearly \$600 collected by school musicians for Gadsden, Vietnam.

Story in Gadsden Times on April 5, 1967 states that 95 homes in Gadsden, Vietnam now occupied. Contributions from Gadsden, Ala. citizens pass the \$13,000 mark.

Wide publicity about model refugee village includes coverage on NBC television show "Today" and story in Grit news magazine.

Paul Harvey, noted commentator, speaks at Loyalty Day event April 30, 1967 at Convention Hall. The Gadsden, Vietnam Fund passes \$15,000.

East Gadsden Lions Club hold roadblock to benefit the village fund.

Col. Thomas H. Sayes, upon completion of duty in Vietnam, arrives in city with family for brief stay. He describes village as "finest civic action project I have ever seen."

First 100 homes completed and occupied, Colonel Sayes reports. Mayor Gilliland announces that another 100 homes planned.

Some \$2,000 raised at public auction for village project. Gadsden merchants donated merchandise which was auctioned by Speed Riggs, famed tobacco auctioneer.

July issue of VFW Magazine carries story by Jess Raley, "Two Towns Named Gadsden."

Emergency medical treatment halts threat of cholera epidemic in swine owned by Gadsden villagers.

Col. Robert J. Koch, commander of 23rd Artillery, appeals for Christmas gifts for children of Gadsden, Vietnam. The overwhelming response includes \$104 from Alabama School of Trades.

Col. Koch, en route to Washington, visits our city and tells how Gadsden, Vietnam turned a deaf ear to the Viet Cong.

Congressman Tom Bevill, who visited village, presents Mayor Gilliland with painting done by grateful villagers.

Vietnam President Nguyen Van Thieu visited Gadsden, Vietnam on Jan. 2, 1969. Col. Harold G. DeArment commander of 23rd Artillery, accompanied the distinguished visitor.

Article on Feb. 9, 1969 in the Times tells how the village dispensary recently treated its 10,000th patient.

The Observer, military newspaper, lauds the village project as "an example of two people—worlds apart—working together."

Chaplain Carl S. King of the 23rd Artillery wrote in a letter Aug. 11, 1969 that the Gadsden, Vietnam Fund was being closed with completion of the project. Nearly \$22,000 had been contributed by citizens of Gadsden, Ala.

#### GADSDEN, VIETNAM: FREE WORLD SHOWPLACE

(By George Butler)

Few humanitarian projects have so captured the admiration of the Free World as Gadsden, Vietnam.

Folks from Gadsden, Alabama, reached 12,000 miles away with their prayers, hopes and financial aid. They gave homes and a new

way of life to Vietnam war refugees, proving that brotherly love can exist among people even though separated by distance, language and cultures.

Less than four years ago (on May 31, 1966 to be exact), a groundbreaking ceremony was held for the first concrete block home in Gadsden, Vietnam.

Site of the sister city is in Binh Duong Province, about 30 miles northeast of Saigon near Phu Lai.

Early in August of that year, 10 refugee families moved into new homes. Villagers, who needed work, built the homes with their own labor under supervision of the 23rd Artillery Group, the military unit adopted by citizens of Gadsden, Ala.

The concrete blocks were made on rather primitive hand-operated block-making machines.

Considerable aid for materials used in construction came from the U.S. Agency for Internal Development.

Thus, Gadsden, Vietnam has been a joint project. Citizens of the Alabama city donated about \$22,000 in money, plus numerous other contributions—such as Christmas gifts for children, soap for the refugees etc.

The 23rd Artillery Group has given military protection to the village from the Viet Cong, plus providing the know-how needed in construction of homes, streets, deep wells, pig farm, etc.

Gadsden, Vietnam has grown to become a thriving, model village—a showplace for all distinguished visitors to Vietnam.

There are approximately 200 neat concrete-block homes, with deeds of ownership made out to each family.

The village has a medical dispensary and in 13 months more than 14,000 patients had been treated.

The village has a six-room school filled to overflowing. (Vietnamese government furnishes the teachers).

There is a playground for children, a school administrative building which also serves as a community meeting place. There are vegetable gardens and eight deep wells to provide water for drinking and irrigation.

The village also boasts a modern pig farm with 70 concrete-block stalls. Hog raising is the chief industry of the village. But others raise ducks and chickens. And everyone has a vegetable garden.

A reporter for the 23rd Artillery Group wrote: "The people of Gadsden, Vietnam are becoming independent because they work. The wide variety of businesses include five laundries, two barbers, a watch and clock repairman, five construction men and 20 who work at a nearby pottery.

"But hog-raising is the biggest industry. About 35 families own and raise a total of 121 hogs. A litter raised and sold brings a year's wages."

There is a crafts shop where women can do sewing for themselves and to sell in the market.

Plans originally called for only 100 homes in Gadsden, Vietnam. However, upon completion of the 100, there were still many families living in squalid hovels. Some funds were on hand and it was decided to construct another 40 homes.

Upon completion of these, 60 more were planned, built and quickly occupied. Funds continued to arrive from Gadsden, Ala. to meet each financial crisis.

It is miraculous how much has been done with such a limited outlay of money.

Total cost of materials to construct a two-room home was about \$70. Each dollar sent to Vietnam has gone a long, long way.

Others have caught the spirit of the new village and have helped. For example, medical supplies for the dispensary have come from varied sources, including the Australian government. Many drug firms have contributed vitamins, etc.

Gadsden, Vietnam folks are putting democracy to work and have elected a village chief and six-man town council.

The villagers have rejected all attempts of Communists to gain support.

It is difficult to condense the story of Gadsden, Vietnam. It would take volumes to even hit the high spots of this remarkable "dream come true."

It has been visited by such noted persons as Author John Steinbeck, Vietnam President Nguyen Van Thieu, numerous senators, congressmen and others.

Without exception, it has won lavish praise from visitors. Many call it the outstanding Civic Action Project in all of Vietnam.

Articles about the unique village have appeared in newspapers, magazines, on television programs.

Former President and Mrs. Lyndon Johnson received a scrapbook about Gadsden, Vietnam from Mayor Lesley L. Gilliland on a visit to the White House.

#### NONDISCRIMINATORY SCHOOL SYSTEMS

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

Mr. MIZELL. Mr. Speaker, 2 weeks ago, I introduced a bill, with 15 cosponsors, designed to insure the rights of our schoolchildren to attend their neighborhood schools, and to establish, once and for all, nondiscriminatory school systems. Today, I am proud to reintroduce my bill with two additional cosponsors; one, a member of the Education and Labor Committee, and the other, the chairman of the Republican policy committee.

The national scope of the problems facing our school systems was evidenced last week when representatives from Florida and California spoke out on the crises affecting their areas. Florida Gov. Claude Kirk expressed concern that school busing decisions were going to put the Florida school systems on the verge of destruction. At the same time, Mr. Robert E. Kelly, deputy superintendent of business and education services for the Los Angeles School Board, blamed the education crisis in that city on irresponsible lower court decisions, dealing with school busing. A superior court judge in Los Angeles County has ordered that no schools in that system will have more than 50 percent black enrollments. According to Los Angeles County officials, this will require 50,000 additional school buses in order to transport more than 250,000 students daily. The cost will be astronomical. City councilman Marvin Braude has called it a disaster for his community.

It is apparent that the indecision of the Supreme Court with regard to de facto segregation and neighborhood school cases has created more than a local crisis, and a national situation that could, if allowed to continue, tear apart our very educational system.

My bill is designed to, once and for all, end the indecision and to define the meaning of a "nondiscriminatory school system" so that our courts will have something on which to base their decisions. The time has come to reaffirm our policy of concentrating on the education of our young people, to give all

Americans fair and equal chances to obtain good schooling.

Mr. Speaker, I believe that my bill can do a great deal to help end the school crisis we are facing today across the Nation. I am honored that two such distinguished colleagues have agreed to join me in my efforts. Let it be known that these men have joined me and 15 other Members of Congress in an effort to place more emphasis on quality education. Our schools are designed to educate. When they are used for any other purposes, they are being used at the expense of our young people, the future leaders of this great Nation. We must get on with the job of providing quality education.

#### FIRM ACTION SOUGHT IN ATTEMPT TO HALT SEIZURES OF U.S. FISHING VESSELS

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

Mr. PELLY. Mr. Speaker, the general manager of the American Tunaboat Association, Mr. August Felando, has sent a lengthy but important telegram to President Nixon offering numerous suggestions for halting the illegal seizures of U.S. fishing boats off some Latin American countries in the eastern Pacific.

Of particular interest to the Congress, where consideration is being given to legislation to aid in the moves to stop these seizures, is the legal precedent Mr. Felando has discovered for sending American naval vessels to provide protection.

Reference is made to actions taken by President John Quincy Adams in his message to the 19th Congress, second session; to that by President Andrew Jackson in his message to the 22d Congress, first session; and to the actions of President Millard Fillmore as reported by Senator Seward in the debates of the 32d Congress, first session, in August 1852. President Fillmore, supported by Secretary of State Daniel Webster, ordered the warship U.S.S. *Mississippi* to cruise about in the troubled waters, "for the protection of American fishermen in the enjoyment of their just rights." The problem at that time was harassment and seizures in the northwestern Atlantic by British forces.

Mr. Felando offers numerous solutions to the present-day problem, and without objection the full text of his telegram to the President will appear at this point in the RECORD for the information of my colleagues:

SAN DIEGO, CALIF.

HON. RICHARD M. NIXON,  
President of the United States,  
Washington, D.C.:

We urgently request naval protection for U.S. tuna vessels fishing off Ecuador and Peru. During February three vessels have been seized: The *M/V City of Panama* by Ecuador on February 14, about 17 miles off the coast; the *M/V Western King* by Peru on February 23, about 37 miles off the coast, and the *M/V Day Island* by Ecuador about 37 miles off the coast. About \$149,000 has been paid these countries by vessel owners to obtain release of crews and vessels.

Two of these seizures occurred at about

2100 hours, while USA vessels drifting. Since January 1961, ninety-one USA tuna vessels have been illegally seized on the high seas off Pacific coast of Latin America. Forty-seven by Ecuador and thirty-four seizures by Peru. Also, alarming number of serious shooting and other forms of harassment incidents have occurred during this period, including severe gunfire damage to vessels and sinking of small support boats as well as wounding of USA fishermen. Deaths of Ecuadorean naval pilots involved in tuna seizure and harassment actions on February 23 may increase danger to USA fishermen. History of attempts to resolve conflicts since 1951 include rejection of USA offer to take matter to World Court or arbitration tribunal by Ecuador and Peru.

Willingness of Peru and Ecuador to go to 1969 conference in Buenos Aires effected only after Foreign Military Sales Act implemented and Congress scheduled law designed to grant President power to deny entry of fishery products of countries refusing to negotiate law of sea dispute. I attended this conference, and objective review of events since conference indicates that diplomatic efforts by Department of State commencing about three years ago has failed. Hard line statements and actions by Ecuador and Peru, including history of four seizures and seven different harassment incidents since conference during period when USA tuna fleet presence minimal off Ecuador and Peru, plus use of concentrated and heavy use of aircraft, destroyers and patrol craft support conclusion of failure and necessity of change of policy by United States in this dispute.

It is our belief that Peru and Ecuador have mutually agreed to conduct policy designed to seize or harass every USA tuna vessel on high seas, and to test USA intent to offer protection by Congress and executive and to measure extent of protection offered. On basis of above facts we make following requests (1) that naval vessel loan bill, section 3, Public Law 90-224 be immediately implemented, so as to effect return of USA destroyer now on loan to Peru; (2) that all naval vessels under special loan to Ecuador and Peru be recalled under thirty day clause provided in such agreements; (3) that the Foreign Military Sales Act, section 2(b), Public Law 90-629 be immediately implemented, thereby cutting off all military goods and services to Ecuador and Peru; (4) that the Fishermen Protective Act of 1967 be immediately implemented so that all fines paid under such act by the United States be withheld from the foreign assistance funds allocated to Ecuador and Peru; (5) that you selectively reduce the extent of foreign assistance furnished to Ecuador and Peru by exercising the powers granted to you by Congress under the Foreign Assistance Act of 1965, as amended, section 620(o), Public Law 89-171; (6) that you request the appropriate chairman of the House Merchant and Marine Fisheries Committee to consider immediate hearings and action on H.R. 10607, a bill introduced by Congressman Pelly, and that you publicly support the concept of such legislation, and that you request Senate commerce chairman Warren Magnuson to consider the introduction of legislation patterned after H.R. 10607; and (7) that you request the appearance of the Ambassadors of Ecuador and Peru to the White House for the purpose of receiving explanations from their governments for their apparent policy of mutually agreeing to seize and harass U.S. flag fishing vessels on the high seas, and to take the opportunity of such meeting to explain the position of the United States with respect to the freedoms of U.S. citizens to fish on the high seas not only to such ambassadors but also to the U.S. public and the world in general, and finally; (8) that you take action to provide necessary and effective protection of U.S. fishing vessels

as they legally exercise their freedom to fish on the high seas off Ecuador and Peru, utilizing the employment of U.S. naval vessels on the high seas off coasts. In connection with this latter request, we respectfully refer you to actions taken previously by other Presidents of the United States.

They afforded U.S. Coast Guard protection to U.S. shrimp vessels on the high seas in the Gulf of Mexico. They afforded U.S. naval protection to U.S. fishing vessels from New England States when naval vessels of Great Britain were implementing a policy to seize U.S. fishing vessels on the high seas. They provided U.S. naval protection for U.S. fishing vessels off Chile and Peru when such vessels were endangered.

Please refer to the actions taken by President John Quincy Adams in his message to the 19th Congress, second session, to that by President Andrew Jackson in his message to the 22nd Congress, first session, and to the actions of President Millard Fillmore as reported by Senator Seward in the debates of the 32nd Congress, first session in August 1852. President Fillmore, supported by Secretary of State Daniel Webster ordered the warship U.S.S. Mississippi to cruise about in the troubled waters "for the protection of American fishermen in the enjoyment of their just rights." Senator Seward stated:

"So long hereafter as any British force shall be maintained in those northeastern waters, and equal naval force must be maintained there by ourselves. When Great Britain shall diminish or withdraw her armed force, we ought to diminish or withdraw our own; and that in the meantime a commission ought to be raised or that some appropriate committee of this body charged to ascertain whether there cannot be some measure adopted by reciprocal legislation to adjust these difficulties and enlarge the rights of our fishermen, consistently with all the existing interests of the United States." We suggest that this proven advice is good advice in dealing with Peru and Ecuador, and since the consequences of allowing Peru and Ecuador to continue to implement their mutual policy endangers the essential sovereign interests of the United States, and in our opinion also deliberately obstructs attempts by the world to live by rule of law rather than by rule of force in matters of the law of the sea, we respectfully urge that you follow such historical precedent and provide naval protection to U.S. flag fishing vessels and their crews on the high seas off Ecuador and Peru.

AUGUST FELANDO,  
General Manager,  
American Tunaboat Association.

#### PROPOSED DISTRICT OF COLUMBIA SCHOOL "BOYCOTT" OR "WALK- OUT"

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

Mr. BROYHILL of Virginia. Mr. Speaker, I am appalled at what I read in the local newspapers in the past few days about a proposed District of Columbia public school "boycott" or "walkout," and watch the antics of certain of the representatives of the Washington Teachers Union, urging, calling, and demanding a "walkout" on the part of the teachers from the classrooms on Thursday of this week for 1 day of lobbying on Capitol Hill. I understand from an article in the newspaper today that such a "boycott" or "walkout" resolution was shouted into adoption yesterday by the

teachers following their union leaders' advice.

I deplore this action and I call upon those teachers in the District schools not in sympathy with this action to disavow the action taken by those members of the teachers union who voted for the resolution calling for a "boycott" or "walkout."

I also call upon the Board of Education to come forward and urge the teachers not to take this precipitous, irrational, and illegal action.

I also call upon the Commissioner and the City Council to stand ready, with the advice and aid of their lawyers, to seek an injunction or temporary restraining order if need be to prevent this contemplated illegal action to "boycott" the schools or "walkout" of the classrooms on Thursday.

There appears to be a total void of leadership from the elected officials comprising the school board and from those appointed officials on the City Council and in the Commissioner's Office who should be directing and urging the teachers to continue at their assigned duties on Thursday.

Over the years I have been very favorably disposed to aid the District of Columbia public schools and to see to it that teachers and other education employees are paid on a scale commensurate with other school systems in the Metropolitan Washington area. I introduced H.R. 12600, a bill to make certain revisions in the retirement benefits of District of Columbia teachers and other educational employees; and, I was an active advocate on the floor last week, February 19, in urging its passage by my fellow Members of this body. I also introduced H.R. 15151, a bill which would, among other things, amend the District of Columbia Teachers Salary Act of 1955 to increase the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia.

I introduced this teachers salary bill on December 9, 1969, and hearings are set on this bill for Thursday, March 5. Until the recent action of the union leadership, urging a "boycott" and a "walkout" on that date, and until certain of the teachers themselves voted a resolution calling for this action, I was most hopeful that favorable action would be forthcoming from the subcommittee holding the hearings in this matter. However, I for one, will not be "boycotted" or threatened into holding hearings on this legislation, and I seriously doubt whether other members of the District Committee will permit themselves to be so "boycotted." I hope that I never see the day when legislation is enacted in response to threats from those who would benefit thereby.

I am fearful for the future of the District school system when we have a teacher quoted as he was in the newspaper today to the following effect:

We're sitting here trying to find a safe way of doing something and we've got to get off these bourgeois attitudes and get into reality. The high school students are doing it. The elementary school students are talking about it. We must show those kids that we don't let anybody sit on us either.

At best this is a menacing statement; at worst it seems to constitute a threat to bring the antics and demonstrations of the street into the Halls of Congress. Surely those officials in the District of Columbia responsible for the District government and its schools will not permit such threats of street action and a threatened "boycott" or "walkout" to go unchecked.

Or, will they?

I feel it is my responsibility to call to the attention of those schoolteachers who voted in favor of the "boycott" and "walkout" resolution, to the school administrators, to the District of Columbia Board of Education, the City Council, and to the Commissioner, the following matters:

First, that a "boycott" or "walkout" and the failure of the teachers to perform their assigned duties on Thursday constitute nothing more nor less than a strike against the District of Columbia, particularly in light of the public announcements that the teachers are taking this action as a joint enterprise.

Second, that the Teachers Union, in advocating a "boycott" and "walkout" as it did here, is in violation of article XXXIX of the existing union contract, effective through June 1971, and a repudiation of the contract.

Third, that failure of the teachers to discharge their duties on Thursday as called for in their contracts must be considered a breach of contract for which, among other things, no compensation may be made to individual teachers.

But, more importantly, section 7311 of title 5 of the United States Code indicates that an individual may not accept or hold a position in the government of the District of Columbia if he, among other things, participates in a strike or asserts the right to strike against the government of the District of Columbia or is a member of an organization of individuals employed by the government of the District of Columbia that he knows asserts the right to strike against the government of the District of Columbia. Section 1918 of title 18 of the United States Code provides that whoever violates the provisions of section 7311 of title 5 shall be fined not more than \$1,000 or imprisoned not more than 1 year and 1 day, or both.

Further, as I understand it, each of the employees of the Board of Education signs an affidavit upon accepting employment with the District of Columbia Board of Education that he will not strike against the government of the District of Columbia and will not assert the right to strike against the government of the District of Columbia or any agency thereof while such an employee, nor will he knowingly become a member of any organization which asserts such a right.

The rules of the Board of Education also prohibit, in my opinion, that action contemplated by the teachers who plan a "boycott" and a "walkout" of the classrooms on Thursday.

Certainly under the District Code no more than 5 percent of the total number of teachers may be on leave at any one

time—see title 31, District of Columbia Code, section 691.

In addition, the current union contract, effective through June 1971, provides in article XXXIX as follows:

The union will not engage in or encourage strike action or work stoppage of any type during the life of this Agreement.

I cannot emphasize too strongly to union representatives urging strike action and those teachers who have voted to "boycott" and "walkout" of their classrooms on Thursday that they reconsider and disavow this action immediately.

In my opinion the Board of Education has the authority to fire those employees who engage in such an illegal strike, and it has the authority to select out the leaders in such a strike and fire them, based on the Supreme Court decision in *NLRB v. Sands Mfg. Co.*, 306 U.S. 332, 345 (1939). It is also my opinion that the Board of Education and the District government have civil and possibly criminal remedies they may wish to initiate against certain union officials.

I call for the Board of Education, the City Council and the Commissioner to take whatever action is necessary to prevent this "boycott" and "walkout." I say this not in any threatening manner because I do not wish to emulate the action of those who have urged or voted for this strike action but I say it from a conviction that this action which is contemplated is wrong, that it need be reversed, and that the local leadership in this community is sorely needed to effect this reversal.

I include a Washington Post article at this point:

DISTRICT OF COLUMBIA TEACHERS VOTE  
BOYCOTT

(By Lawrence Feinberg)

Members of the Washington Teachers' Union, following their leaders' advice, voted yesterday to boycott classrooms on Thursday for one day of lobbying on Capitol Hill.

The walkout will coincide with the House District Committee's hearings on pay raise legislation, but the 1,000 teachers at yesterday's meeting argued emotionally about whether higher pay should be the main focus of their action.

"All the community has heard about so far is pay," one teacher said. "Most of them are poor black people, who don't care how many thousand we get. Unless we let people know there are other issues involved—better education—then we are damned."

The boycott resolution, shouted into adoption by a heavy vote, declared only that teachers would "lobby for the needs of children."

"And pay, too," some teachers yelled. "We had to go to college four years for this. The police and firemen didn't."

The pay raise bill, passed by the Senate in December, sets salaries for police and firemen, as well as teachers. The salary range for teachers would rise from a range of \$7,000-\$13,440 a year to \$8,000-\$16,100, retroactive to last Sept. 1.

The pay for rookie police and firemen would be increased from \$8,000 a year to \$8,500.

Before yesterday's vote at Roosevelt High School, at 13th and Upshur Streets NW, Union President William Simons read a letter from Acting School Supt. Benjamin J. Henley, threatening to remove recognition of the

union if a strike occurred, and to end its dues checkoff.

Henley noted that the union contract contains a "no-strike" clause that does not expire until June, 1971. The union has a membership of 4,300 of the city's 7,800 teachers.

"We're sitting here trying to find a safe way of doing something," Burnell Irby, a teacher at Bundy Elementary School, said. "And we've got to get off these bourgeois attitudes and get into reality."

"The high school students are doing it. The elementary school students are talking about it. We must show those kids that we don't let anybody sit on us either."

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

Mr. BROYHILL of Virginia. I am very happy to yield to the gentleman from Iowa.

Mr. GROSS. Are these the same schoolteachers for whom the House only a few days ago approved a very liberalized retirement system?

Mr. BROYHILL of Virginia. They are the same schoolteachers for whom we passed a very lucrative retirement bill a few days ago.

Also this pay bill which is pending will give the schoolteachers in the District of Columbia system over \$1,000 a year more starting salary than the schoolteachers in the suburbs.

THE PRESIDENT'S EDUCATION  
MESSAGE

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

Mr. PUCINSKI. Mr. Speaker, as chairman of the Subcommittee on General Education, which has basic responsibility for legislation dealing with elementary and secondary schools in this country, I should like to call the attention of the House to an editorial which appeared this morning in the New York Times commenting on President Nixon's education message of yesterday.

The New York Times editorial says in part:

President Nixon's education message is replete with delayed-action rhetoric. For many school systems in the throes of fiscal crisis, it can only sound like a pledge to a drowning man that help will come as soon as the experts find out why he is swimming so poorly.

I will include the whole editorial in the conclusion of my remarks.

I should like for the House Members to know that the general subcommittee has been holding extensive hearings on educational needs of this country, and we are ready for action now.

One thing I was particularly appalled by is that when one reads through the whole lengthy statement he does not find one reference to vocational education, when the greatest single problem of the American educational institutions today is the fact that we fail to prepare the young people for the world of work.

I hope my colleagues will read the President's message and then read the editorial which appeared in the New York Times and the further analyses we are going to make of the President's

proposal, and then I hope our colleagues will join us in bringing to this Congress some meaningful help for the schools of this country.

The editorial referred to follows:

EDUCATION—WHY NOT NOW?

President Nixon's education message is replete with delayed-action rhetoric. For many school systems in the throes of fiscal crisis, it can only sound like a pledge to a drowning man that help will come as soon as the experts find out why he is swimming so poorly.

This is not to challenge the President's demand for educational reforms nor his warning that "we must stop pretending that we understand the mystery of the learning process." Our quarrel is with the prospect of put-off or reduced subsidies for admittedly imperfect but promising programs until that distant day when the secrets of learning are unlocked.

The proposed creation of a National Institute of Education for research and experimentation could be useful; but to halt this step as the equivalent of the National Institutes of Health is nothing short of deception so long as the relationship between the N.I.H. success story and its liberal funding is unmentioned.

The President is right in saying that the American schools have lagged in applying technology to teaching; but the effective use of these tools, at least initially, is expensive far beyond the fiscal capacity of states and localities.

For all these reasons establishment of a Presidential Commission of School Finance to "help states and communities to analyze the fiscal plight" of their schools can only appear as a device to defer that which is needed now. It is ludicrous to speak about long-range budgeting at the very moment when, as a result of Congressional delays and Mr. Nixon's veto, the schools have not yet even been assured of funds for the current budget.

The most constructive elements of the message are support of Education Commissioner Allen's "right-to-read" program and for Mr. Moynihan's proposal to concentrate on the pre-school experience of children from the ages of one to five. Equally constructive is the promise of support for a system of day care.

Yet only the \$200 million funding of the reading campaign can be considered a realistic pledge. In contrast, it is difficult to see how \$52 million, or little more than \$1 million per state, can do much toward establishment of "a network of child development projects."

The President seems irreconcilably torn between the advice of those of his experts who claim that past Federal programs have failed because they were poorly carried out at state and local levels and his own philosophy of letting the states assume control over Federal aid. In the end, the triumph of states rights ideology over Federally supervised reform can only aggravate the lack of cohesive school policies which Mr. Nixon properly deplored.

No one will argue with the President's conclusion that "we do not yet have equal educational opportunity in America." But no research is needed to identify the causes of such lag. It is therefore encouraging that Mr. Nixon has called school desegregation vital to educational quality and equality alike.

But on this as on all other issues it is not enough to say that "the tone of this message, and the approach of this Administration, is intended to be challenging." On the future of desegregation as on the promise of proper fiscal support, the test is not in words but in deeds. The education message is long on rationalization of postponement and short on urgent priorities.

### THE IMPACT OF IMPORTS ON AMERICA'S ELECTRONIC INDUSTRY

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

Mr. MACGREGOR. Mr. Speaker, it is totally unrealistic to expect that our domestic electronic industries can compete effectively with products imported from abroad produced by competent 25-cent-an-hour labor. This is the message contained in an article by John A. Yngve, president of Nortronics, 8101 10th Avenue North, Minneapolis, Minn., which appeared in his company's publication. Mr. Yngve, an outstanding young civic leader, currently a member of the University of Minnesota board of regents, and a former member of the State legislature, makes a strong case for Government assistance. Mr. Yngve states:

The problem that is proving to be devastating to us is the fact that our borders are open to all comers. No other manufacturing country in the world has a similar situation. They either have tariffs, duties and import quotas, or non-tariff restrictions of some sort.

This open-door policy has permitted the value of electronic industry imports to reach \$1.7 billion in 1969, a 25-percent increase over 1968. The time has come when either the governments involved, principally Japan, will have to agree to voluntarily limit exports or our Government will have to provide some assistance to this vitally important domestic industry. The article by Mr. Yngve follows:

FROM THE PRESIDENT  
(By John A. Yngve)

The Electronic Industries Association (EIA), recently released some industry statistics that would indicate we are healthy, prosperous and growing. Projected sales for the industry in 1969 will be a strong \$24.9 billion as compared to \$24.2 billion in 1968, or a comfortable 3.1 percent increase.

Trade balance figures for our industry in 1969 also look rosy. EIA projects export sales of 2.3 billion, a 10 percent increase over 1968.

Such news is the kind to make some industry executives contentedly light up their cigars and relax with fiscal satisfaction.

These executives should be warned to take a closer look at the comforting figures because there are aspects of the 1969 trends that are alarming. This same list of figures shows that imports are sharply increasing, not only in dollars but in percentage as well.

Consider that imports in the electronic industry will be \$1.7 billion, a 25 per cent increase over 1968.

Consider that our 1969 industry trade balance of \$660 million will be 16 per cent below the favorable 1968 balance of \$790 million.

These statistics point up the steady erosion of our markets by imports. In fact, they show that we are losing the battle in the market place to imports.

The problem that is proving to be devastating to us is the fact that our borders are open to all comers. No other manufacturing country in the world has a similar situation. They either have tariffs, duties and import quotas, or non-tariff restrictions of some sort.

The electronics industry cannot solve this problem by itself.

For us to be successful and competitive, our government must take steps to preserve

our manufacturing capability. It isn't possible for American industry to compete with competent 25 cents-an-hour labor as we are now forced to do. This is the same as permitting cheap labor to compete right here in the United States. It is unfair to us and is caused by unrealistic government attitudes. This attitude assumes a fact that we, American industry, can compete with the entire world and pay higher duty rates than anybody else—no matter how severe our inflation, no matter how weak the dollar, no matter how high our minimum wage.

Obviously it is impossible to compete under such conditions.

### RECOGNITION OF MEMBERS ON SPECIAL ORDERS

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent that Members having special orders to address the House may be recognized at this time.

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

There was no objection.

### POLICE ARE REALLY THE GOOD GUYS

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

Mr. DEVINE. Mr. Speaker, it seems distortion has become a way of life when certain segments of the communications media wish to impose the thinking of their particular commentators on the American public. The recent trial of the "Chicago 7" has been overpublicized, dramatized, and analyzed far beyond propriety. Of course the participants, including the defendants, their relatives and attorneys relished the limelight, and took advantage of the endless opportunities before the TV cameras. Rarely did the American public view those representing the Government nor the law enforcement officials, charged with the responsibility of upholding the law, and protecting the peace and dignity of the United States of America. One wonders why.

The so-called civil libertarians, the advocates of freedom of only their speech, and everything else that may in some way derogate our society, enjoy the heavy balance in television and news coverage, to the exclusion of the other side of the story. This is wrong and works an injustice.

Frankly, Mr. Speaker, I wonder why anyone today would want to involve himself in the law-enforcement profession. The courts seem to be preoccupied with the rights of the wrongdoers, and ignore the respectable law-abiding citizens who go about their business of making an honest living and conducting their lives within the framework, rules, and regulations of an orderly society. This latter group represents at least 95 percent of our population, and they are entitled to at least an equal amount of consideration by the courts.

In order to maintain an orderly society, and protect the majority against the transgressions of those seeking to create chaos, insurrection, anarchy, and a jungle of our streets and cities, it is necessary to have strong public backing

for the duly constituted law-enforcement agencies across the land. This means all levels, from the lowest of constables in a rural setting, up through the sheriff's office, large metropolitan police departments, State police, and Federal law-enforcement agencies.

The image of law enforcement can be enhanced by the communications media, if they would dramatize the dangers and difficulties on that side of the law with the same vigor as they portray the lawless elements and their histrionics. Granted, the lawful side of the coin may not be as exciting, but does the media not have some responsibility to society in general to make a contribution on the side of law, and order, and justice, and the freedoms guaranteed by the Constitution, not to just the misfits, dissidents, minorities, and some of the costumed adolescents parading as students, but also to those majorities that created these very freedoms—the American public?

Mr. Speaker, there is no reason to belabor this subject, because everyone in this Congress is, or should be, aware of the breakdown of respect for authority, and the increasingly difficult job of those charged with the responsibility to enforce the law, maintain order, and prevent chaos. They need help and encouragement, not handicaps and frustrations. That is why it is essential this Congress must get off its dead center, and enact some of the many bills designed to restore law and order to this Nation.

Finally, Mr. Speaker, although I have never liked the use of the word "cop," I would like to share with my colleagues a description attributed to Conrad S. Jensen, entitled "What Is a Cop?" Reading, and rereading the following may be helpful in giving all of us some second thoughts about the awesome duties of our policemen and women:

#### WHAT IS A COP?

(By Conrad S. Jensen)

Cops are human (believe it or not) just like the rest of us. They come in both sexes but mostly male. They also come in various sizes. This sometimes depends on whether you are looking for one or trying to hide something. However, they are mostly big.

Cops are found everywhere—on land, on the sea, in the air, on horses, in cars, sometimes in your hair. In spite of the fact that "you can't find one when you want one", they are usually there when it counts most. The best way to get one is to pick up the phone.

Cops deliver lectures, babies, and bad news. They are required to have the wisdom of Solomon, the disposition of a lamb and muscles of steel and are often accused of having a heart to match. He's the one who rings the doorbell, swallows hard and announces the passing of a loved one; then spends the rest of the day wondering why he ever took such a "crummy" job.

On TV, a cop is an oaf who couldn't find a bull fiddle in a telephone booth. In real life he's expected to find a little blond boy "about so high" in a crowd of a half million people. In fiction, he gets help from private eyes, reporters, and "who-dun-it fans." In real life, mostly all he gets from the public is "I didn't see nuttin'."

When he serves a summons, he's a monster. If he lets you go, he's a doll. To little kids, he's either a friend of a bogeyman, depending on how the parents feel about it. He works "around the clock", split shifts, Sundays and holidays, and it always kills him when a joker says, "Hey, tomorrow is Election Day. I'm off,

let's go fishing" (that's the day he works 20 hours).

A cop is like the little girl, who, when she was good, was very, very good, but, when she was bad, was horrid. When a cop is good, "he's getting paid for it." When he makes a mistake, "he's a grafter, and that goes for the rest of them too." When he shoots a stick-up man he's a hero, except when the stick-up man is "only a kid, anybody coulda seen that."

Lots of them have homes, some of them covered with ivy, but most of them covered with mortgages. If he drives a big car, he's a chiseler; a little car, "who's he kidding?" His credit is good; this is very helpful, because his salary isn't. Cops raise lots of kids; most of them belong to other people.

A cop sees more misery, bloodshed, trouble, and sunrises than the average person. Like the postman, cops must also be out in all kinds of weather. His uniform changes with the climate, but his outlook on life remains about the same; mostly a blank, but hoping for a better world.

Cops like days off, vacations, and coffee. They don't like auto horns, family fights, and anonymous letter writers. They have unions, but they can't strike. They must be impartial, courteous, and always remember the slogan "At your service." This is sometimes hard, especially when a character reminds him, "I'm a taxpayer, I pay your salary."

Cops get medals for saving lives, stopping runaway horses, and shooting it out with bandits (once in a while his widow gets the medal). But sometimes, the most rewarding moment comes when, after some small kindness to an older person, he feels the warm hand clasp, looks into grateful eyes and hears, "Thank you and God bless you, son."

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

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

Mr. KYL. Mr. Speaker, I would like to move from the general to the specific here, dealing with the city of Washington, where at any given time we have about 800 officers attending school on their own time so they can improve themselves, and where we have 500 or 600 officers who spend more than 100 hours of free time each year—some of them thousands of hours—working with kids in their off time. To get even more specific, not because these are the only people involved in this kind of activity, but because in a way they are symbolic, I would like to mention a few individuals.

I know that Sgt. O. E. Brown of the Metropolitan Police Department would never publicize his extra-duty activities. I will. He is now in charge of the Police Boys' Club in the District of Columbia. For years he has spent his own vacation time taking youngsters from the ghettos on trips for outdoor activity—meaningful activity. At the present time he has his own family and also three foster sons. In addition, he is one of the most cooperative cops in the Big Brother programs in the District. And this is one policeman some would call "fuzz," or "pig."

Let us be specific with the case of Rudy Biro, an acting captain in the Metropolitan Police Department. He is a tough-looking officer of the law and one who can be tough. From personal experience I know that his chief desire is to help youngsters keep out of trouble and to help those in trouble. This "tough cop" plays games with his children to see who will wash the dishes the evening he is off duty—and usually losing purposely

so that the kids have a little more time to play. This is another example.

Or take the example of a woman who does not have to be a policewoman, but who is, because she wants to be involved. Her husband is an engineer and there is no need for money and she could enjoy a settled existence. Yet she works as a metropolitan policewoman on a regular shift, day after day, week after week, and incidentally getting very emotionally involved in the cases of child-beating and child neglect and child desertion. I am speaking now of Policewoman Dixie Gildon. She is not the exception. I mention her as being representative of a corps of law officers.

Mr. Speaker, I like to think these are the kinds of people who really represent the professional police officers we have today, who take such tremendous abuse from so many people. And I want to tell you this. There are occasionally police officers who do not come up to standard. No one, anywhere, resents the few bad policemen more, than do the good, dedicated members of the force.

Mr. DEVINE. Mr. Speaker, I thank the gentleman from Iowa for his contribution.

I might say in passing that I know from firsthand knowledge the gentleman from Iowa has spent a great deal of time personally working with the Metropolitan Police Department, specifically with the Youth Aid Division, and the officers to whom he makes reference.

Both the gentleman from Iowa and I have traveled the streets of Washington at night with the Youth Aid Division to try to find solutions and to help with the juvenile problems in the District of Columbia.

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

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

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

I think it is so timely that a man of the experience of the gentleman from Ohio would take this opportunity at this time and place in our Nation's history, to call attention to "our finest."

Particularly I commend the gentleman for reading so well the poem about our "cops," about our police, about those who contribute most to the protection of our environment.

Oftentimes the police are unthanked, unheralded, and usually underpaid, but they are the people who serve above self today, and day in and day out; and, in direct proportion to the amount of backing they receive from one of our coequal branches of government—the judicial—they are effective.

This is becoming more and more apparent, as the gentleman certainly implied in his well thought out and timely remarks, in different sections and municipalities and county subdivisions of the Nation. There are those areas where they are most effective, where the crime rate is low, where there is no problem of drug abuse. Always it is directly proportional to the vigilance and the dedication to duty and the loyalty of purpose of our police force. Unfortunately, there are also areas where the policeman's hands are tied.

I believe it is most important that the gentleman, with his vast background and experience, to say nothing of his dedicated enterprise over and above the call of duty as a legislator, has brought up the question of the need of the grass-roots people of America to support our constabulary. If indeed our highest judiciary will not support the constabulary, then the individuals must stand up and bear witness, and attest to, and respond when arrests need be made in order that prosecution can be properly carried out.

In the end result, the respect of the people for the law will be in direct proportion to its enforcement. Those whom the gentleman properly brings to our attention today are the enforcers of the law. They should be commended. As he said, so many of the silent majority among the ordinary people, look at them with warm friendship and a handclasp after rendering of these services and say, "Thank you and God bless you."

Mr. DEVINE. I appreciate the remarks of the gentleman from Missouri.

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

Mr. DEVINE. I yield to the gentleman from Pennsylvania.

Mr. GOODLING. I thank the gentleman for yielding.

Mr. Speaker, I should like to associate myself with the remarks of the gentleman from Ohio. I believe the time has come, and probably long since passed, when we have to give headlines to the "good guys" of America, the people who are really doing an outstanding job. We should play down what the hoodlums are doing. I am absolutely certain if we would keep the latter out of the headlines and off our television screens they would disappear far more rapidly than they are today.

Mr. DEVINE. I thank the gentleman.

#### THE PRESIDENT'S MESSAGE ON EDUCATIONAL REFORM

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

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

Mr. PUCINSKI. Mr. Speaker, in his message on educational reform President Nixon proposed four major reforms:

- A National Institute of Education;
  - A Commission on School Finance;
  - A commitment to the "right to read,"
- and

The establishment of a network of child development projects.

As chairman of the General Subcommittee on Education, I want to cooperate fully with the President in helping solve our Nation's educational crisis.

I have stated repeatedly that President Nixon is entitled as the Head of our Nation to fair consideration of his proposals by this Congress, and I can assure this House that the President will receive full consideration of his proposals so far as I am concerned.

But I am puzzled by his message of yesterday. As the New York Times stated this morning in its lead editorial, the

President's message is replete with delayed-action rhetoric.

Mr. Nixon's principal proposal is the creation of a National Institute of Education. But just last August this administration announced a major reorganization in the Department of Health, Education, and Welfare and established the National Center for Educational Research, which also was hailed as a significant step toward "providing stronger leadership by the Office of Education in accelerating the progress of change and improvement in the Nation's educational system." The National Center for Educational Research and Development which is now in full operation and was organized only 6 months ago has almost the same powers and the same functions as the newly proposed National Institute of Education.

It is perfectly clear, Mr. Speaker, that the White House "palace guard," with its Daniel Patrick Moynihan and others, is setting national educational policy instead of the professional educators in our Office of Education. I cannot believe that in 6 short months, the administration would dump the highly promising National Center for Educational Research and Development and urge it be substituted with the proposed National Institute of Education. It should be perfectly clear that such "musical chairs" will not serve the best interests of the Nation, and I am hopeful President Nixon will realize he is being sold a bill of goods.

The National Center for Educational Research can contract with private and public agencies; both can use social scientists and others as well as educational researchers. In fact, the National Center now spends more money on individual research projects in universities than it does in its own 15 regional laboratories. There is little new power or change in functions at this new National Institute of Education.

About the only thing that can be said of the proposed National Institute is that it would carry more prestige but this, too, is debatable.

President Nixon also proposes helping States and communities to achieve "the right to read." He claims he will do this through titles II and III of the Elementary and Secondary Education Act. But the Federal Government cannot direct State and local school districts to spend those funds in any particular way as long as they are being used for library and experimental programs. Moreover, Mr. Nixon thought so little of these two programs that he did not request any funds for title II in either the fiscal 1970 or 1971 budgets. He also requested almost a one-third reduction in title III in both budgets.

In his proposal regarding the Commission on School Finance, President Nixon emphasizes the value of private schools and their dire financial straits, but in his budgets for 1970 and 1971 he requested no funds for title II, which is the major Federal program aiding private schools. Parochial schools all over the Nation have benefited from title II by being able to borrow educational textbooks, film slides and other educational

material from the public schools. But the administration did not think enough of this program and tried to scuttle it by not requesting any more funds.

It is not my purpose to in any way interfere with the President's program. But it does occur to me that the way to help our schools is not through more studies but through positive action. Mr. Nixon has been both a Congressman and a Senator and he knows full well how many effective programs had been killed by studying them to death.

Now, Mr. Speaker, I would like to discuss all of these issues at greater length as we proceed in this discussion, but first I would like to yield to the distinguished chairman of my committee, the gentleman from Kentucky (Mr. PERKINS).

Mr. PERKINS. Let me first personally compliment the distinguished chairman of the General Subcommittee on Education, the gentleman from Illinois (Mr. PUCINSKI), for his excellent observations concerning the administration's failure to meet educational needs.

The President not only did not request funds this year for titles II of ESEA but also none for title V of NDEA. Title II provides for textbooks and library books and title V provides for guidance and counseling. Neither did he request funds for title III of NDEA, the equipment title. Only a tiny portion of the authorization for title III of ESEA was requested. Be that as it may, the title III program of supplemental educational centers and services has produced concrete results. Exemplary and innovative projects have been established in practically every congressional district across the country.

Let me first state that we have not spent nor are we spending enough money for educational research. Let me add that there is sufficient basic authority. The problem has been one of financing. Whenever we have a change of administration at either the Federal or State level the new administration wishes to make certain that they place their label on certain educational programs. Now we have a National Institute of Education being proposed. We will hear the administration promptly and give every consideration to all of the recommendations the administration may have in the area of education. In spite of that, I am afraid the recommendations which the President made in his message yesterday fall far short of the need. The message ignores the fact that we have today a financial crisis in education in this country. It was my hope that the President could come up with some recommendations that would assist in coping with this crisis instead of trying to camouflage the problem by stating that much of our investment is being misguided and misdirected.

Undoubtedly, some funds are not being spent as efficiently or effectively as they might. But that is limited. We know this from the statements we have received from educators throughout America. We also know that the reason we do not have more effective programs is because of underfunding.

I am afraid that some of the statements of the President are intended to stall off and to defer funding of essential educational programs. These are pro-

grams which cannot afford to wait. If we do wait, I think the distinguished subcommittee chairman will agree with me, that in the long run it is going to cost the Federal Government much more money and it will cost us dearly in still many other ways.

Further, if the distinguished chairman of the subcommittee will permit, I would like to mention that not only have we conducted extensive hearings in the area of elementary and secondary education, but also in higher education as well as preschool education. We intend to conduct further oversight hearings throughout America. The distinguished gentleman has already scheduled hearings for this coming weekend as far west as Los Angeles, Calif., in our continuing effort to improve the quality of education.

Just as soon as we complete final action on the Elementary and Secondary Education amendments, a bill that went to the other body last April 23, we will continue with our oversight responsibilities. We were hoping to go to conference this past week but were unable to do so because we had to accommodate the Members of the other body. But just as soon as we get the conference over with the full committee and the subcommittee, will see to it that every Member in this body who wants to come before us and give their views on improving the quality of education will have that opportunity.

In addition we intend to hear from educators throughout America who have been indicted by these claims of misdirection and ineffectiveness. We know from the evidence already presented to the Committee that two-thirds of these funds are not being wasted.

I just wish that some of the people from downtown would come up and check with us. We have more current information on program effectiveness than does the administration. We have conducted two major surveys in the past year and a half and we could provide information that would certainly enlighten those who criticize. This information clearly demonstrates the great need for additional funding. It is information which is in direct conflict with those who try to sweep the real issue under the rug by stating that we need further studies, and this thing and that thing.

Naturally, we must have further studies and continuing evaluation. At the same time, however, American schoolchildren cannot wait any longer for adequate funding of necessary educational programs and services that have proved effective.

Does the distinguished gentleman agree?

Mr. PUCINSKI. Yes. I would certainly agree with the chairman of the full committee, who has made such a magnificent and inspiring contribution over the years to improving the education of our children. I believe that the gentleman states the case properly.

It is not my purpose in this particular special order today to get into any great debate with the President of the United States. I respect his responsibilities. I read his message yesterday with great interest. But what I would like to point out today, if nothing else, is the fact that the President has missed a magnificent



opportunity to make a meaningful and significant contribution toward helping solve the educational crisis of America.

Mr. Nixon has a tremendous opportunity to help the Nation's beleaguered school districts and he can count on my help. I want to help the President. My own committee's hearings are replete with testimony by some of the greatest educators in this country on what are the great problems of American education and how to solve them. One needs no further studies. All one needs to do is to go out into any part of America, in the inner city, in the outer city, in the suburbs, in the rural parts of this country, in the wealthy communities, in the poor communities, and at every single level one finds parents who are deeply concerned with the fact that their children are not getting the kind of an education that the parents feel they need to prepare them for life in our very complex society.

We do not need any further studies. That is why the great disappointment in the President's message is that, as the New York Times stated this morning, it is full of rhetoric with built-in delays. Where is there not a school district in America, out of 35,000 school districts, where every single administrator does not know full well what his problems are and how to solve them. They need help now, not 2 or 3 years from now, when you have completed yet another study.

Frankly, Mr. Speaker, there are so many studies floating around now that we need a computer just to keep track of the studies.

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

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

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

Let me say to my distinguished friend, the gentleman from Illinois, that we have received great criticism because of untimely authorizations and untimely funding. We are receiving criticism from local educational districts throughout America. I think the gentleman will agree with me that they are justified in their complaints about untimely authorizations and untimely funding. But at the same time I am sure that the distinguished gentleman will recall that we took up the elementary and secondary education bill last year a year in advance because there was no authority to advance fund programs for fiscal year 1971.

And since the administration has made it known that it is not interested in implementing the advance funding provisions, I am sure that to correct this problem we must establish longer authorizations. I am sure that the distinguished gentleman from Illinois will agree with me that when we go to conference next week on the elementary and secondary education amendments it will be necessary to extend that act for a number of years in view of the disinterest in advance funding—in my judgment we must at least go along with the extension the Senate has approved.

Mr. PUCINSKI. I agree with the gentleman, but would the gentleman not

also agree that the real tragedy of yesterday's message lies in its failure to prescribe a positive program for action now?

The administration came before our committee last year, shortly after it took over the leadership of this country, and through its Secretary of Health, Education, and Welfare and his Commissioner of Education recommended to our committee a straight 2-year extension of existing programs in order to give the administration some time to put together its own program.

Mr. PERKINS. That is correct.

Mr. PUCINSKI. And the House Committee on Education and Labor went along with the request of the President.

Mr. PERKINS. And reduced the extension that we had in our bill from 5 years down to 2 years, to accommodate the administration.

Mr. PUCINSKI. Now we have all been waiting with high hopes, and I am sure I speak for the 35,000 school board administrators in this country all over America, school administrators who have waited with high hopes that the message which arrived here yesterday in the House would, indeed, carry a blueprint of this administration's program to deal with the crisis of today—not next year and not the next 4 or 5 years—but today.

School administrators are deeply troubled over the problem and the fact that they do not have the resources to carry out their programs. The point I am making here and the point of this discussion today is not to either criticize the President—he is my President and I want to cooperate with him, and as chairman of this subcommittee and as ranking member of the full committee, I want to move his programs.

But I must say that the things we will develop in our discussion here today will show the bitter disappointment that our educators have, which they have a right to have, because the message today proposes nothing more than further studies and delays.

Mr. DEVINE. Mr. Speaker, will the gentleman yield for a question?

Mr. PUCINSKI. I yield to the gentleman.

Mr. DEVINE. Mr. Speaker, the thing that is quite difficult for me to understand and perhaps the gentleman can answer the question after it is proposed, is, why the gentleman takes the well and makes pleas for the poor children, as he does so often on so many occasions, when his party is in control of the Congress by a strong majority and has been for the last 34 years out of the last 38 years and suddenly you exercise a concern because the President's message does not do what you should have been doing in the last 34 years.

Mr. PUCINSKI. I am glad the gentleman raises that question.

Mr. DEVINE. So am I, and I would like to have an answer.

Mr. PUCINSKI. I am sure I do not have to remind the gentleman that it was the present occupant of the White House who vetoed the school bill. What was his argument? He vetoed the school bill because it provided a billion dollars more for education, and he said that if

we spent the additional money on education, it will be inflationary. But he did not veto the bill which provided a billion dollars more for naval ships, and he did not veto the bill that provided \$600 million for public works.

Mr. DEVINE. It is easy to select where you would like to cut—but he cut \$1,200,000,000 of a budget buster item. But no schools are being bilked.

Mr. PUCINSKI. The gentleman raised a question and he is entitled to an answer.

The answer is that it was the present occupant of the White House, the leader of the gentleman's party, who vetoed the bill, not because of other items in the bill, but because he said there was too much money appropriated for education.

So I think the gentleman tortures the facts when he tries to blame the gentleman in the well. It is not my party that has shortchanged the children on education. The response to the gentleman's question is that the majority of Members in Congress fulfilled its responsibility to the children of America when we adopted the Cohelan-Joelson amendments.

Mr. DEVINE. The gentleman is not responding to the question.

Mr. PUCINSKI. The answer is that it was the President who vetoed that bill and sent it back here. He said he would not accept that bill until we took \$700 million out of educational funds.

Mr. DEVINE. I appreciate the gentleman's speech, but when are you going to answer the question I just asked the gentleman?

Mr. PUCINSKI. That is the answer.

Mr. DEVINE. The gentleman is talking about a veto. I am talking about the 34 years when you were in control of the Congress and you still do not have the bill you are talking about.

Mr. PUCINSKI. The gentleman knows full well why Congress could not act on the question, and he is a Member of this House—I will tell you why Congress could not fulfill the needs of this country's educational programs—because there has been consistently operating in this Congress a coalition of members of his party—and do not absolve the members of your party because the records are there for public inspection—the records are all there for public inspection, members of your party joining in a coalition to kill meaningful expenditures for education.

The authorizing committee, and if I may have the attention of the gentleman from Kentucky—the authorizing committee of which I am a member, has come before this House with authorizations which would meet the educational needs of our country.

But it has been the Appropriations Committee, with the full sanction of your colleagues on your side of the aisle, working with a coalition, that has been able to frustrate the programs of the authorizing committee. All I would have to do is remind the gentleman of title I. Yesterday the President spoke in his message about "compensatory education." He said the most glaring shortcoming in American education today continues to be the lag in essential learning skills in large numbers of children of poor families.

Now, that statement standing alone is most inspiring, but need we remind this House that it was the author of that statement who condoned only 49 percent of authorization for financing of title I? We have held extensive hearings all over the country. The gentleman from Kentucky, the chairman of our committee, had some 150 administrators come here and tell him what the needs are for full funding of title I. This is the program that provides compensatory education for poor children of America. And what happened? The administration recommended only 49 percent financing, and when we passed legislation here, when in that rare moment of unity, when by an overwhelming majority of votes we did adopt the Cohelan amendment to the appropriation bill and brought title I and all the other titles up to some parity of needs, it was the President who vetoed the bill and sent it back here and said, "I am not going to sign it until you fall into line with my recommendations on education."

Mr. DEVINE. I find it difficult to find an answer to my question in all the colloquy—

Mr. PUCINSKI. We understand each other full well except you do not want to admit to the facts. No matter how you want to twist this thing, you cannot deny schools in America will not get the money they need because of the veto.

Mr. DEVINE. I take it your answer must be, the answer that you have to make is that you must have a different type of Democrat in order to get your appropriation through. Is that correct?

Mr. PUCINSKI. No. All we have to have is a sense of responsibility on the part of all Members of Congress on your side of the aisle, who have the same responsibility to the children of America that we do on our side of the aisle.

Mr. DEVINE. It has been that way for 35 years.

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

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

Mr. PERKINS. Let me say to my distinguished colleague that the educators of this country will register and are registering their concern. I would suggest to the gentlemen who have any doubt about whether these programs are being starved to death, that you should ask your educators back home. I personally have confidence in their views. These are people who are in charge of educating the children of this country, and I think local people have confidence in them also or they would not keep them in office.

Let me make this observation. In my judgment you are going to get a different viewpoint from educators within the next 6 to 8 weeks when they have an opportunity to speak, and they are going to have an opportunity to speak, as will all the Members of Congress, before the committee. And we are going to hear the views of the members of the administration, the views of educators, and then the American people are going to have an opportunity to give us their judgment as to what the real problems are, and whether somebody is trying to camouflage the real issue and

dodge the real issue which is the adequate funding of essential education programs.

Mr. PUCINSKI. I thank the gentleman. The point I would like to make—and I say again it is not my purpose to take the floor today to question the President; he is my President, too, and he is going to get my cooperation and my support when he comes in with programs that are meaningful, but not when he comes in with a message like he did yesterday; it is difficult to get up any enthusiasm.

Perhaps the greatest shortcoming of this message is that, as you look through all of its pages, a message 11 pages long, you will find that there is not one single reference to vocational education.

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

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

Mr. PERKINS. Mr. Speaker, I cannot understand why, if the Office of Education had up-to-date knowledge, they did not read the Vocational Education Act properly, and realize that 40 percent of the funds appropriated first must go to the disadvantaged and handicapped and to postsecondary vocational schools. In the bill we passed yesterday, even with 15 percent flexibility applied to those programs, if we took that much from basic grants, it would cripple vocational schools all over this Nation. Am I correct?

Mr. PUCINSKI. Not only is the gentleman correct on that, but here in this message the President makes this big proposal for a National Institute of Education, which is going to do some exotic research in education, and yet yesterday in the action the Appropriations Committee took, we eliminated the money for research in vocational education. So who is kidding whom around here?

The fact of the matter is that this message totally fails to recognize the real needs of America and the real needs of America are pointed up by the fact that millions of young people are being released from our school system totally unprepared for the world of work, totally oblivious of what kinds of jobs they can get or what kinds of jobs they can seek.

Vocational education has been treated as an orphan, vocational education has been treated as a stepchild, until the gentleman from Kentucky in 1963 restructured the program, and then in 1968, with the amendments of 1968, we further refined the program.

But what happens? It continues to be only 50 percent funded. And in the message by the President yesterday, not one single word was said about vocational education, even though the largest unemployment rate in America today is among young people. What a national tragedy it is that 25 percent of the white boys in this country between the ages of 16 and 19, who are not attending school, are unemployed; and 27 percent of the white girls between 16 and 19 who are not attending school are unemployed, 35 percent of the black boys in this country between the ages of 16 and 19 who are not attending school are unemployed, and a staggering 48 percent of the black girls between 16 and 19 in this country

who are not attending school are unemployed.

Yet the President in his great message of hope makes no mention of vocational education, as if he were totally oblivious to the problem, even though his own school administrator came before our committee and testified that it is his hope we will be able to develop educational programs which will indeed further the great hope we have expressed in our committee for years, that every American youngster who graduates from high school will graduate with a marketable skill.

I say with a heavy heart this message is totally unrealistic. It is out of touch with reality. It does not address itself to the crises in American education. It is a palliative. It is an opiate to say to the American people, "I know you have problems, but we are not going to do anything about these problems until a commission has studied the financial needs for 2 years, and until we organize the National Institute of Education to find methods."

Mr. REID of New York. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. Mr. Speaker, I will yield to the gentleman from New York, because I noticed he ran into the well yesterday and introduced a bill to establish the National Institute of Education, when, in fact, appearing before my committee were the representatives of the administration advising my committee that they have, as their first move to improve American education already established a National Center for Educational Research and Development. I am going to discuss this at greater length after I have yielded to my colleague, the gentleman from New York.

Mr. Speaker, I yield to the gentleman from New York.

Mr. REID of New York. Mr. Speaker, first I would like to apprise the gentleman in the well that the President is planning to send up an additional message, hopefully later this month, approximately March 20, and this will deal with higher education.

Mr. PUCINSKI. Good. Then maybe we will smoke him out on another message dealing with elementary and secondary education.

Mr. REID of New York. Mr. Speaker, the gentleman has been saying quite a few words about the President, who, I think, is going to accord a very high priority to education, but I would ask the gentleman why throughout his entire discussion did he not point out that President Johnson in request after request to this Congress came up with much lower budget requests for education than the funds authorized by the committee on which the gentleman serves.

He knows perfectly well that, given the Appropriations Committee of this House, it is not altogether likely that the Appropriations Committee will come forth with a bill which is considerably in excess of what the President requests.

The cutbacks on ESEA, the cutbacks on higher education, the cutbacks on libraries, the cutbacks on vocational education, and in other areas came from the White House in the past administration.

I am one of those who criticized that.

I am one of those who would like to see them increased. I hope the gentleman in the well is willing to stand up and support the Kerner Commission. I hope the gentleman in the well is willing to stand up and support the Carnegie Commission, and higher priorities for elementary and secondary education, for preschool, for Headstart, for a whole area that is basic to the future of our country.

I submit to the gentleman that the past administration, because of the war, bears a considerable responsibility for the sharp cutback in priorities in OEO, education, and other areas.

Mr. PUCINSKI. Just a second. On that point I want to ask my colleague a question I believe he will have to agree. He supported this legislation, so he is in a good position.

The gentleman will have to agree that the greatest progress in Federal aid to education at all levels—the Higher Education Act, the Elementary and Secondary Education Act, the Vocational Education Act, the Library Services Act, model cities, OEO—all these programs were pioneered through Congress by the last administration.

The gentleman is a member of the Committee on Education and Labor. He and I sit together. We pass these authorization bills, because we know on the basis of extensive hearings the needs of America. We send these bills to the House, and these bills get approved by overwhelming majorities in this House. But then when it comes down to the "nitty gritty" of spending the money, when it comes down to the business of financing these things, the gentleman will have to admit that it has been through the coalition that the Appropriations Committee has been able to frustrate our authorizations.

My colleague from New York and I have tried time and time again during the appropriations process to offer amendments on this floor to get more money.

So finally came that great day for America when we got enough votes put together on both sides of the aisle to incorporate the Cohelan-Joelson amendments in an appropriation bill. Why, our good friend from Pennsylvania, DAN FLOOD, who is the chairman of the subcommittee, was reeling on his heels because he had never seen that done before. And the minority member of the subcommittee on the other side of the aisle, our good friend, BOB MICHEL, was also shocked when this House revolted and rebelled and wrote into that appropriation bill a billion dollars more for education. This was the glorious day for American education.

Who was the gentleman who vetoed the bill? Who was the gentleman who picked education and placed the children of America on the altar of inflation, if not the present occupant of the White House?

So it does me no good and it does the gentleman no good to stand here and argue about who did more or who did less. The record is right there, so the record will speak for itself.

As I said a moment ago, I hope the President will come back with a decent

message, because this is nothing more than a palliative.

As I began to say, the message of the President says:

As the first step toward reform, we need a coherent approach to research and experimentation. Local schools need an objective national body to evaluate new departures in teaching that are being conducted here and abroad and a means of disseminating information about projects that show promise.

The National Institute of Education would be located in the Department of Health, Education, and Welfare under the Assistant Secretary of Education, with a permanent staff of outstanding scholars from such disciplines as psychology, biology and the social sciences, as well as education.

I am going to put in the RECORD at this point the press release issued by the U.S. Department of Health, Education, and Welfare on August 22, 1969, which states:

PRESS RELEASE OF U.S. DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Organizational changes designed to strengthen the leadership role of the U.S. Office of Education and to allow for more effective coordination of education activities in the Department of Health, Education, and Welfare were announced today by James E. Allen, Jr., Assistant Secretary for Education and U.S. Commissioner of Education.

The new organizational arrangements represent his commitment to providing stronger leadership by the Office of Education in accelerating the progress of change and improvement in the Nation's educational system, Dr. Allen said.

Commissioner Allen pointed out that the Office of Education has grown rapidly in recent years in response to the large number of programs enacted by Congress and the great growth of education throughout the Nation. The staff has tripled since the early 1960's and the Office now is responsible for administration of an annual budget of approximately \$4 billion. The new changes in organization will assure better means of supervising and coordinating the functions of the bureaus and divisions which carry out the numerous functions assigned to the Office, he said.

In announcing the new plans, which have been approved by HEW Secretary Robert H. Finch, Commissioner Allen stressed his intention to work closely with the states.

"The primary objective of the Office of Education," he said, "is to increase the capabilities of State and local education agencies, colleges and universities for improving the quality of their programs and services to the children and youth of America. The changes in organization and executive responsibilities are designed to help the Office better achieve this objective.

"Of special importance," the Commissioner added, "is the coordination provided under the new organization for the development of more effective leadership by the Office in research, planning, and evaluation. Under this arrangement it will be possible to focus the work of these units more sharply on the problems of American education. Special efforts will be made to encourage more effective linkages within the educational system among the processes of research, development, evaluation, demonstration, and dissemination as a means of accelerating the widespread application of improved methods and practices."

Highlights of the organizational changes are:

A new Deputy Assistant Secretary/Commissioner for Planning, Research, and Evaluation will be responsible for three previously separate Office of Education units: Bureau of Research (which becomes the National Center for Educational Research and Development); the National Center for Ed-

ucational Statistics; and the Office of Program Planning and Evaluation. He will also supervise a new office devoted to national dissemination of information about better methods and practices in education. The present Office of Public Information will become the Office of Public Affairs.

A new Deputy Assistant Secretary for Intradepartmental Educational Affairs will administer and supervise a number of education programs that cut across DHEW agency lines.

A new Deputy Commissioner for School Systems will be responsible for coordination of Federal programs of assistance to local school systems. He will provide general direction for administration of the Bureau of Elementary and Secondary Education, Bureau of Education of the Handicapped, and a new Bureau of Vocational and Technical Education.

A new Deputy Commissioner for Higher and International Education will coordinate administration of the programs of the Bureau of Higher Education and the Institute of International Studies and assist in the development of a more effective Federal role in these areas.

A new Deputy Commissioner for Instructional Resources will have responsibilities for the programs of the Bureau of Education Personnel Development and a new bureau of Library and Education Technology.

A newly recruited staff of special assistants will report to the Commissioner through an Executive Assistant to the Commissioner. Appointment of special assistants for urban education and community colleges will give particular emphasis to these areas of concern.

Several of these new positions have already been filled; others are now pending confirmation. Public announcement of these new personnel changes will be made in the near future.

An outline chart of these organization changes is attached.

So here, with all of the hoopla of a great big change, the administration announced on August 22 the creation of a National Center of Educational Research. Now, not even a whole year later we see a substitute proposal which the gentleman is now sponsoring in the form of legislation. I wonder if my colleague could tell us—and I will yield to him—why, why does he believe that this National Institute of Education is necessary? I call his attention to the testimony before my subcommittee of Dr. Gallagher of the staff or Dr. Allen who testified on October 9, 1969, and told us, among other things—and I call his attention to that testimony:

We have considerably strengthened our understanding of the complex process by which knowledge about learning is transmitted in various ways into improved practices which are then available for installation in the schools of the nation. We have a heightened appreciation of the potential power of research and development to produce practices and materials which represent tentative steps toward the solution of educational problems.

Further he said on October 9, 1969:

We believe we now may be ready to proceed to address through research and development major problems, issues, the careful identification of research and development goals and objectives and a systematic program of activities that will result in the attainment of those objectives.

Mr. REID of New York. May I respond to the gentleman?

Mr. PUCINSKI. Yes in a moment. In his message the President talks about accountability, but Mr. Gallagher says:

This means, of course, adoption of a different posture by the Office of Education in the management of significant portions of the research and development programs and assumption of greater responsibility for the development of procedures which lead to the identification of research and development objectives. It means that we can expect to be held accountable for the objectives we choose and achievement of them.

Here we have—

Mr. REID of New York. Will the gentleman yield to me at that point, because I want to respond.

Mr. PUCINSKI. I want the gentleman to tell me what is the difference between the National Center for Educational Research and Development organized by this present administration 6 months ago and now this new organization that they propose under the National Institute of Education.

Mr. REID of New York. I can tell the gentleman that Commissioner Allen, to whom I talked yesterday, feels this institute can serve an important purpose and that we do need additional research on the teaching and learning process; and further that this is a recommendation, as the gentleman perhaps knows, of the Carnegie Commission. I would not say, however, that this Institute is the exclusive remedy or that there are not other areas where research is important; and, of course, in no way is it a substitute for adequate priorities. All I would say is I very much hope that the gentleman in the well will give bipartisan support to higher priorities for education across the board, to the Kerner Commission recommendations and to the Carnegie Commission recommendations.

What we need is a joint effort devoid from partisan political concern but dedicated to making it possible for any young man or young woman to go to college irrespective of their financial resources. Finally, we need new resources for elementary schools, wider ranging preschool programs, and day-care centers. All these are essential.

I believe that the present administration wants to accord a higher priority to education and to early childhood education. It is my opinion that if Members on both sides will work together and not try to point specifically at who did what at each point we will be better able to cope with the problem. The Johnson administration did some creative things and there were some great strides made with reference to educational legislation. However, it was a tragedy, to use the gentleman's own words, that the Johnson administration cut in budgetary requests some two-thirds below basic congressional in major social and educational programs, year after year, leaving but a shell of the Great Society. These actions were a tragic legacy of the war and an inability to end it, and indeed were a poor reflection held out by these creative programs initially. Now it remains for us on both sides of the aisle to reorder our priorities, to abolish racism and poverty, and to fully support major educational efforts at all levels, from preschool to graduate school. I am sure that the gentleman will want to join in these endeavors.

Mr. PUCINSKI. The Johnson administration never vetoed a school bill. Let us keep the record straight. I am glad my colleague mentioned the Carnegie and Kerner reports. It merely emphasizes what I have been saying throughout this special order, and that is the huge disappointment in the President's message of yesterday which proposed at best, some further delays.

Now, I recommend to the gentleman that he read the hearings that my own subcommittee has been conducting for the past several months at which Commissioner Allen and various others have testified dealing with the needs of elementary and secondary education for the 1970's.

We have been conducting these hearings for all these months because we want to look down range. We do not want to be reacting. The problem with American education has been that for too long we have been reacting to the needs instead of anticipating educational needs and providing the program and the money with which to meet those needs. So, my committee has held extensive hearings. We have also during the course of these hearings invited 150 of the Nation's outstanding school educators, administrators, researchers and we have put together a compendium on the additional needs of the 1970's.

We now have in one volume the collective thinking of some of the most brilliant people in American education and educational administrators who have made recommendations as to how we can make education in this country a more productive effort.

Among these are people like Margaret Mead, noted anthropologist; Adm. Hyman Rickover; and Carl Rogers, noted psychologist.

From various institutions of higher learning we have the following deans of schools of education: Dr. Thomas James, Stanford; Dr. David Clark, Indiana University; Dr. Daniel Griffiths, New York University; Dr. Dwight Allen, University of Massachusetts; Robert Krathwohl, Syracuse University.

Also, the following professors of education, psychology, philosophy, history, and anthropology: Prof. Gerald Lesser, Harvard Graduate School of Education and Thomas Pettigrew of Harvard; Prof. Harry Broudy, University of Illinois; Prof. Shirley Engel, Indiana University; and Prof. Ira Gordon of the University of Florida.

We have also the thinking of the directors of regional educational laboratories and R. & D. centers.

Also, superintendents of schools: Dr. John Davis of Minneapolis; Mr. Julian Prince of McComb, Miss.; small districts like Hightstown, N.J., Dr. John Hunt; Dr. Wilmer Cody of Chapel Hill, N.C.; and Dr. Robert Blanshard of Portland, Oreg.

In industry we have asked the president of the IBM Corp. to tell us what are the manpower needs of the 1970's and how we can adjust the American system to include these needs.

Others include Mr. Henry S. Dyer, vice president of the Educational Testing Service and representatives from the

minority groups, including Prof. Nathan Wright, Jr., director of Afro-American program, University of the State of New York at Albany.

And, so, certainly when we see after this extensive research that we have done before our committee in analyzing the funding and the additional needs, the President now comes along and says we need a special commission to look at the financial plight of America's schools and he wants included in that the private schools, we have a right to be concerned that his proposal will only result in further delays.

We do not need a 2-year study to tell us that there are about seven million children in this country attending private and parochial schools in America. I am pleased that the President has now given the prestige of his office to a recognition of the fact that if those 7 million children were ever transferred to the public school system of America, thousands of communities would go bankrupt overnight. In my own city of Chicago we have 350,000 children attending parochial schools at a cost of several hundred million dollars to the parochial school systems that maintain these schools. We have said that if those children were to be transferred to the public school system in the city of Chicago alone, we would have to raise \$400 million of additional revenue from real estate taxes and other forms of taxation. I tell you Chicago would be bankrupt overnight. So we do not need a 2-year study. We know what the problems are, and before my committee we now have a voucher proposal to give children Federal vouchers convertible for tuition in a school of their choice. We also have a proposal to permit, under title II, public schools to purchase teachers' services in nonreligious subjects in parochial schools; educational services for parochial schools to fill the needs of the children of that community.

If the President had looked at the voluminous work before our committee he could have come before this Congress, with an exciting program of action now, not 2 years from now, not 3 years from now, because I am telling you one thing, if we wait 2 or 3 years, we may not have a school system to worry about.

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

Mr. PUCINSKI. I will yield to the gentleman in just a moment.

If we were to wait 2 or 3 years for aid to these parochial school districts of America, whose crisis today is real, you may not have a school system to try to save. I do not think I am exaggerating, all we have to do is to look at the testimony before my committee from hundreds of school superintendents who have reached the end of the line.

Now, you say, "Well, we have got to improve quality." Of course we want to improve quality. Who in this country does not want to improve the quality of education? But improvement in quality of education will come through the local school districts meeting their fiscal crises. That is the main problem.

Now I yield to the gentleman from Iowa (Mr. SCHWENGEL).

Mr. SCHWENGEL. Mr. Speaker, I listened with avid interest to the gentle-

man in the well pleading the cause of education. I am glad he is, because I think this field of education needs a lot of discussion, and certainly needs better understanding and a broader understanding, and a greater appreciation on the part of the Members of the Congress.

Mr. Speaker, I come to this arena with a background of experience as a teacher for 7 years. I was active in teacher organizations, and did what I could as a teacher through my organization to enact and improve education in the State of Missouri, where I was then teaching. I then went to Iowa, and was elected to the State legislature, and became the ranking member and chairman of schools, and where we pioneered in laws on education and made substantial progress at the State level. My interest in education has continued into the Congress of the United States where I have assisted in all the projects and propositions relating to education, and have tried to help along the improvement of laws on education, and have voted for appropriations to improve education. So I believe I have established a pretty good record.

But, Mr. Speaker, I am amazed to hear the gentleman in the well say that we do not need more research in the field of education. I am aware of the studies the gentleman has referred to—

Mr. PUCINSKI. Mr. Speaker, I must correct the record. I do not think my colleague was here to hear my complete statement.

Mr. SCHWENGEL. Yes, I was here, and heard the gentleman say—

Mr. PUCINSKI. I bemoaned the fact that yesterday, in the compromise bill that went out of here, research on vocational education was reduced by 50 percent and the President may not even spend that which he has a right to do under the compromise bill. And I bemoaned the fact that the President wants to reorganize the research program, when in his administration's testimony before my committee on August 22, he did restructure the whole research program to give it greater meaning. And I know the significance of research in education, and I know the programs that are now in the pipeline that will be researched, and when the gentleman concludes I will tell the gentleman about one.

Mr. SCHWENGEL. I do know the record will show he said that we do not need more research.

Mr. PUCINSKI. The record is incorrect if it said that.

Mr. SCHWENGEL. If there is anything we do need in education, it is research and that is one point I want to establish beyond question. I am in complete support of the President and of anybody else who wants to research more in the field of education and to find ways and means for us to make education more effective and more meaningful and fulfill the needs of our time. That is quite a challenge in itself.

So that is one point I want to establish and to have shown in the record—we do need more research.

The other thing is this—that is the President's proposal to close up the schools until we do this—he is willing to support ongoing programs and is asking for flexibility so that under the present programs he can have an opportunity to set priorities.

I think this is sound legislation and I support the President in this.

I am sorry we did not do a better job in the legislation we had before us, but remember it is 8 months late already and there is no real excuse for this. Some of the leadership on the other side should have been more aware of the importance of education and brought a bill to this House long before now and we would probably have a more positive, a more adequate action on the part of the Congress had that happened.

Mr. PUCINSKI. I do not think the gentleman is quite fair to his colleagues of this House when he makes that statement because this House acted both on the authorization and the appropriation early last year.

So as far as we are concerned in this Chamber, we did discharge our responsibility in a responsible way. The delays, as the gentleman knows, were not caused from this Chamber. The delays were in the other Chamber.

I would like one thing clear. I am a strong supporter of research and that is why when I had Dr. Gallagher, and Dr. Allen come before my subcommittee and tell us about this exciting reorganization of research programs in the department, they told us about how they had established this new bureau to have a more comprehensive planning activity in research, we hailed this and the record is here and the gentleman is welcome to look at that record because we said that research is important. As a matter of fact, we need research in curricula in vocational education.

We have developed in this country 5,000 new job skills in the last 10 years including laser technology and computer technology and various paraeducational fields and so on. Now we need curriculum development. We need to see what is the best way to translate these manpower needs into our school systems so that when a youngster graduates from high school, he graduates and goes into a field where he can have a job

instead of wandering around wondering what he is going to do for the rest of his life.

We have one place, for instance, a research program in Texarkana where we have a performance contract. We have contracted out to a private firm the job of teaching children in six schools how to read. If this organization brings the children up to grade level, they get paid. If they bring them above grade level, they get a bonus. But if they fail to bring them to grade level, they will pay a penalty under that contract.

This is a whole new concept of education where we now can look forward perhaps to some performance test and attacking a bad school system, or a bad program, or a bad teacher before these youngsters are left on their own and perpetuate their own shortages.

So the fact remains that research is a great thing. But I say to my colleague that the proposed purpose of this whole institute of education is questionable when they now have a special national center on educational research which they established a few months ago.

I am going to put in the RECORD right now a table of the 1970 budget for various educational programs and what the conferees had reported and what the Nixon compromise was and what H.R. 15931, which is the bill we passed here when we tried to deal effectively with the problems of education, because I think it is important to show again the extent to which education is short-changed in this country:

#### LABOR-HEW APPROPRIATIONS

By a vote of 315 to 81 the House accepted a substitute HEW money bill (H.R. 15931) which replaces the \$19.7 billion bill vetoed by the President as "inflationary". The new Labor-HEW bill is about \$324 million above President Nixon's post-veto compromise. The new bill is imperiled, however, not primarily because of the money figures, but because it no longer contains a provision giving Mr. Nixon discretionary power to spend the money as he sees fit. This line-item-veto was ruled out of order by Congressmen who saw the proposal as an attempt to legislate in an appropriations bill. The new HEW bill, minus the discretionary provision, now requires the President to spend an extra \$800 million dollars for education in this fiscal year. HEW Secretary Robert Finch had warned that he would recommend that President Nixon veto such a mandatory spending bill.

HIGHLIGHTS OF H.R. 15931, AS PASSED, ARE LISTED BELOW

[Figures in millions]

Program	1970 budget	Conference	Nixon compromise	House bill (H.R. 15931)
School assistance in federally affected areas (Public Law 874) impact.....	187.0	585.0	425.00	505.2
ESEA title I—educationally deprived children.....	1,226.0	1,397.0	1,251	1,397.0
ESEA title II—school library resources.....	0.0	50.0	0	50.0
ESEA title III—supplementary education centers and services.....	116.0	165.0	156	116.4
NDEA title V—guidance, counseling and testing.....	0.0	17.0	0	17.0
Vocational education.....	279.0	489.0	349	391.7
NDEA title III—equipment and minor remodeling and instructional equipment.....	0.0	79.0	0	43.7
ESEA title VII—bilingual education.....	10.0	25.0	10	25.0
NDEA title II—student aid direct loan.....	162.0	229.0	162	229.0
HEFA title I—construction grants 4 year colleges.....	0.0	33.0	0	33.0
Education professions development.....	95.0	107.5	103.75	107.5
Libraries and community services.....	108.0	149.0	118	149.0
Education for handicapped.....	30.5	36.6	36.5	36.6
<b>Total.....</b>	<b>2,213.5</b>	<b>3,362.1</b>	<b>2,611.25</b>	<b>3,021.1</b>

But I must tell you this. I agree with Dr. Allen, the Commissioner of Education, when he says that money alone is not the answer. Dr. Allen when he testified before my committee said that when he was commissioner of education in New York, educators said to him that if he can double State aid in 10 years, we can improve the whole educational system.

Dr. Allen doubled it in 6 years. But there was no significant improvement. So there is a continuing need for improving educational technique.

But the point I am making here today is that we have the Carnegie report. HEW has a very exhaustive study on urban education, which pinpoints the areas of greatest need and recommends ongoing programs. We have the Kerner report. We have the Commission on Violence. My own committee has just concluded last week the most exhaustive study on student violence at the high school level in America. We sent questionnaires to all 29,000 school principals in the United States and we received replies from 15,086. We placed in the RECORD a few days ago the results of those, showing the turmoil in the American schools and what are some of the causal reasons for that turmoil, and giving educators a better look at what is the problem of their schools.

So there is no question in my mind that much has been done. But to read the President's report yesterday, you would get the impression that nothing has been done, that nothing is being done. I say to my colleagues the President will do this country a great service, and I say also to my colleagues I will support whatever programs the President sends up here, if indeed he sends proposals to help American education. I was pleased to have the administration's recommendation for restructuring the impact areas program. Every one of us knows that this impact areas program is a very inequitable program of Federal aid. When you look across the river over here, you will see some of the richest communities in America, with \$60,000, \$70,000, and \$80,000 homes on the rolling meadows of Virginia, and yet because, by some quirk, the parents of schoolchildren attending those schools work for the Federal Government, American taxpayers from coast to coast and from border to border are helping subsidize the education of those children. That is folly at its height. And that is why I am today introducing the President's recommendations for restructuring the impact program.

Mr. SCHWENGEL. Mr. Speaker, at that point, I think it is perfectly clear that what the President was asking was some opportunity to adjust this very program you talked about, but somehow Congress did not go along with it.

Mr. PUCINSKI. My dear colleague, I want to tell you something. I do not want to embarrass any Member of this House, but I will tell you right now the President has that information. The Office of Education has just spent thousands of dollars on the Batelle Report, which was submitted to Secretary Finch, and they know exactly what is wrong with the program. They do not need another

day of study. All they have to do is to face up to the fact.

Mr. SCHWENGEL. All they need is authority.

Mr. PUCINSKI. Let me tell you something, and I want to bet you right now—and I am going to have hearings on this legislation—but I want to tell you something: The day of reckoning is going to come before this House when we report out a bill for restructuring the impact aid program. There are 381 congressional districts represented in this Chamber that receive impact money, and I want to see the day that those Congressmen vote to kill Santa Claus. Let us not kid ourselves. Everybody talks about impact. Everybody wants to reform impact. But every time we come to this Chamber with a program of reform, we get shot down by 381 votes, and we do not get the bill.

Mr. SCHWENGEL. Mr. Speaker, I would like the RECORD to show that I voted to support the President's veto, which took some nerve, envisioning something hopeful would be done to correct this inequity in the impacted area. I think there were some in Congress who were willing to face the very question the gentleman pointed out a moment ago.

The SPEAKER pro tempore (Mr. MATSUNAGA). The time of the gentleman from Illinois has expired.

#### INQUIRY AS TO RECESS

Mr. WYLIE. Mr. Speaker, as I understand it, the House will go into recess soon to await action on the part of the Committee on Interstate and Foreign Commerce in connection with the strike bill. Is that correct?

The SPEAKER pro tempore. That is the understanding of the Chair.

#### TAKE PRIDE IN AMERICA

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

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a nation. The United States is the world's leading producer of zinc ore. Based on 5-year average, the United States produced 12 percent, Canada 11.5 percent, and the Soviet Union 10.6 percent of the world's total. Of the primary zinc in the world the United States produced 23.8 percent and the Soviet Union, the second leading nation, produced 13.2 percent.

#### EMPRISE: A LESSON IN CORPORATE CALUMNY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. STEIGER) is recognized for 10 minutes.

Mr. STEIGER of Arizona. Mr. Speaker, it is possible in America today, to do wrong, to cheat the public, to short-change State governments and to contribute to the defiling of the image of an entire industry and remain—apparently—within the law while you prosper.

This will surprise no one in this body, but the scope and history of one such firm will be of interest to all of you, since it affects so many different States and has operated for so long, often whispered about, frequently questioned publicly but always growing and prospering.

The firm is Emprise, of Buffalo, N.Y., a totally family owned entity that controls, or owns completely, over 450 separate corporate entities in at least 23 States, the District of Columbia, Canada, Puerto Rico, and England. They operate nominally as concessionaires at sports events and racetracks but have large holdings in bowling alleys, vending machines, drive-in theaters, and airports, own the Cincinnati Royals, and the Ice Capades. They have a reported cash flow of \$60 million annually, and their vice president for public relations told me that it was nearer to \$160 million.

Emprise's success is the result of the Horatio Alger-like efforts of Louis Jacobs who started in 1915 with popcorn sales in theaters and guided the firm until his death in 1968. The active president of Emprise is now Jeremy Jacobs, age 30, the youngest son of Louis and the vice president is Max Jacobs, age 32, who has forsaken an acting career for full-time responsibilities with the company.

Emprise's main interests have been in horse and dog racing and this is where our paths chanced to cross. A joint bipartisan committee of the Arizona House and Senate ordered the State auditor general, Ira Osman, to examine the books of all firms engaged in parimutual wagering in the State and the legislature appropriated sufficient funds to accomplish what has turned out to be a monumental task. In the course of his investigation Mr. Osman had occasion to ask assistance from the Securities and Exchange Commission and the Department of Justice and he contacted me to expedite his requests.

My own interest and concern might be better understood if I may be permitted a personal note. In real life I was in the horse business as a breeder, trader, and trainer for show, using, and race horses. I have been licensed by the States of Arizona and Nevada in various minor horse track official roles; assistant starter—he is one of the people who loads the horses in the starting gate—patrol judge—he views the race from one of the towers placed at different vantage points around the track and watches for violations of rules during the race—and race track announcer. I am one of millions who has been smitten by the horse and been fortunate enough to have made a living doing what I genuinely loved. I am also absolutely and totally convinced that horse racing is one of the finest of professional sports and deserves a far better image than it enjoys in the United States.

Now back to Emprise. I was very quickly impressed by the scope of Emprise in the racing world, usually under the name of Sports Service and by the number of times their associates and associations had been questioned. It also became very clear that they were as active in the business of lending money to race tracks and to race track owners personally as they were in the sale of

hot dogs and booze. Their association with the underworld has followed a constant pattern. It is not illegal to lend money to people of bad reputation and in the case of Emprise it has proven profitable.

While some of the following does go back in time it is significant to note that these must only be a fraction of the loans and associations actually consummated since it would be prohibitively expensive to uncover all the transactions of a firm so active and widespread, those borrowing from or associated with Emprise include:

Sam Tucker of River Downs Raceway in Ohio, a member of the "Purple Gang."

Moe Dalitz of Cleveland, identified by the Kefauver Committee as a leading hoodlum.

Lion Manufacturing Co. in Chicago, Emprise stock participation 16.7 percent. The firm went into slot machine production after Emprise came in, brought in a man named F. Prinz, an ex-convict from St. Louis. Raymond Patriarcha, also an investor in Lion, was convicted March 9, 1968, of conspiracy to murder a gambling rival.

Emprise subsequently disposed of their interests, I was advised by one of their attorneys, Walter Cheifitz of Phoenix, Ariz.

Big Bill Lias, of Wheeling, W. Va., race track and Shenandoah Downs race track in West Virginia was a borrower of Lou Jacobs. U.S. Immigration tried to deport Mr. Lias as an undesirable alien.

In my view the pattern is probably best identified by Emprise's 12 percent interest in Hazel Park in Michigan. The board of directors of Hazel Park includes as President Anthony J. Zerelli, Giacomo W. Tocco, executive vice president, and until July 25, 1969, Dominic P. "Fats" Corrado—on July 24, 1969, Mr. Corrado was indicted by a New York grand jury for extortion, he resigned from the board the next day but presumably kept his 33,424 shares of voting stock. On page 126 of hearings before the Senate McClellan committee—held in March and June of 1969—all three of the above named are identified as members of the Detroit La Cosa Nostra "Family" and their rank is held to be "Capodecina"—could be equated with company commanders in a military structure. It is worth noting that on the same page the "Boss" of that Detroit La Cosa Nostra Family is identified as Joseph Zerelli the father of Anthony J., and further that Anthony J. is married to the former Rosali Profaci, daughter of Joseph Profaci named on page 124 of the same hearings as a member of the La Cosa Nostra "Commission," the ruling body, for 1960 with Joseph Zerelli, and on page 126 Joseph Profaci is identified as the "boss" of his own "Family" in New York City, also in 1960. In addition to Emprise's 12 percent participation—as noted in the May 1969 SEC report—in Hazel Park Raceway, they are the largest single stockholder, Jerry Jacobs admitted loaning Mr. Zerelli and Mr. Tocco and a third member of the board, Mr. Peter J. Bellanca, the money to buy their stock in Hazel Park. This is a pattern that has

been followed for some time by Emprise.

Sport service loans have been made to tracks and individuals that have figured in scandals surrounding:

Hancock Race Track at Pittsfield, Mass.

Raymond Patriarcha's involvement in Green Mountain Park Raceway involved a \$255,000 transaction with Emprise.

In 1965 Emprise loaned \$1.5 million, at 18 percent interest, to the Finger Lakes Track at Canandaigua, N.Y., which was subsequently involved in a \$100,000 bribe charge with the New York State Republican Chairman, L. Judson Morehouse and a New York assemblyman named Hyman Mintz.

Emprise holds a significant stock position in Cahokia Downs in East St. Louis, Ill., where nine State legislators, the immediate past Governor of Illinois, and the sports editor of the local paper all got stock at a fraction of what it was sold to the general public for.

At Southland Park, in West Memphis, Ark., the then speaker of the Arkansas House of Representatives, Charles F. Smith, was given an option to purchase 15,000 shares of Southland stock for 10 cent a share while it sold to the public at \$1 a share.

The rollover could go on and includes Arizona where Emprise controls six greyhound tracks and two horse tracks, leaving only one horse track in the State not under their control. The pattern is the same, a stock issue of 1 cent for insiders, 50 cents for those not so in and \$1.25 for the public. It includes successful seduction of the legislature to give more racing days and bigger tax breaks for the dogs until Arizona is burdened with 603 days of racing a year and the only people who make money are the concessionaires and Emprise front men, and needless to say Emprise is the concessionaire. Improper pressures on members of the racing commission have been the pattern in Arizona, New Mexico, and Colorado to my certain knowledge; such devices as the joint participation with commissioners and track principles in business ventures, employment of commissioners to service track property, that is, construction, beer sales and so forth all of which still does not tell the whole story but perhaps the following, the lead three paragraphs in a New York State Bureau of Criminal Investigation Report on Emprise, transmitted on December 19, 1969, best sums up the situation and received by the Arizona State Racing Commission:

Sports Service Corporation and the Emprise Corporation have many admitted contacts and dealings with individuals who are hoodlums or alleged Mafia leaders. This is particularly true relative to their many concessions at stadiums, racetracks, ballparks and so forth in providing services such as, food stuff, liquor and beer, cigarette vending, soft drinks, vending machines, towel and linen service, dining facilities, garbage pick-up and many other services necessary to operate their nationwide corporation.

It is also their contention that these services are necessary in the day-to-day legitimate operation of their complex business and have no relation to hoodlum control or domination of any of their facilities.

Many state and federal agencies have in-

vestigated these obvious connections, but to my knowledge no prosecution has ever developed.

G. L. INFANTE,  
Assistant Deputy Superintendent Bureau of Criminal Investigation, State of New York, Albany, N.Y.

The point is that Emprise, and/or the Jacobs have apparently never been caught breaking the law. I say apparently because the State of Arizona is currently developing material which appears likely to result in charges being filed. But if there is a record of any convictions against Emprise, it has not come to light.

This is a result of a thorough understanding of the general problems facing an administrative body such as a racing commission and having the funds to purchase the best legal talent in any community, and this Emprise does unvaryingly. In their Arizona operation, in the fiscal year ending August 31, 1969, they claimed as an expense item legal fees in excess of \$250,000, and they had no litigation that I am aware of, although they did have a "tax-break" bill, for the dogs, successfully, and overwhelmingly, passed by the legislature.

The average State racing commission is made up of volunteers, some with no acquaintance with racing or law, many who simply represent the amortization of a political debt who are always represented by an overburdened, relatively inexperienced, young lawyer from the State attorney general's staff who, most often is no match for the kind of counsel that Emprise employs.

The pressures on State government are many and precedent, permitting slipshod administration frequently prevails over prudence. Emprise has long ago learned the value of delay in furnishing documents required by law or requested by administrative bodies in pursuit of their lawful duties. In Arizona the maze of nine corporate entities, eight of which are controlled or wholly owned by Emprise, one of which is public and never has paid a dividend—but in their fiscal 1969 made over \$300,000 worth of "bad loans" to one of the Emprise owned corporate structures. This maze of corporate entities aids further to the gentle confusion that Emprise is able to take advantage of.

The ever mounting fiscal needs of the States are well recognized by Emprise and the States demands for revenue on their parimutual sources increases at a greater rate than the same State's demands on its taxpayers directly, because as all politicians know, it is far more politically palatable to tax alcohol, tobacco—unless you are from a tobacco State and gambling—than any other source. At any rate the constant pressure from the States for a larger and larger share of track revenue, and for more days of operation whether potentially profitable for the operator or not, has led to Emprise "bailing out" many marginal tracks with big loans tied to the most constricting concession contract known to man. This concession contract always marries Emprise to the track property so that even in the event of a sale of the property, or bankruptcy, or

cancellation of racing days, or whatever, Emprise stays on at the track as concessionaire. It was this type of contract coupled with my recitation of Emprise's history and the testimony of Arizona Racing Commission chairman, Jack Goodman, and Racing Commissioner Tom Finley as well as a young attorney named Roger Garrett representing Arizona House Majority Leader Burton Barr that led the New Mexico Racing Commission to deny an Emprise backed firm racing days at Ruidoso Downs. To my knowledge this is the first time that any State has had the fortitude to do his.

What is very apparent upon any kind of study of racing operationally, is that concessions can make money even if the racing operation does not. Thus, while the concessionaire is only interested in having as many people as possible stay at the track as long as possible. The operator knows that the saturation point for gambling dollars is reached before hunger and thirst are assuaged. Therefore the role of a concessionaire whose primary interest is food, booze, and vending machine products is directly in conflict with the needs of racing and when that concessionaire is in a controlling position of race track operations, the quality of racing suffers, the parimutual handle—the amount of money bet on each race—goes down and the State loses money. When Emprise plays the role of concessionaire, lender, and majority stockholder, there is very real probability that State government will suffer morally as well as financially. For while no one has accused the Jacobs of bribery—and preferential stock prices are legal if they are announced—a great deal of scandal has followed their presence in racing and it is difficult to see how their admitted business relationships with organized crime adds to the stature of the State that does business with Emprise.

Should you call this whole matter to the attention of your appropriate State officials, and some of them are reluctant to delay the flow of parimutual dollars to the State treasury and thus hesitating in attempting any reform, I would suggest that you remind them of the great and glorious history of your State and the total impropriety of prostituting that great tradition.

Besides if you do find the situation as I have described, you can be assured that your State will make more money from parimutual conducted by, preferably, local people interested in racing and anxious to have good concessions available to those who patronize the races, instead of offering indifferent racing to those who might eat and drink.

The professional football and baseball commissioners have already recognized the necessity of pristine images. Witness Mr. Pete Rozelle's handling of the Paul Horning and Alex Karras matter and Mr. Bowie Kuhn's handling of Denny McClain. Parimutual racing in this country, is triply suspect and should be far more concerned about its image than any other sport. This simply because those States who permit it, are, by their financial participation, partners in a gambling enterprise that produces the greatest pleasure and profit when it enjoys the confidence of the most people.

It is my contention that anybody in business with organized crime contributes to organized crime. The fact that Emprise's operation is no Bonnie and Clyde rehash, but sophisticated, apparently legal and very profitable does not detract from the inescapable fact that the money hoods use to pay back loans comes from criminal activity, that the inevitable quid pro quo for helping a hood is to get the hood to do something for you that you do not want to do for yourself because it is illegal. One of the basic needs of organized crime is to find a legitimate outlet for illegitimate money; that is, a bank robber has stolen bills that he fears are marked or their serial numbers recorded; he wholesales the money to a La Cosa Nostra family who happens to own a race track and who find it a very simple matter to use the money in their operation.

There is no need for legislation prohibiting the conduct of business with known criminals, it would doubtless be unconstitutional and almost certainly unenforceable. There is need for recognition of "corporate crime" and the harm it does racing and the States that permit it.

Racing commissions must be permitted and financed to be able to employ thoroughly competent counsel. Race track concessionaires should be denied operational prerogatives and positions. State statutes applicable to parimutual racing must be rewritten to give the applicant for racing days every opportunity to offer those evidences of his good reputation, financial stability, and sound experience that he deems appropriate. Such statutes should then reserve to the commission the unqualified right to reject the applicant, upon the hearing of all said evidence on any grounds that in their judgment is detrimental to the welfare of the State or racing.

Those involved in racing and the administration of racing laws are generally aware of these problems, not as regards Emprise necessarily, but the problems that permit an Emprise to exist. Its time the public made known its interest in denying organized crime access to legitimate business. It is relatively simple to accomplish in the area of franchised operations such as race tracks. Just do not let them in. If they are already in, get them out.

#### TRIUMPH OVER CANCER SHOULD BE MADE NATIONAL CRUSADE

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

Mr. ROONEY of New York. Mr. Speaker, I have introduced today a resolution declaring it to be the sense of the Congress that cancer be made a national crusade and that all the necessary resources of the Nation be marshaled to find the cure and prevention of the disease. I urge that a supreme effort be made in the course of the next 7 years so that in 1976 we might commemorate the 200th anniversary of the independence of this country with the demise of cancer.

There has been a good deal of discussion in this Congress and throughout the

country, on the need for reordering our national priorities. I am one of those who believe that this needs to be done. The Nation has several problems which have come to the point of crisis. Some need immediate action and a massive national effort to prevent disaster. Others, given constructive programs and dedicated effort over a long period of years, approach a point of breakthrough and need a massive effort to bring them to a triumphant conclusion.

This, Mr. Speaker, is the position in which cancer is to be found today. It has been with us from time immemorial, but until 25 years ago, almost no progress had been made against it. Now we find that although the death rate from cancer is as high as ever, some forms of the disease at long last have begun to yield to the scientific skill of the medical men who have devoted their lives to the problem.

Twenty-five years ago when a patient was discovered to have cancer, there was one chance in 5 that he would be alive 5 years after treatment began. Today, when a patient is diagnosed and treatment is begun, there are 2 chances in 5 that he will live for more than 5 years. This is progress, but it is not enough progress for a nation such as ours against a disease such as cancer. There is no reason why this Nation, with its medical minds and medical resources, backed up by Federal funds in a total national effort, cannot solve the mystery of cancer, not only to cure every patient who gets the disease, but to prevent the disease as well and bring to an end its great cost in money, suffering and loss of life.

The prospects of an early breakthrough in cancer are very real. There are imminent innovations due in the fields of surgery and radiotherapy. Even more promising is the field of chemotherapy where a great fund of knowledge in the treatment of advanced, disseminated cancers has been developed. In leukemia, enormous progress has been made in the last 20 years. It was about 20 years ago that chemicals were used successfully in a patient for the first time to bring about a complete but temporary remission. Today, it is possible to gain complete though temporary remissions in more than 90 percent of the cases in one form of leukemia. What has been learned in the treatment of cancer cells in leukemia is now being used against solid cancers, those of the lung and the thoracic cavity, and it is clear that this chemical approach is on the verge of dramatic results.

Another field of cancer in which there is great hope for the immediate future is in viruses which we know cause cancer in animals and have some evidence that they do in man. This year we are stepping up the research program in viruses but we are tardy and inadequate and need to do more here as we do in the other fields of cancer. We should have a vaccine by now and be able to prevent this kind of cancer as we do smallpox, measles, and poliomyelitis.

There are no limits to what we can do as a nation if we have sufficient dedication and dispose our talents and resources to a given goal. In World War II we de-



veloped the atom bomb and we did it with an incredible concentration of management, money, and brains.

In more recent times we sent a man to the moon and our approach in the space program was very much like the Manhattan project. I ask now that we do the same thing in cancer and I assure you that if we do, we shall find the same success as we did in the A-bomb and the moonshot and we shall have the gratitude not just of our own Nation but of all mankind.

#### NATIONAL INSTITUTE OF EDUCATION

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

Mr. MIZE. Mr. Speaker, in his far-reaching message on education, the President has requested the formation of a National Institute of Education, which would become the major element in a Federal educational research operation exceeding \$300 million a year. As my colleagues know, the Federal Government has played a role in educational research for some years, and yet that effort has remained fragmented and lacking in focus. Much of our educational research has been squandered through our failure to explore large problems systematically and to disseminate the results and findings to the people whose job it is to teach. The National Institute would have a twofold responsibility. It would give direction to research, and it would find ways to make valuable research findings available to those who can use them.

The Institute will concentrate attention on evaluation and assessment of educational programs, an area which has been much abused of late in the rush to find Federal funds for any innovative program. Additionally, the Institute will enrich and enliven other Federal education programs by stimulating creative thought, thus serving as an intellectual resource for the Nation. The time has come for this careful effort to insure that Federal education funds are well spent. The competition for the Federal dollar will no doubt be even more severe during the decade of the seventies, and if we are to continue to assist education, the creation of a National Institute to insure that good programs are being developed and disseminated is a must. I urge my colleagues to support this valuable program with me.

#### HOW CURIOUS IT IS THAT REPUBLICANS BLAME DEMOCRATS FOR ALL THE ILLS CONFRONTING AMERICAN SOCIETY TODAY

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

Mr. GIBBONS. Mr. Speaker, it is interesting to note how the Republican leader in the House of Representatives and the present administration continue to blame Democrats for all the ills confronting American society today. Their failure in their haphazard attempt to

cool the economy has apparently distorted their vision.

As recently as last Wednesday, I inserted figures in the CONGRESSIONAL RECORD pertaining to the balance-of-payments deficit. At that time, I pointed out that the present deficit, based on the traditional liquidity balance, is the highest we have had in this Nation's history. For the first three quarters of 1969, we showed an annual rate of \$10.8 billion deficit. You may recall the caustic attacks that the previous administration was victim to by members of the minority party who at that time complained that Democrats had allowed the deficit to climb to an "intolerable" \$3.5 billion in 1967.

Mr. Speaker, it was the efforts of a Democratic administration that let us realize a balance-of-payments surplus of \$168 million in 1968. It was a Democratic President and a Democratic Congress that approved the Interest Equalization Act of 1964. The purpose was to reduce the outflow of American dollars by imposing an excise tax on the acquisition of foreign securities in order to stabilize our balance of payments. It was the Johnson administration that first established, on a voluntary basis, limitations on direct foreign investments of American businesses and eventually made the direct foreign investment control program mandatory and gave the Secretary of Commerce broad powers for its administration.

It was the Nixon administration which on April 3, 1969, by Executive order, reduced the rates on the interest equalization tax by 75 percent of their originally enacted level. The present administration has totally disregarded the restrictions of its predecessor and its fiscal policies have brought us to the worst balance-of-payments deficit in our Nation's history.

I wonder if the House minority leader would consider the present balance-of-payments deficit as a Republican deficit, or do we as Democrats have to bear the responsibility of the actions of this administration?

The present administration continues to refer to inflation as a Democratic inflation. As recently as last week in the House, the Democratic Party and the past administration were blamed for the inflationary conditions which exist today.

Let us briefly look at some of the other facts which might lead one to a completely different conclusion.

The Consumer Price Index witnessed its single largest rise in 19 years. Under Republican leadership, it rose 6.1 percent. In the 4 previous years under Democratic leadership, the single largest rise was 4.7 percent.

Under the present Republican administration, we experienced the single highest rise in the interest rates in the history of this country. We all know so well what effect this has had on our overall economy, but particularly our housing industry.

A full percentage point in interest rate means larger monthly payments for most families. A 1-percent increase in the rate on a 30-year mortgage raises the repayments of principal and interest by

12 percent. It is no wonder that HUD officials tell us that half of the families in the United States can no longer afford to buy a new home, and economists do not foresee an increase in housing starts until the Federal Reserve Board relaxes its present tight money policies. Where is the American dream that President Nixon talked about during his campaign? Young newlyweds can hardly look forward to owning their own homes under present economic conditions.

Since January of 1969, housing starts are off by over 40 percent. As one of my colleagues recently pointed out in the CONGRESSIONAL RECORD of February 24, Chicago permits for the construction of new housing declined from 3,496 in January of 1969 to 812 in January of 1970. The housing industry, which employs so many hundreds of thousands of people across the country, has been the primary victim of this administration's anti-inflationary program, and the results have been disastrous. We are only now beginning to feel the ripples of the housing industry's dilemma and things will get worse before they get better.

Last year's housing legislation which was almost unanimously approved by the House of Representatives, contained a provision which makes available \$2 billion to the Government National Mortgage Association to purchase FHA and VA mortgages on low-cost housing. But the President refuses to release any of these funds to bring some relief to builders. I wonder if the dilemma of the housing industry can also be blamed on the previous administration and on a Democratic Congress?

Likewise, Mr. Speaker, a glance at unemployment statistics will equally alarm the self-professed economist.

Unemployment for January of 1970 is up to 3.9 percent, the sharpest monthly rise since December of 1960. And yet the chief economic spokesman for the Nixon administration — Paul McCracken, Chairman of the Council of Economic Advisers—testifying before the Joint Economic Committee advises us that the unemployment rate will rise to an average of 4.3 percent in 1970 which would involve a loss of over 700,000 jobs. Other economists less partisan than he have indicated that a 5-percent unemployment figure would be more realistic under present fiscal practices.

I can readily understand the frustration of the President and his Republican colleagues, for the American people will not long tolerate this type of fiscal irresponsibility.

To blame the previous administration for past ills is nothing more than political gimmickery.

The responsibility of stabilizing the economy rests with the President and his administration today as it always has in the past.

In a recent Harris survey, the American public gave Mr. Nixon a 68-percent negative rating on "keeping down the cost of living." Apparently, they have not been fooled by the rhetoric of some of our colleagues here in the House of Representatives who would like us to believe that the present economic dilemma is the sole responsibility of the past Democratic administrations.

## OIL AND THE COST OF INFLATION

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

Mr. McCARTHY. Mr. Speaker, last Friday President Nixon released the report of the Cabinet Task Force on Oil Import Control. The report recommended doing away with the restrictions on the importation of oil that were adopted in 1959. It points out that these restrictions cost the American consumer \$5 billion a year today and will reach \$8.4 billion a year in 1980. The report goes on to recommend that the import restrictions be removed and that a system of tariffs be substituted in their place. The effect of this change from import restrictions to tariffs would only be a reduction of about 25 cents per barrel compared with a possible reduction of \$1.45 per barrel if no tariffs were placed on oil imports. Without any change the American consumer will pay about \$60 billion more for oil than he needs to over the next 10 years. These costs would be found in the price of gasoline at the corner gas station. It would be found in the heating bill that the homeowner pays each winter. It would be found in the cost of plastic and synthetic fiber made from petroleum. He would pay almost the same amount in extra costs if a tariff system is substituted.

The tariff system does have one good quality. It could remove the assignment of oil-import quotas from the arena of politics. Uniformly determined cost rather than political favoritism would be the basis for bringing oil into the United States. We would no longer find the production of oil from our major oil-bearing regions determined by decisions of Louisiana or Texas State agencies. But unfortunately, we are not even to reap these benefits.

President Nixon has seen fit to defer any decision on the oil-import question. He appears to go along with the recommendations of a minority of the task force, a minority that includes Secretary Hickel with his obvious interest in the oil that will come from Alaska's North Slope. This minority recommended against lifting the import restrictions. President Nixon's failure to act at this time appears to endorse the minority report. I believe this to be a mistake.

One of the most difficult problems that we face currently is an inflation which wipes out wage gains and severely penalizes those on fixed income. The cost of fuel is a major part of the budget of every American. And this is particularly true of those who live in the colder parts of our country. The Northeast, including my State of New York, pays a higher price for fuel than other areas because of the oil-import quotas—not because the cost of oil from Nigeria, Libya, or Venezuela is higher than it is in other parts of the country. In the Northeast we pay a price to the American oil producer of the gulf coast and Southwest—an unnecessary price that is artificially maintained.

President Nixon could act to lower the cost of living for every American. He

could act to markedly lower the cost of living for those of us who live in the North and the Northeast. He can give the lie to the charge of sectional interest that says he favors the South over the rest of the Nation. If President Nixon is serious about wanting to curb inflation, then he can act now to remove the arbitrary and costly controls on the import of oil. He can do so with no threat to our military posture. He can do so with only a minimal effect on oil producers. He can do so in the interest of fairness to those who have paid unnecessary costs to our soil producers.

I am introducing a resolution today expressing the sense of the House of Representatives that President Nixon use the authority vested in the present regulations to remove the oil import restrictions. I would hope that President Nixon would see fit to bring his actions in line with his stated interest in curbing inflation. But if we find that the oil interests prevent action, then I believe that the Congress will have to enact legislation removing the President's power to restrict the free market economy as it relates to oil.

In introducing this resolution I ask those Members of Congress who are concerned with the unfairly high cost of oil to their constituents to join me in sponsoring similar legislation.

## SPECIAL FUNDS OF THE ASIAN DEVELOPMENT BANK

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

Mr. ERLNBORN. Mr. Speaker, President Nixon has requested congressional approval of a U.S. contribution of \$100 million to the special funds of the Asian Development Bank. Under the proposal we would contribute \$25 million next year, and \$40 million the following year.

The terms and conditions of the proposed U.S. contribution have been carefully formulated to further our goal of increased multilateral assistance. Our contribution would be a minority share of total contributions to the special funds, and could not be the largest single contribution. In addition, U.S. funds could be used only when other donor nations were providing a significant share of the funds for the particular purpose.

The President's proposal provides for a meaningful U.S. contribution, while also giving full consideration to our own requirements for budgetary restraints and protection of our balance of payments. By approving the U.S. contribution, we will reaffirm our confidence in the work of the Asian Development Bank and our commitment to a multilateral effort to achieve economic and social progress among the developing nations of Asia.

## A LIMITED NATIONAL SERVICE PROPOSAL

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

Mr. BINGHAM. Mr. Speaker, publication of the Gates Commission report has once again focused public attention on the need for sweeping draft reform. Rather than outright abolition of the draft, I feel that the country would benefit in many ways from a limited national service system to replace the draft. Under this system, a young man of 18 would have three choices:

First, to volunteer for military service;

Second, to volunteer for civilian service as an alternative;

Third, to take his chances on being drafted under a lottery system. Because of the complexity of the legislation necessary to carry out this idea, I sought the help of a number of third-year students at the Yale Law School in drawing up a specific proposal. I am including below a brief summary of the bill they drafted, followed by the bill itself.

On Thursday, March 12, I am holding an open meeting to discuss this legislation. Members of the Yale group who drafted the bill will be here to discuss it, along with representatives of interested organizations. I plan to revise the bill in light of that discussion and any suggestions I receive. I will then circulate the bill for cosponsors.

I hope that my colleagues and other interested parties will take the trouble to study this proposal and let me know of any suggestions they may have prior to or at the Thursday meeting.

The material mentioned above follows:

## A QUICK SUMMARY OF THE NATIONAL SERVICE ACT OF 1970

The system we are proposing is based on five premises:

- (1) we will have a military in the future;
- (2) we do not wish to have a volunteer army;
- (3) we will need some form of a draft to fill the military manpower needs;
- (4) we want to stop evading, filing phony C.O. applications, stacking deferments, going to jail, leaving the country, or suffering spiritual agony; and
- (5) there are areas of socially valuable work to which the market economy and government programs presently supply inadequate amounts of manpower.

The system we propose, therefore, attempts to provide a civilian alternative to military service for those who feel strongly that they do not want to serve in the military, and to channel manpower into socially useful jobs at least for a time.

Examples of such "socially useful" occupations are work in public schools, hospitals, private nonprofit service organizations, every level of government, and such existing programs as VISTA and the Peace Corps. Specifically excluded from the scheme are profit-making businesses, labor unions, religious organizations, partisan political organizations, and personal and domestic service work. The bill sets up procedures for determining the suitability of an employer for getting people in the Civilian Service, and the suitability of a particular person's job in terms of its social benefit (Section 4). Employers are to pay their Civilian Service employees a subsistence wage (taking dependents into account) and to pay to the government any amount in excess of that which they would have paid to the employees without the Civilian Service system. These funds and others would pay for the government's function as employer of last resort (Section

12) for those who could not find or be placed in suitable jobs.

In terms of individuals, the plan would operate as follows: Each young man would register at age 17, and at age 18 would make one of three choices: to enlist in the military, to take his chances in a military lottery similar to the one now in effect, or to enroll in the Civilian Service (Section 5). There are exemptions and deferments based on such things as physical-mental-moral disqualification, high school status, extreme hardship, and conscientious objection (Section 6). No college deferments are provided. Normally a man would serve (unless he escaped by the lottery) immediately after making this choice; in case of deferments the liability goes to age 25.

The enlistment and lottery options would be essentially unchanged from what they are now. The Civilian Service option would require the registrant to find a suitable job with an employer who has qualified the job for participation in the scheme, and to hold the job satisfactorily for a period of time, longer than two years and not more than four years, found to be "equivalent" to two years military service. There are procedures for transfer from one employer to another and for discipline of Civilian Service registrants (Sections 11, 16, 17, 18 and 19).

The program would be administered by a National Service Agency, an independent agency in the Executive Branch whose chief would serve at the President's pleasure. There would be regional offices, local placement centers, hearing examiners, and advisory committees (on the suitability of occupational areas and the economic impact of their inclusion). All decisions by the Agency affecting a registrant or an employer would be subject to judicial review (Section 20).

#### THE NATIONAL SERVICE ACT OF 1970

An act to create a new National Service Agency to fill military manpower requirements, to create a voluntary civilian service as an alternative to military service, and for other purposes

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

#### SHORT TITLE

SECTION 1. This Act may be cited as the "National Service Act of 1970".

#### POLICY AND INTENT OF CONGRESS

SEC. 2. Whereas the Congress finds:

1. That the defense of the United States requires that a substantial portion of the young men in the United States must serve, at some time, in the Armed Forces of the United States;

2. That the manpower requirements of the Armed Services are unlikely to be met entirely by voluntary enlistments, and that ongoing provisions for conscription are necessary;

3. That the present Universal Military Service and Training Act, both in conception and administration, works grave and unnecessary inequities on the lives of the young men required to serve under it;

4. That there are many areas of nationally valuable work to which the market economy and government programs presently supply inadequate amounts of manpower;

5. That young men of draftable age have both the ability to serve effectively in these areas and an idealistic desire to serve their country through participation in them; and

6. That a system of national Service which affords an effective channel for these high aspirations and for accomplishment of these vital tasks, and at the same time provides for the military needs of the United States, is in the greatest national interest.

Therefore, it is the policy and intent of Congress in enacting the National Service Act of 1970:

1. To fulfill military manpower needs by establishing procedures for the selection of men into the Armed Forces of the United States by means of a random lottery;

2. To provide a free choice for young men between serving their country in a civilian or a military capacity, and to provide within the civilian category a variety of choices;

3. To encourage civilian service registrants to become employed in areas of social need and to work within these areas in ways which do not interfere with the existing market and labor structure of those areas; and

4. To create a selection process for the military and alternative service which eliminates the inequities in the present selective service system.

#### NATIONAL SERVICE AGENCY

SEC. 3. (a) There is hereby established in the Executive Branch of the Government an agency to be known as the National Service Agency, and a Director of National Service who shall be the head thereof, and who shall receive compensation at the rate of 25,000 per year.

(b) The National Service Agency shall include a national headquarters, such regional headquarters as shall be established by the President, to include within a region each State, Territory, and possession of the United States, and the District of Columbia, and such local placement centers as shall be provided by the President.

(c) The Director and three Deputy Directors shall be appointed by the President by and with the advice and consent of the Senate. The Director and Deputy Directors shall serve at the pleasure of the President. *Provided, however,* that no person on active duty with the military forces of the United States shall be considered eligible for appointment as Director, Deputy Director, or any other office or position within the National Service Agency.

(d) All personnel employed by the National Service Agency other than the Director and Deputy Directors shall be retained by and through the Civil Service Commission of the United States with such exceptions as the President may allow.

(e) The Director is authorized, subject to the availability of funds appropriated for such purposes, to procure such space, personnel, and other material necessary to carry out the provisions of this title.

(f) Within the National Service Agency there shall be established three divisions, each headed by a Deputy Director appointed by the President. These divisions are (1) the Civilian Service Division which shall be responsible for the operation and administration of the Civilian Service as established by this title; (2) the Military Lottery Division which shall be responsible for the operation and administration of the system for the fulfillment of military needs as provided for in Section 10 of this title; (3) the Registration and Placement Division, which shall be responsible for operation and administration of all local placement centers as established in Section 3(b) of this title. The Deputy Director in charge of Registration and Placement shall also be responsible for the appointment, within each regional center as authorized in Section 3(b) of this title, of a Regional Registration and Placement Administrator.

(g) The Regional Registration and Placement Administrator shall appoint a Civilian Board for his region, none of whose members shall be employees of the National Service Agency, to handle claims as provided for in Sections 6(a)(4), 6(b)(3), and 7(b), and shall appoint such hearing examiners who shall hear testimony, make findings of fact and conclusions of law and arrive at a decision as to the merits of the registrant's claim. The registrant shall have the right to appeal this decision to the regional board as provided in Section 7.

#### SELECTION OF QUALIFIED OCCUPATIONS

SEC. 4. (a) With the assistance of such advisory committees as the Director may establish, the Director shall from time to time promulgate regulations establishing specific occupational categories in which Civilian Service registrants may serve.

(b) An occupation shall be deemed suitable under subsection (a) of this section if:

1. The occupation is of substantial social benefit to the community, nation, or foreign nations wherein the registrants are to perform their service;

2. Federal participation in the occupational area is constitutionally permissible under the First Amendment to the United States Constitution;

3. Participation of registrants in the occupation will not interfere unreasonably with the availability and the terms of employments of nonregistrant employees;

4. Registrants are able to meet the physical, mental, and educational qualifications that the occupation requires; and

5. The occupation is in other respects suitable to the goals of this title.

(c) Suitable occupations shall include but shall not be limited to jobs in the employ of:

1. State, Federal, and local government agencies;

2. Public, private, and parochial schools;

3. Nonprofit hospitals;

4. Police;

5. Penal and Probation systems;

6. Private, nonprofit organizations whose principal purpose is social service;

7. Vista;

8. Peace Corps; and

9. Teacher Corps

Suitable occupations shall not include:

1. profit-making, business organizations;

2. labor unions;

3. partisan-political organizations;

4. organizations engaged in religious functions;

5. domestic or personal service companies or organizations; and

6. commercial farms.

(d) (1) Any action for the issuance, amendment, or repeal of any regulation promulgated by the Director under subsections (a) and (b) of this section shall be initiated by a proposal made (A) by the Director on his own initiative, or (B) by petition of any interested person, showing reasonable grounds therefor, filed with the Director. The Director shall publish such proposal and shall afford all interested persons an opportunity to present their views thereon, orally or in writing. As soon as practicable thereafter, the Director shall by order act upon such proposal and shall make such order public. Except as provided in paragraph 2 of this subsection, the order shall become effective at such time as may be specified therein, but not prior to the day following the last day on which objections may be filed under such paragraph.

(2) On or before the thirtieth day after the date on which an order entered under paragraph (1) of this subsection is made public, any person who will be adversely affected by such order if placed in effect may file objections thereto with the Director specifying with particularity the provisions of the order deemed objectionable, stating the grounds therefore, and requesting a public hearing upon such objections. Until final action upon such objections is taken by the Director under paragraph (3) of this subsection, the filing of such objections shall operate to stay the effectiveness of those provisions of the order to which the objections are made. As soon as practicable after the time for filing objections has expired the Director shall publish a notice in the Federal Register specifying those parts of the order which have been stayed by the filing of objections and, if no objections have been filed, stating that fact.

(3) As soon as practicable after such request for a public hearing, the Director, after due notice, shall hold such a public hearing for the purpose of receiving evidence relevant and material to the issues raised by such objections. At the hearing, any interested person may be heard in person or by representative. As soon as practicable after completion of the hearing, the Director shall by order act upon such objections and make such order public. Such order shall be based only on substantial evidence of record at such hearing and shall set forth, as part of the order, detailed findings of fact on which the order is based. The Director shall specify in the order the date on which it shall take effect, except that it shall not be made to take effect prior to the ninetieth day after its publication unless the Commission finds that emergency conditions exist necessitating an earlier effective date, in which event the Director shall specify in the order its findings as to such conditions.

(e) (1) Any person who will be adversely affected by such order if placed in effect may at any time prior to the ninetieth day after such order is issued file a petition with the United States Court of Appeals for the Circuit wherein such person resides or has his principal place of business, for a judicial review of such order. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Director or any officer designated by it for that purpose. The Director thereupon shall file in the court the record of the proceedings on which the Director based its order.

(2) If the petitioner applies to the court for leave to adduce additional evidence, and shows to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the proceeding before the Director, the court may order such additional evidence (and evidence in rebuttal thereof) to be taken before the Director, and to be adduced upon the hearing, in such manner and upon such terms and conditions as to the court may seem proper. The Director may modify its findings as to the facts, or make new findings, by reason of the additional evidence so taken, and it shall file such modified or new findings, and its recommendation, if any, for the modification or setting aside of its original order, with the return of such additional evidence.

(3) Upon the filing of the petition referred to in paragraph (1) of this subsection, the court shall have jurisdiction to affirm the order, or to set it aside in whole or in part, temporarily or permanently. If the order of the Director refuses to issue, amend, or repeal a regulation and such order is not in accordance with law, the court shall by its judgment order the Director to take action, with respect to such regulation, in accordance with law. The findings of the Director as to the facts, if supported by substantial evidence, shall be conclusive.

(4) The judgment of the court affirming or setting aside, in whole or in part, any such order of the Director shall be final, subject to review by the Supreme Court of the United States by writ of certiorari.

(5) The remedies provided for in this subsection shall be in addition to and not in substitution for any other remedies provided by law.

(f) The Director shall from time to time solicit information from all public and private employers who are authorized pursuant to subsections (b) and (c) of this section to participate in the Civilian Service Program on:

(1) what types of jobs, whether existing or newly created for civilian service registrants, each employer would propose to have filled by registrants within the employer's organization;

(2) how many of each type of job the employer believes he could usefully fill;

(3) what effect civilian service registrants would have on his employment, and particularly hiring, practices; and

(4) what physical, mental, and educational qualifications the employer would require for civilian service registrants filling these jobs.

(g) The Director shall certify specific jobs as suitable for Civilian Service Corps employment according to the regulations promulgated by the Commission under subsections (a), (b), (c) and (d) of this section. The Director shall appoint Hearing Officers who shall hold hearings on the written request of any employer or registrant adversely affected by a decision of the Director as to the suitability of a specific job as Civilian Service Corps employment. The registrant or employer may appeal the decision of a hearing examiner to the appropriate regional board, as provided in Section 13(f), within thirty days of receiving notice thereof. The decision of the regional board may be reviewed by the Director at the request of the registrant or employer. The decision of the Director shall be final.

(h) The Director shall regularly compile lists on a national basis of job opportunities which qualify within the occupational categories which are currently available, so that registrants shall have information of job opportunities throughout the nation. These lists shall be available to registrants at local placement centers.

#### REGISTRATION

SEC. 5. (a) Except as otherwise provided in this title, it shall be the duty of every male citizen of the United States to present himself for and submit to registration at the local placement center which serves the area in which he resides within ten days after the seventeenth anniversary of his birth. *Provided, however,* that all persons heretofore registered under the Military Selective Service Act of 1967 or its predecessor acts shall be deemed to have satisfied the registration requirements of this paragraph.

(b) Each local placement center shall, at the time of registration, provide each registrant with detailed information on the nature and scope of the operations of the National Service Agency as provided to each placement center by the Office of the National Director. This information shall include but is not limited to a description of the operation of the military lottery, of enlistment opportunities in the Armed Forces, a list of general occupational categories established by the National Commission pursuant to Section 4, and a detailed list of the actual qualified civilian service jobs available in the geographical area.

(c) Each local placement center shall maintain a staff of counselors who shall interview registrants and explain the details of the operations of the National Service System.

(d) Each local placement center shall cause each registrant to complete, or where necessary shall complete for each registrant, such forms as may be required by regulations implementing this title, and such information shall be forwarded to the Director. All information contained in these records pertaining to registrants shall be disclosed only to authorized employees of the National Service Agency and to the individual registrant.

#### EXEMPTIONS AND DEFERMENTS

SEC. 6. (a) The following persons shall be exempt from participation in the Military Lottery or in the Civilian Service Corps:

(1) Personnel of the Army, Navy, Air Force, Marine Corps, and Coast Guard; cadets and midshipmen of the United States Military Academy, United States Naval Academy, United States Air Force Academy, and United States Coast Guard Academy; students enrolled in officer procurement programs at military colleges whose curriculum is approved by the Secretary of Defense; members of reserve components of the Armed Forces

and the Coast Guard; persons who served honorably on active duty in the Armed Forces at any time prior to the date of enactment of this title; members of organized units of the federally recognized National Guard, the federally recognized Air National Guard, the Officers' Reserve Corps, the Regular Army Reserve, the Air Force Reserve, the Enlisted Reserve Corps, the Naval Reserve, the Marine Corps Reserve, or the Coast Guard Reserve, so long as they continue to be such members and satisfactorily participate in scheduled drills and training periods as prescribed by the Secretary of Defense;

(2) Persons found physically, mentally, or morally unfit on a permanent basis, by standards to be prescribed by the President for any national service, either military or civilian, under this Act;

(3) Persons who are not citizens of the United States. Any person who becomes a citizen of the United States after attaining the seventeenth anniversary of his birth and before attaining the twenty-fifth anniversary of his birth shall be registered and treated in all respects as if he had attained the seventeenth anniversary of his birth on the date of his naturalization, except that his liability for service under this Act shall not extend beyond the thirtieth anniversary of his birth;

(4) Persons who, by reason of training and belief, are conscientiously opposed to any participation in the national service system established by this Act. In order to establish conscientious opposition, a registrant must prove by a clear preponderance of the evidence that service in general in both a military and civilian capacity would be a violation of his most profound convictions. Whether an individual meets the requirements of this subsection shall be determined pursuant to the procedure as provided in Section 7.

(b) The following persons shall be deferred, under regulations prescribed by the President, from participation in the Military Lottery and the Civilian Service Corps:

(1) Persons satisfactorily pursuing a full-time course of instruction at a high school or similar institution of learning shall be deferred until graduation or until the end of the sixth academic year spent following completion of grade eight or the equivalent grade levels thereof;

(2) Persons found physically, mentally, or morally unfit on a temporary basis, under standards to be prescribed by the President, for any national service, military or civilian, under this Act, shall be deferred for such time as that condition of unfitness shall continue;

(3) Any person granted a hardship deferment by the Civilian Board in their region pursuant to subsection (A)(iv) below.

(A) A registrant may present, in writing, a claim of hardship pursuant to the procedure provided in Section 7 at any time before or during a registrant's participation in the National Service. Upon examination of the registrant's claim of hardship, a Civilian Board may:

(i) reject the claim as a whole;

(ii) determine that the subsistence allowance of a Civilian Service registrant as provided for in Section 9(b)(4), shall be increased to provide for members of the registrant's family who are substantially dependent upon him for financial support, such increase not to exceed \$4000 per year maximum; or

(iii) determine that the Civilian Service registrant be placed in a civilian service job if one is reasonably available which will enable him to reside with those members of his family who are substantially dependent upon him for personal services or for other forms of personal assistance; or

(iv) upon a finding of hardship and a finding that subsections (ii) and (iii) are insufficient either alone or applied together to

provide adequately for members of the registrant's family who are substantially dependent upon him determine that the registrant be granted a hardship deferment from National Service for as long as necessary; *Provided, however*, that upon the twenty-fifth anniversary of his birth, a registrant deferred under this subsection shall be deemed to have participated in the Military Lottery and not been selected during his period of liability.

CLASSIFICATION; RIGHT TO APPEAL  
CLASSIFICATION

SEC. 7. (a) Each registrant shall be classified according to regulations promulgated by the Director by the local placement center where he is registered on the basis of information supplied by the registrant to the local placement center. Whenever a registrant's status changes so that he believes that he is entitled to a classification different from that which has been previously assigned him, he shall apply to the local placement center by alleging in writing the facts which he believes entitle him to a different classification.

(b) A registrant may appeal his classification by notifying the Civilian Board appointed by the Regional Registration and Placement Administrator of that region pursuant to Section 3(g) on or before the thirtieth day after receiving notice of any classification by the local placement center. The Civilian Board shall refer all appeals to a hearing examiner as provided for in Section 3(g) to hear testimony, make findings of fact and conclusions of law, and arrive at a decision as to the merits of the registrant's claim. The hearing shall be held as close to the area in which the registrant resides as is practicable.

(c) The registrant may appeal the decision of the hearing examiner to his Civilian Board within thirty days of receiving notice thereof. The Civilian Board shall review the whole record and affirm the hearing examiner's decision only if supported by reliable, probative, and substantial evidence. At its discretion, the Board may hear further testimony.

(d) Decisions of the Civilian Boards may be appealed by the registrant to the Director whose standard of review shall be the same as that of the Civilian Board described in subsection (c) of this section.

(e) A registrant who appeals his classification shall be entitled to appeal and to have the right to counsel at all stages of the appeal process. The National Service Administration shall, at its own expense, provide a lawyer for those unable to afford counsel. The hearing examiner shall determine whether the registrant is capable of paying all, some, or none of the cost of counsel. His decision shall be subject to appeal.

ELECTION OF SERVICE OPTION

SEC. 8. (a) Unless exempted as provided in Section 6 of this title, each registrant (including those with deferments) on or before ten days prior to his attaining the age of eighteen years shall notify in writing his local placement center of his election to enlist in the Armed Forces, to participate in the Military Lottery, or to participate in the Civilian Service Program.

(b) Upon receipt of the forms provided for the Section 5(e) above, the local placement center shall immediately cause the names and registration number of each registrant selecting the Military Lottery option to be sent to the Deputy Director in charge of the Military Lottery Division. Only those registrants who have selected the Military Lottery under Section 8(a) or those who have been placed in the Military Lottery as provided in Section 18(b) of this title shall be processed as provided in Section 10 of this title.

LENGTH OF SERVICE

SEC. 9. (a) Each person selected through the Military Lottery for service with the

Armed Forces of the United States shall serve in active training and service for a period of 24 consecutive months, unless sooner released, transferred, or discharged in accordance with procedures established by the Secretary of Defense.

(b) Each person electing participation in the Civilian Service shall serve in active training and service for that period of time which the Director shall deem appropriate for the particular occupational category into which that person has been placed. *Provided, however*, that no person shall be required to participate in active service in the Civilian Service for less than the period served by those participating in the Military Lottery or for more than 48 consecutive months.

OPERATION OF THE MILITARY LOTTERY

SEC. 10. (a) The Director of the National Service Agency shall establish under this title procedures for the selection of men into the Armed Forces of the United States by means of a random lottery of those individuals who have elected under the provisions of Section 8(a) to participate in the Military Lottery.

(b) The lottery shall proceed by means of random selection. The random selection method will use 366 days to represent the birthdays (month and day only) of all registrants who have elected to be placed in the lottery pool. On a date to be selected by the Director of the National Service Agency once each year the lottery shall be conducted selecting in a random manner each day of the year for every man who has since the last such lottery been placed in the lottery pool. On the same date, a supplemental drawing will be conducted to determine alphabetically the random selecting sequence by initial letter in surname among registrants who have the same birthday.

(c) The Secretary of Defense shall periodically notify the Director of the National Service Agency and the Deputy Director in charge of the Military Lottery of the number of registrants required to fill the manpower needs of the Armed Forces of the United States. The Director shall issue orders to report for induction to that number of individuals in the order that their birthdates and names were selected in the Military Lottery. Each registrant shall remain in the lottery pool for a period of twelve months following the date of the lottery selection for which he is eligible.

(d) A registrant who has received an order to report for induction but who has been granted a deferment under Section 6(b) or under a procedure established by the Armed Forces, shall have his induction order stayed indefinitely but shall have his deferment reviewed each year thereafter until the twenty-fifth anniversary of his birth by the board which originally granted his deferment. If it is determined that the registrant can no longer qualify for a deferment, the induction shall be reactivated. Upon reaching the twenty-fifth anniversary of his birth, the registrant shall have the induction order permanently cancelled.

(e) Any registrant who is discharged from the Civilian Service Corps pursuant to the provisions of Section 18(b) of this title shall have his name and birthdate placed in the random selection which next occurs following the date of his discharge from the Civilian Service Corps and shall remain eligible for a period of twelve months thereafter.

CIVILIAN SERVICE JOBS

SEC. 11. (a) It shall be the duty of each registrant who has elected to serve in the Civilian Service within six months of his election of Civilian Service or within six months after his deferment under paragraph 6(b) has expired, whichever is later, either:

(1) to locate and become employed as a full-time employee in a job which has qualified for participation in the Civilian Service

either upon previous application of the employer or upon application of the registrant, as provided in Section 4; or

(2) to become a full-time volunteer in VISTA, the Peace Corps, or the Teacher Corps; or

(3) if unable to qualify under (1) or (2), to join the Civilian Service Federal Job Corps as provided in Section 12; *Provided, however*, that a registrant may not elect to enroll in the Civilian Service Federal Job Corps until two months after his election or the expiration of his deferment, whichever is later.

(b) It shall be the duty of each registrant who has selected a job or a program pursuant to subsection 6(a) to remain satisfactorily employed or enrolled for a period of time determined by the Director for the particular occupational category or program in which the registrant is employed or enrolled as provided in Section 9(b).

(c) Public non-federal and private employers who have employed civilian service registrants shall have the authority at all times to accept, reject, conditionally accept, or dismiss any individual civilian service registrant; *Provided, however*, that if it shall be determined by the Civilian Service that any registrant was rejected or dismissed because of race, color, creed, or national origin, then the Director is authorized to declare under procedures provided in Section 4 that the public or private employer be disqualified from inclusion on the official list of civilian service jobs. The employer shall be authorized to reapply for qualification under procedures provided in Section 4.

(d) When any civilian service registrant withdraws or is dismissed from a civilian service job, and it is determined by a hearing as provided for in Section 19, that the registrant is to continue in the Civilian Service then the registrant shall report to the local placement center nearest to his current place of residence, within ten days of the termination of the hearing, in order to be assigned to a new job or federal program for the duration of his time obligation.

CIVILIAN SERVICE CORPS

SEC. 12. (a) There is hereby established a Civilian Service Corps which shall be under the direction, and whose director, hereafter referred to as the Corps Director, shall be appointed by the Director of the National Service Agency. The Corps shall train and employ registrants who elected Civilian Service and who, having not found employment in a job which qualified for the Civilian Service, joined or were deemed to have joined the Corps.

(b) In order to operate the Civilian Service Corps, the Director is authorized:

(1) to establish any or all new facilities, including new construction necessary for the operation of the Corps;

(2) to establish necessary provisions for housing of the registrants enrolled in the Corps;

(3) to provide whatever is necessary to insure for the proper medical care of the registrants enrolled in the Corps, including but not limited to the utilization of armed services medical facilities;

(4) to request and utilize the services of any or all:

(A) departments of the Federal Government;

(B) agencies, departments, or units of regional, state, county, municipal, or town governments; and

(C) trade organizations, charitable organizations, educational institutions, any other private or public organization or group or any person or group of persons.

(5) to establish within the Corps programs for registrants who come from deprived backgrounds, which program will be essentially educational and training programs designed to enable the registrants to enter productive employment for the remainder of their civilian service and/or following the completion of their service.

**ADDITIONAL AUTHORITY OF THE DIRECTOR**

SEC. 13. In addition to the authority granted in Section 12, the [Director, National Commission] is authorized:

- (a) to delegate any authority vested in him under this title, and to provide for the subdelegation of any authority;
- (b) to establish a procedure for compensating all volunteers. Such procedure shall provide that non-federal employers of volunteers must pay to the federal government the same wage paid by the employer to non-volunteers performing the same or similar work or the minimum wage, whichever is greater, and that the federal government will compensate all volunteers at a rate equal to a subsistence allowance based on the cost of living in the geographical areas in which the volunteers work;
- (c) to establish procedures to protect all volunteers from discrimination by any employer because of race, color, creed, or national origin;
- (d) to utilize, when necessary, the services of all departments of the federal government; and
- (e) to establish such regional review boards as may be necessary to hear appeals as provided for in sections 4(g) and 7(c).
- (f) to prescribe such rules and regulations necessary to carry out the provisions of this title.

**APPLICATION OF PROVISIONS OF FEDERAL LAW—REGISTRANTS NOT FEDERAL EMPLOYEES; FEDERAL EMPLOYMENT LAWS INAPPLICABLE**

SEC. 14. (a) Except as otherwise specifically provided in this Act, an alternative service registrant shall not be deemed to be a federal employee and shall not be subject to the provisions of laws relating to hours of work, rates of compensation, leave, unemployment compensation, and federal employee benefits.

(b) Registrants in a Civilian Service Corps shall be deemed to be employees of the United States for the purposes of the Internal Revenue Code of 1954 and of Title VI of the Social Security Act (42 U.S.C. 401 *et seq.*), and any service performed by an individual as a registrant shall be deemed for such purposes to be performed in the employ of the United States.

(c) (1) Registrants in a Civilian Service Corps shall, for the purposes of the administration of the Federal Employees' Compensation Act, be deemed to be civil employees of the United States within the meaning of the term "employee" as defined in Section 790 of Title 5 and the provisions thereof shall apply except as hereinafter provided.

(2) For the purposes of this subsection:

- (A) The term "performance of duty" in the Federal Employees' Compensation Act shall not include any act of a registrant:
  - (i) while on authorized leave; or
  - (ii) while absent from his assigned post of duty, except while participating in an activity authorized by or under the direction or supervision of the Corps.
- (B) In computing compensation benefits for disability or death under the Federal Employees' Compensation Act, the monthly pay actually received by an enrollee for satisfactory performance of his work shall be used.

(C) Compensation for disability shall not begin to accrue until the day following the date on which the enrollment of the injured registrant is terminated.

**POLITICAL DISCRIMINATION AND ACTIVITY—INQUIRIES CONCERNING POLITICAL AFFILIATION AND BELIEF**

SEC. 15. No discrimination shall be exercised, threatened, or promised by any person in the executive branch of the Federal Government against or in favor of any registrant in the Corps, or any applicant for enrollment in the Corps because of his political affiliation, beliefs, or activities.

**REPORTS BY EMPLOYERS**

SEC. 16. Each employer of a civilian service registrant shall submit a report to the Director, in such form and manner as the Director shall require, whenever a registrant leaves or is removed from his employ. Except in cases of the normal expiration of a registrant's obligated service, such report shall state in detail the circumstances of, and reasons for, such termination.

**CATEGORIES OF REMOVALS FROM JOB; EFFECT**

SEC. 17. Each civilian service registrant shall possess the same rights of employment security against his employer as are enjoyed against such employer by other employees of similar rank and length of service. Any registrant who is removed from a job because of its abolition, or for any other reason not reflecting negatively on his performance, shall not be considered to have violated his obligation with the service; shall be considered to have been withdrawn without prejudice; and shall be eligible for transfer to new jobs within the service for which he is qualified. If a registrant is removed for any other reason (hereinafter referred to as "for cause"), he shall be liable to disciplinary action by the Corps.

**ADVERSE ACTIONS BY THE DIRECTOR**

SEC. 18. (a) Adverse action against a civilian service registrant shall be begun by the Director only upon the basis of a special report from the registrant's employer supporting the registrant's removal from his job for cause or announcing the registrant's unauthorized departure from his job.

(b) Adverse actions against a registrant may include the imposition of such disciplinary sanctions, up to and including dismissal from the Civilian Service with loss of any benefits which would accrue as a result of completion of service, as the Director or his authorized representative shall deem necessary. A registrant who is dismissed from the Civilian Service as the result of an adverse action shall be deemed to have elected to participate in the next military lottery whose date of drawing, as provided in Section 10(b), is after the date of dismissal. *Provided, however,* that any such registrant who has completed at least half of his required length of service in the Civilian Service before his dismissal, and has been selected by the lottery, shall be required to serve only one year in the military.

(c) A registrant may be dismissed from the Civilian Service only under circumstances involving willful disobedience, insubordinate conduct, conviction of a felony or highly unsatisfactory performance.

(d) Sanctions imposed by the Director against a registrant for misconduct shall not impair any rights of action, public or private, criminal or civil, accruing to any other party against such volunteer by reason of his misconduct.

(e) The Director shall establish procedures for the administrative release of registrants from the Civilian Service for reasons of health or hardship, where the documented basis in fact for the claim would be at least sufficient to confer an exemption from the obligation to serve. Action leading to such a release may be initiated either by the registrant concerned or by the Civilian Service. A registrant so released shall remain eligible for all benefits normally accruing to those who have successfully completed their service.

**ADVERSE ACTIONS—PROCEDURES**

SEC. 19. (a) The Director shall establish and impose administrative sanctions, up to and including dismissal from the Civilian Service by adverse action, to punish any registrant who fails to fulfill his obligation. He shall promulgate a code of sanctions consistent with the provisions of this title, by administrative regulation.

(b) There shall be created in the National Service Agency a Legal Corps. The Legal Corps shall be independent of all other agencies in the system. All members of the Legal Corps shall be members of the bar of at least one state. Members of the Legal Corps shall preside over each and every disciplinary hearing and each and every appeal therefrom. The Legal Corps shall be divided into a Hearing Division and an Appeals Division.

(c) The Director shall establish procedures for conducting a full and impartial hearing in any case where adverse action against a volunteer is contemplated or has been taken by the Corps. Such a hearing shall be held at the request of the registrant; no registrant shall be dismissed from the Civilian Service without such a hearing. One member of the Legal Corps shall preside over each such hearing, and shall interpret the law and the facts in reaching a verdict and in imposing or upholding such sanctions as are found warranted.

(d) Any registrant whose punishment is imposed or sustained at a hearing held under Section 20(c) of this title may take an appeal in writing to the Appeals Division of the Legal Corps within ten days of the announcement of the hearing judgment. The Appeals Division shall consider all appeals expeditiously. At its discretion, it shall hold an appeal hearing which may make fresh inquiry into both the facts and the law of the case. Such a hearing shall be presided over by three members of the Appeals Division.

(e) The Director shall promulgate rules governing all disciplinary hearings. Such rules shall provide for the right of the registrant to be advised by counsel, to confront any adverse witnesses, and to compel the attendance of witnesses. If a registrant facing a disciplinary hearing or an appeal therefrom desires representation by legal counsel but is unable to pay for it, the Civilian Service shall provide him with the services of an attorney who has been admitted to the bar of at least one state and is not employed by the Civilian Service, at no cost to the registrant.

(f) Any registrant who has abandoned or been dismissed from any employment shall have the right to a hearing in order to establish that his service has been satisfactory for completion of his obligation within the terms of Section 22 of this title.

**JUDICIAL REVIEW**

SEC. 20. (a) A person suffering legal wrong because of action by the National Service Agency is entitled to judicial review. Such review shall be within the original jurisdiction of the District Courts of the United States by writ of mandamus as provided in 28 U.S.C. 1361.

(b) There shall be no judicial review of actions by the National Service Agency or any officer or agent thereof until all administrative remedies provided in this title have been exhausted and Agency action is final.

(c) To the extent necessary to decision and where presented, the reviewing court shall decide all relevant questions of law, interpret constitutional and statutory provisions, and determine the meaning and applicability of the terms of an Agency action. The reviewing court shall:

- (1) compel action unlawfully withheld or unreasonably delayed;
- (2) hold unlawful and set aside actions, findings, and conclusions found to be—
  - (A) arbitrary, capricious, an abuse of discretion, or not otherwise in accordance with law;
  - (B) contrary to constitutional right, power, privilege, or immunity;
  - (C) in excess of statutory jurisdiction, authority, or limitations, or short of statutory right;
  - (D) without observance of procedure required by law; and

(E) unsupported by substantial evidence in the case when taken as a whole and based on the entire record.

#### COMPUTATION OF TIME OF SERVICE

SEC. 21. All the time spent by a registrant from the time of his initial entry into the Civilian Service shall count toward satisfaction of his obligation except:

(1) time spent in legal detention or incarceration; and

(2) time spent unemployed after voluntary abandonment of a job or dismissal from work for cause. *Provided, however,* That if disciplinary proceedings are instituted by the Civilian Service as a result of such abandonment or dismissal and the registrant is acquitted of fault, all the time spent unemployed after such abandonment or dismissal shall be counted toward satisfaction of his obligation.

#### REPEALER

SEC. 22. The Military Selective Service Act of 1907 (50 U.S.C. App. 145 et seq.) is hereby repealed.

#### SAVING CLAUSE

SEC. 23. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun, before its effective date.

#### SEVERABILITY

SEC. 24. If a part of this Act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this Act is invalid in one or more of its applications, that part remains in effect in all valid applications that are severable from the invalid applications.

#### APPROPRIATIONS

SEC. 25. The sum of ——— dollars is hereby authorized to be appropriated to the Director of the National Service Agency to carry out the purposes of this Act.

#### EFFECTIVE DATE

SEC. 26. This Act shall take effect upon its passage.

#### RECESS

The SPEAKER. In accordance with the unanimous-consent request granted and heretofore entered into, the Chair declares a recess subject to the call of the Chair. The bells will be rung 15 minutes before the House reconvenes.

Accordingly (at 2 o'clock and 28 minutes p.m.) the House stood in recess subject to the call of the Chair.

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 5 o'clock and 50 minutes p.m.

#### CONFERENCE REPORT ON H.R. 13300, RAILROAD EMPLOYEES SUPPLEMENTAL ANNUITIES

Mr. STAGGERS submitted the following conference report and statement on the bill (H.R. 13300) to amend the Railroad Retirement Act of 1937 and the Railroad Retirement Tax Act to provide for the extension of supplemental annuities and the mandatory retirement of employees, and for other purposes:

#### CONFERENCE REPORT (H. REPT. NO. 91-866)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 13300) to amend the Railroad Retirement Act of 1937 and the Railroad Retirement Tax Act to provide for the extension of supplemental annuities and the mandatory retire-

ment of employees, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

That section 3(j) of the Railroad Retirement Act of 1937 is amended by striking out paragraph (3) and by redesignating paragraph (4) as paragraph (3).

SEC. 2. Section 3(j) of the Railroad Retirement Act of 1937 is amended by adding at the end thereof the following new paragraphs:

"(4) Notwithstanding any other provision of this Act, no individual shall be entitled to a supplemental annuity provided by this subsection for any period after he renders any service as an employee for compensation after his supplemental annuity closing date determined as follows:

"(A) Such closing date for an employee who attains age 68 before 1971 shall be January 31, 1971. Such closing date for an employee who attains age 68 during 1971 shall be the last day of the month following the month in which he attains age 68.

"(B) Such closing date for an employee who attains age 67 during 1972 shall be the last day of the month following the month in which he attains age 67. Such closing date for an employee who attains age 67 during 1971 shall be January 31, 1972.

"(C) Such closing date for an employee who attains age 66 during 1973 shall be the last day of the month following the month in which he attains age 66. Such closing date for an employee who attains age 66 during 1972 shall be January 31, 1973.

"(D) Such closing date for an employee who attains age 65 after 1973 shall be the last day of the month following the month in which he attains age 65. Such closing date for an employee who attains age 65 during 1973 shall be January 31, 1974.

"(5) For an employee whose supplemental annuity closing date (determined under paragraph (4)) occurs after he has completed at least 23 years of service and before he is entitled (or on application would be entitled) to monthly insurance benefits under section 202(a) of the Social Security Act, such date shall be extended to whichever of the following first occurs:

"(A) the day before the first day of the first month for which he is entitled (or on application would be entitled) to monthly insurance benefits under section 202(a) of the Social Security Act, or

"(B) the last day of the first month for which he qualifies for a supplemental annuity under this subsection.

"(6) The provisions of paragraphs (4) and (5) shall not supersede the provisions of any agreement reached through collective bargaining between an employer and its employees which provides for mandatory retirement at an age less than the applicable supplemental annuity closing date determined under paragraphs (4) and (5)."

SEC. 3. Section 15(b) of the Railroad Retirement Act of 1937 is amended by striking out the second paragraph thereof.

SEC. 4. Section 3211(b) of the Railroad Retirement Tax Act is amended to read as follows:

"(b) In addition to other taxes, there is hereby imposed on the income of each employee representative a tax at a rate equal to the rate of excise tax imposed on every employer, provided for in section 3221(c), for each man-hour for which compensation is paid to him for services rendered as an employee representative."

SEC. 5. (a) Section 3221(a) of the Railroad Retirement Tax Act is amended by substituting for the first sentence thereof the following: "In addition to other taxes, there

is hereby imposed on every employer an excise tax, with respect to having individuals in his employ, for each man-hour for which compensation is paid by such employer for services rendered to him during any calendar quarter, (1) at the rate of 2 cents for the period beginning November 1, 1966, and ending March 31, 1970, and (2) commencing April 1, 1970, at such rate as will make available for appropriation to the Railroad Retirement Supplemental Account provided for in section 15(b) of the Railroad Retirement Act of 1937 sufficient funds to meet the obligation to pay supplemental annuities under section 3(j) such Act and administrative expenses in connection therewith. For the purpose of this subsection, the Railroad Retirement Board is directed to determine what rate is required for each calendar quarter commencing with the quarter beginning April 1, 1970. The Railroad Retirement Board shall make the determinations provided for not later than fifteen days before each calendar quarter. As soon as practicable after each determination of the rate, as provided in this subsection, the Railroad Retirement Board shall publish a notice in the Federal Register, and shall advise all employers, employee representatives, and the Secretary of the Treasury, of the rate so determined."

(b) (1) Section 3221 of such Act is further amended by inserting at the end thereof the following new subsection:

"(d) Notwithstanding the provisions of subsection (c) of this section, the tax imposed by such subsection (c) shall not apply to an employer with respect to employees who are covered by a supplemental pension plan which is established pursuant to an agreement reached through collective bargaining between the employer and employees. There is hereby imposed on every such employer an excise tax equal to the amount of the supplemental annuity paid to each such employee under section 3(j) of the Railroad Retirement Act of 1937, plus a percentage thereof determined by the Railroad Retirement Board to be sufficient to cover the administrative costs attributable to such payments under section 3(j) of such Act."

(2) The amendment made by paragraph (1) shall apply, to (A) supplemental annuities paid on or after April 1, 1970, and (B) man-hours with respect to which compensation is paid for services rendered to such employer on or after such day.

SEC. 6. The Railroad Retirement Board is authorized to request the Secretary of the Treasury to transfer from the Railroad Retirement Account to the credit of the Railroad Retirement Supplemental Account such moneys as the Board estimates would be necessary for the payment of the supplemental annuities, provided for in section 3(j) of the Railroad Retirement Act of 1937, for the six months next following enactment of this Act and for administrative expenses necessary in the administration of such section 3(j) (which expenses are hereby authorized) until such time as an appropriation for such expenses is made pursuant to section 15(b) of such Act, and the Secretary shall make such transfer. The Railroad Retirement Board shall request the Secretary of the Treasury, at any time before the expiration of one year following the enactment of this Act, to retransfer from the Railroad Retirement Supplemental Account to the credit of the Railroad Retirement Account the amount transferred to the Railroad Retirement Supplemental Account pursuant to the next preceding sentence, plus interest at a rate equal to the average rate of interest borne by all special obligations held by the Railroad Retirement Account on the last day of the fiscal year ending on June 30, 1970, rounded to the nearest multiple of one-eighth of 1 per centum, and the Secretary shall make such retransfer.

SEC. 7. No carrier and no representative of employees, as defined in section 1 of the Railway Labor Act, shall, before April 1, 1974,

utilize any of the procedures of such Act to seek to make any changes in the provisions of the Railroad Retirement Act of 1937 for supplemental annuities or to establish any new class of pensions or annuities, other than annuities payable out of the Railroad Retirement Account provided under section 15(a) of the Railroad Retirement Act of 1937, to become effective prior to July 1, 1974; nor shall any such carrier or representative of employees until July 1, 1974, engage in any strike or lockout to seek to make any such changes or to establish any such new class of pensions or annuities: *Provided*, That nothing in this section shall inhibit any carrier or representative of employees from seeking any change with respect to benefits payable out of the Railroad Retirement Account provided under section 15(a) of the Railroad Retirement Act of 1937.

Sec. 8. Section 301(f) of the Act of October 30, 1966 (Public Law 89-699), is amended by striking out "for sixty months".

Sec. 9. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the remainder of this Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

And the Senate agree to the same.

HARLEY O. STAGGERS,  
SAMUEL N. FRIEDEL,  
JOHN D. DINGELL,  
WILLIAM L. SPRINGER,  
SAMUEL L. DEVINE,

*Managers on the Part of the House.*

THOMAS F. EAGLETON,  
CLAIBORNE PELL,  
GAYLORD NELSON,  
HAROLD E. HUGHES,  
RALPH TYLER SMITH,  
RICHARD S. SCHWEIKER,  
WILLIAM B. SAXBE,

*Managers on the Part of the Senate.*

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 13300) to amend the Railroad Retirement Act of 1937 and the Railroad Retirement Tax Act to provide for the extension of supplemental annuities and the mandatory retirement of employees, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate amendment struck out all of the House bill after the enacting clause and inserted a substitute text. The committee of conference recommends that the House recede from its disagreement to the amendment of the Senate, with an amendment which is a substitute for the text of the Senate amendment and the text of the House bill. The principal differences between the text of the House bill and the substitute agreed to in conference are noted below:

1. PROVISIONS REQUIRING OR ENCOURAGING EARLY RETIREMENT

The House bill required a railroad employee to retire at a specified age, initially at age 70, and ultimately (by January 1, 1976) at age 65. An employee could, however, be kept in service beyond his mandatory retirement age by the written agreement of his employer, if safety and efficiency would not be adversely affected; and the applicable collective bargaining agreement could provide an earlier mandatory retirement age.

The Senate amendment did not require retirement, but reduced the supplemental annuity of any railroad employee who (after 1970) continued in service after he had attained age 65 and could qualify for an annuity. The amount of the reduction ranged from 25 percent (in the case of an employee who could initially qualify at age 65) to 100 percent (in the case of an employee who

could initially qualify at or after age 68). Any service performed by the employee after he could so qualify could not be credited toward his supplemental annuity.

Under the conference agreement, there is no provision requiring retirement of railroad employees at a specified age, but a new section 3(j) (4) is added to the Railroad Retirement Act of 1937 providing that any individual who renders service as an employee for compensation after the "supplemental annuity closing date" applicable to him will not be entitled to a supplemental annuity, or, if he has already qualified for a supplemental annuity and renders such service after such date, will cease to be entitled to such an annuity for periods after he renders such service. The new section 3(j) (4) provides that supplemental annuity closing dates will, in general, be determined as follows:

For individuals attaining age:	The closing date is:
68 before Jan. 1, 1971 -----	Jan. 31, 1971.
68 in 1971 -----	Last day of month after month in which he attains age 68.
67 in 1971 -----	Jan. 31, 1972.
67 in 1972 -----	Last day of month after month in which he attains age 67.
66 in 1972 -----	Jan. 31, 1973.
66 in 1973 -----	Last day of month after month in which he attains age 66.
65 in 1973 -----	Jan. 31, 1974.
65 after Dec. 31, 1973 -----	Last day of month after month in which he attains age 65.

The conference agreement also adds a new paragraph (5) to section 3(j) which provides that if an employee's supplemental annuity closing date determined under the new paragraph (4) occurs after he has completed at least 23 years of service and before he is entitled (or on application would be entitled) to monthly insurance benefits on the basis of his own work record under section 202(a) of the Social Security Act, then his supplemental annuity closing date is extended to whichever of the following first occurs: (1) the day before the first day of the first month for which he is entitled (or application would be entitled) to monthly insurance benefits under section 202(a) of the Social Security Act, or (2) the last day of the first month for which he qualifies for a supplemental annuity under section 3(j).

The conference agreement also adds a new paragraph (6) to section 3(j) of the Railroad Retirement Act of 1937 which provides that the provisions of the new paragraphs (4) and (5) will not supersede the provisions of any agreement reached through collective bargaining between an employer and its employees providing for mandatory retirement at an age less than the applicable supplemental closing date determined under such paragraphs (4) and (5).

The conferees expect that the Railroad Retirement Board will set up a procedure to inform employees of the requirements of this act prior to the supplemental annuity closing date applicable to them; however, the failure of an employee to receive any such notice shall not operate to make the employee eligible for a supplemental annuity.

2. SPECIAL EXCISE TAX ON EMPLOYERS

Both the House bill and the conference agreement provide for an increase, from 2 cents per man-hour to whatever rate is required for the purpose of financing the payment of supplemental annuities, in the special excise tax imposed on employers for

such purpose. This increase was made effective October 1, 1969, under the House bill, and is made effective April 1, 1970, under the conference agreement.

In addition, both the House bill and the conference agreement deal with the alternative employer tax which is imposed with respect to employees covered by a supplemental pension plan, and which is measured by the amount of the supplemental annuities being paid instead of on a rate-per-man-hour basis. The two versions are identical except that the House bill contained language stating that the alternative tax was due and payable on the first day of the month following the month in which the supplemental annuities are paid, while the conference agreement contains language making its alternative tax provisions effective with respect to supplemental annuities paid, and services rendered, on or after April 1, 1970.

3. INTEREST RATE ON CERTAIN RETRANSFERS FROM RAILROAD RETIREMENT SUPPLEMENTAL ACCOUNT

Both the House bill and the conference agreement provide for the transfer of moneys (temporarily needed for the supplemental annuity program) from the Railroad Retirement Account to the Railroad Retirement Supplemental Account, and for the subsequent retransfer of such moneys plus interest at a rate equal to the average rate of interest borne by all special obligations held in the Railroad Retirement Account as of a specified time, which was the close of the fiscal year 1969 under the House bill and is the close of the fiscal year 1970 under the conference agreement.

The authority contained in section 6 of the conference substitute extends, of course, to any such temporary needs for payments without regard to whether the obligation to pay first occurred before, on, or after the date of the enactment of the bill.

4. PROHIBITIONS APPLICABLE TO CARRIERS AND REPRESENTATIVES OF EMPLOYEES

Section 7 of the House bill provided that no carrier and no representative of employees, as defined in section 1 of the Railway Labor Act, shall seek, except by agreement, to make any change in the terms governing the supplemental annuities provided under section 3(j) of the Railroad Retirement Act of 1937 or to establish any new class of pensions or annuities, other than annuities payable out of the Railroad Retirement Account provided under section 15(a) of the Railroad Retirement Act of 1937, to become effective prior to July 1, 1975; nor shall any such carrier or representative of employees until July 1, 1974, utilize any of the procedures of the Railway Labor Act to seek to make any such changes or to establish any such new class of pensions or annuities; nor shall any such carrier or representative of employees until July 1, 1975, engage in any strike or lockout to seek to make any such changes or to establish any such new class of pensions or annuities.

Section 7 of the conference substitute provides that no carrier and no representative of employees, as defined in section 1 of the Railway Labor Act, shall, before April 1, 1974, utilize any of the procedures of such act to seek to make any changes in the provisions of the Railroad Retirement Act of 1937 for supplemental annuities or to establish any new class of pensions or annuities, other than annuities payable out of the Railroad Retirement Account provided under section 15(a) of the Railroad Retirement Act of 1937, to become effective prior to July 1, 1974; nor shall any such carrier or representative of employees until July 1, 1974, engage in any strike or lockout to seek to make any such changes or to establish any such new class of pensions or annuities.

Both the House bill and the conference agreement make it clear that nothing in these provisions is to inhibit any carrier or



representative of employees from seeking any change with respect to benefits payable out of the Railroad Retirement Account provided under section 15(a) of the Railroad Retirement Act of 1937.

HARLEY O. STAGGERS,  
SAMUEL N. FRIEDEL,  
JOHN D. DINGELL,  
WILLIAM L. SPRINGER,  
SAMUEL L. DEVINE,

*Managers on the Part of the House.*

#### FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 13008. An act to improve position classification systems within the executive branch, 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 amendments of the House 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."

#### LABOR DISPUTE BETWEEN CERTAIN CARRIERS BY RAILROAD AND CERTAIN OF THEIR EMPLOYEES

Mr. COLMER, from the Committee on Rules, reported the following privileged resolution (H. Res. 867, Rept. No. 91-867), which was referred to the House Calendar and ordered to be printed:

H. Res. 867

*Resolved,* That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H.J. Res. 1112) to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employees. After general debate, which shall be confined to the joint resolution and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the joint resolution shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the joint resolution for amendment, the Committee shall rise and report the joint resolution to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Mr. COLMER. Mr. Speaker, I call up House Resolution 867 and ask for its immediate consideration.

The SPEAKER. The Clerk will report the resolution.

The Clerk read the resolution.

The SPEAKER. The question is, Will the House now consider House Resolution 867?

The question was taken; and (two-

thirds having voted in favor thereof) the House agreed to consider House Resolution 867.

The SPEAKER. The gentleman from Mississippi is recognized for 1 hour.

Mr. COLMER. Mr. Speaker, I yield the customary 30 minutes to the gentleman from California (Mr. SMITH) pending which I yield myself such time as I may consume.

Mr. Speaker, this may be regarded as an emergency matter. I think we are all cognizant of the fact that a strike of the Nation's railroads has been set for midnight tonight, unless some action is taken by the Congress to prevent that catastrophe of an economic nature from happening.

The Committee on Interstate and Foreign Commerce, under the able leadership of the gentleman from West Virginia (Mr. STAGGERS) met in an emergency session and reported out a simple resolution extending the existing moratorium—if I may use that word—on the pending strike for 37 additional days. This means, of course, that during that time no suspension of traffic on the railroads may occur as a result of the pending controversy between management and labor.

Mr. Speaker, I am not going to detain the House at any length, but I just want to observe that this has occurred on previous occasions. There is precedent for this. As I say, it is an emergency matter.

It would seem to me that the prudent thing to do—and I am not being critical of the Committee on Interstate and Foreign Commerce—would be for the Congress to enact some permanent legislation to meet these crises that develop from time to time as a result of the controversy between management and labor. If this were done, then we would not be faced with the necessity for emergency legislation, which is in the final analysis nothing more than a stopgap.

Again, with no desire to be critical, I have observed in my own service here that there are two answers to all problems that come about: One is to appropriate more money, and the other is to put off until tomorrow the pending crisis. So I would like to express the hope, as pious as it may be, that the Congress will through its appropriate committees at a fairly early date give study to and bring forth some permanent legislation in this area.

Mr. Speaker, I further understand that the other body is now considering this identical resolution with the same period of time as the House resolution, and that at the end of the consideration in the respective Houses, we may dispose of this in a somewhat expeditious manner.

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

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, the distinguished chairman of the Rules Committee, in my opinion, has explained the matter satisfactorily and appropriately to the Members.

The Committee on Interstate and Foreign Commerce heard witnesses this morning and this afternoon, and deter-

mined it was absolutely impossible for them to complete action on House Joint Resolution 1112 by midnight tonight, and thus went into executive session, at which the title of this measure was changed and a certain part under page 2, where it provides for a tentative agreement rather than assuming the agreement is permanent. They would strike out all after the resolving clause of the joint resolution and extend this until April 11, 1970, at 12:01 a.m.

There was some indication that the other body would go along. They suggested a certain amount of time. I believe the Committee on Interstate and Foreign Commerce suggested 60 days.

This will take us over until after the Easter recess, which will assure us that the committee can hear the matter further.

This is probably the only thing we can do to assist in this matter. Frankly, I do not know whether this will stop a strike at midnight tonight, if they want to strike. I hope it will. Possibly it will not.

I hope that the other body will take action. Then we will have taken appropriate action in the Congress of the United States.

The rule on the joint resolution provides for 1 hour of debate.

I reserve the remainder of my time, Mr. Speaker, and I have no requests for time.

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

Mr. SMITH of California. I am happy to yield to the gentleman from Mississippi.

Mr. COLMER. On the question the gentleman raised as to whether this would stop the strike, I should like to observe it is my understanding of the situation that if this joint resolution is passed by the Congress the strike then would be illegal and the strike could be enjoined by the courts.

Mr. SMITH of California. I hope the gentleman is correct. However, I am not certain that the last paragraph will actually prohibit a strike. But that certainly is my intent.

I will not get into an argument. The distinguished Committee on Interstate and Foreign Commerce will have an hour to explain this. As to the final result I am not certain, but I simply wanted to bring that to the attention of the Members of the House, Mr. Speaker.

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

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. STAGGERS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H.J. Res. 1112) to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employees.

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

The motion was agreed to.

## IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H.J. Res. 1112), with Mr. MATSUNAGA in the chair.

The Clerk read the title of the joint resolution.

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

The CHAIRMAN. Under the rule, the gentleman from West Virginia (Mr. STAGGERS) will be recognized for one-half hour, and the gentleman from Illinois (Mr. SPRINGER) will be recognized for one-half hour.

The Chair recognizes the gentleman from West Virginia (Mr. STAGGERS).

Mr. STAGGERS. Mr. Chairman, I will make my remarks very brief, and shall try to put before the Members the situation as it has occurred, and what we as a committee have done.

There has been a threatened strike in the railway industry facing the Nation for some time. There have been negotiations going on, and tentative agreements were reached on December 4, 1969, between four unions and the railroads of the Nation.

Those agreements were taken back by the unions and presented to their memberships for a vote. Three of the unions agreed to the agreements, but the membership of one union voted it down, and the four unions had an agreement that if one union did not go along, they all would not.

So there was an injunction brought in the courts to keep a strike from occurring. The President had already exhausted all of the remedies he had available under the law to keep a strike from taking place. Yesterday the unions announced that a strike would take place starting tonight at midnight.

Yesterday the President sent to the Congress a resolution proposing to put into effect the agreements that were tentatively agreed to by the unions and the railroads in December 1969. The Committee on Interstate and Foreign Commerce went into session this morning at 10 o'clock. We had before us as the first witness the chief negotiator for the American railroads, who had conducted the negotiations with the unions, so that he could tell us what had taken place. Mr. Hiltz was before our committee until a few minutes before 12 o'clock today giving his testimony. We then brought Secretary Shultz to the witness stand and he testified until about 5 minutes after 12, at which time the committee adjourned until 2 o'clock. We met, and by about 3 p.m. this afternoon it appeared that Mr. Shultz would be before our committee for at least an hour and a half yet and we had still not heard from the four unions. I was sure at the time—and the rest of the committee was, also—that the examination of them would take many hours. Therefore we came to the conclusion that the best thing to do was to call off the hearings at this point while we still had a chance to avert a strike. We therefore decided to ask for this resolution to be amended

to prohibit a strike for a certain period of time so we could have time to give due and deliberate consideration to the bill and also to give the unions and the railroads further opportunity to consider settling the strike themselves.

The committee took up this resolution and voted unanimously to adopt it, after amending the original resolution as set up by the President to make it conform to our intentions. We amended one part of the preamble to say that tentative agreement was reached, because final agreement had not been reached between the union negotiators and the railroads. Their tentative agreement had to be sent back to the membership in order to be ratified. We also cut out one of the "whereas" clauses because we thought it did not apply to the modified bill.

We thought that we would need plenty of time to consider this problem and the Senate committee agreed to go along with us. We asked for 60 days, but they said that they could not do that—they wanted 10 days and finally agreed to 30 days. Finally, we decided to make it right after the Easter recess. So we informed them that we would make it for 1 week after the Easter holidays, which is April 11. That is a Saturday. We asked for a Saturday because the transportation systems would not be utilized as much on a weekend and it would give us time to make a readjustment.

The full story is that we did not have time to consider this resolution and hear all of the witnesses and make a determination which would be one where we could say careful consideration had been given to the bill. We had to act by midnight tonight. That is the reason why this resolution is before the House tonight.

The bill was voted out unanimously by the full committee, and all of the amendments were agreed to unanimously. I recommend to the House that this resolution be adopted, so as to give the unions and the railroads another chance to work out their problems and also to give the Committee on Interstate and Foreign Commerce an opportunity fully to study the implications of the message that was sent by the President.

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

Mr. STAGGERS. I shall be happy to yield to the gentleman from Florida.

Mr. HALEY. I might say to the gentleman from West Virginia that the pendency of this strike has been known for a long, long time. The President evidently did not see fit to send up anything to the Congress until a very late date.

I might say to the gentleman from West Virginia that in my opinion the American people are getting a little tired and I hope the Congress is getting a little tired of a small minority group creating this type of situation.

Now, Mr. Chairman, here are four unions involved. This union that apparently did not go along with its own leadership has created a crisis in this country. We just cannot by any means allow this thing to happen.

So, I would hope that sometime in the future we will have before the Congress

legislation which would prevent this kind of a situation from developing. I say this because I think—and I reiterate—the American people and I hope the Congress is getting a little tired of people coming in here with a small minority group of the labor leaders or the labor organizations of this country presenting the situation with which we are confronted here today.

Therefore, I would strongly recommend to the chairman of the Committee on Interstate and Foreign Commerce that we enact permanent legislation so that we will not have this situation developing in the future.

I thank the gentleman for yielding.

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

Mr. Chairman, I think the chairman of the Committee on Interstate and Foreign Commerce, the gentleman from West Virginia (Mr. STAGGERS), has explained a good part of the needed—crucial part of the emergency—but so many questions have been asked of me about the background of it, in my opinion one should be able to explain this to anyone who wants an explanation.

Mr. Chairman, there are 19 brotherhoods; 15 of the brotherhoods are not involved. But if a strike was made tonight at midnight, all 19 brotherhoods would go out. There are only four of the 19 brotherhoods that are involved in this dispute. Those four brotherhoods are the International Association of Machinists and Aerospace Workers; the International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers, and Helpers; Sheet Metal Workers' International Association; and the International Brotherhood of Electrical Workers.

Mr. Chairman, those are the only four unions that are involved in the bargaining.

Now, when management sat down with the representatives of the four brotherhoods they arrived at an agreement—all four of the brotherhoods. All four of them that were involved, and we have a photostatic copy of the initials of everyone who signed. So, everyone of the brotherhood representatives agreed to this agreement—all of them, all four of them.

Now, the four brotherhoods took it back to the membership for a vote. Three of the brotherhoods approved it rather overwhelmingly. One of the brotherhoods, the Sheet Metal Workers' International Association did not by a vote of 2,200 to 1,100.

There are about 6,000 to 7,000 sheet metal workers; 3,300 of that 6,000 or 7,000 voted. Now, that is what it is all about. The sheet metal workers said, "Since we did not ratify it by our membership, therefore, there must be a strike."

Now, how many are involved? There are 600,000 employees, approximately, working on railroads today. This means essentially that 2,200 people, or one-third of 1 percent of all the railroad workers, are determining that there shall be a strike—2,200 out of 600,000.

If you want to go all the way through the bargaining, and go all the way through to the final vote, you have one union that has had half of its mem-

bership vote, and it has been turned down 2,200 to 1,100.

Now, the other three brotherhoods said they would go on strike, which would put everybody on strike, because if those brotherhoods were on strike the railroads simply could not operate. That is where we are.

So you say to us—and I think the gentleman from Florida (Mr. HALEY) raised this point a while ago when he said, "Why are you coming in and asking us to do something about it at this late time?"

Well, it was between 3 and 4 o'clock yesterday afternoon that finally this one brotherhood said, "We are going to go on strike." I do not know when the chairman got his, but I can pretty well guess that they laid the proposal on his desk about 3 or 4 p.m. yesterday.

So when they came down here yesterday afternoon with the message to pass this legislation, they came down about 2 hours after they got notice of it. So there has not been any intentional delay at all. There was not anything they could do about it until they got the notice.

Why have we come in with this sort of a postponement of action at this point? I think when the President's proposal was laid on the desk, all it did was simply this to put it in capsule form, was to legalize by statute the agreement which these four unions had agreed to by their representatives. That is all this legislation proposed in House Joint Resolution 1112 does.

We took it up in our committee, and we heard from management and we heard from the Secretary of Labor, and we simply did not have any time to go any further, but we did want to hear from the four union representatives, but we simply got down to where, if we were to keep on we would not have heard from all of them by midnight tonight if we took time to hear all of those who wanted to be heard. So our chairman said if we are going to continue with this and go ahead and hear all of the people today and tonight, how can we go ahead with this legislation? It will probably be tomorrow or the next day.

So that was one problem.

The second problem was this: At least one of the leaders—and I think a determined leader of the body on the other side—simply said that he was not going to bring it up today under any circumstances. So we knew there would be a strike under those circumstances. He was not going to bring up this resolution today. Now, he may have had very good reasons, because he may have had to have unanimous consent to set aside the voting rights, or he had a very good legal parliamentary situation which he could not do anything about. So let us give him credit for good faith, because I think he would have had an extremely difficult time getting this through tomorrow, or the next day.

So here we were, about to have a strike. And I would say to the Members that from all the information that was given to us by the Cabinet officers, that you would have had a disaster by this weekend—and I am talking about a disaster.

You would have had trouble with people getting food in the stores; that is how serious such a disturbance would be in 72 hours around the country.

Remember that when the railroads do not run you do not haul 40 percent of the stuff that has to be hauled between the cities, and in addition to that you do not have the refrigeration that is necessary in order to get certain of the goods and vegetables into the markets to keep them from spoiling in 48 hours.

So we had to come to a conclusion and I think very properly the chairman did the only thing he could do, to call the chairman of the committee on the other side to see if there was not some way we could arrive at a postponement for the present so that there would not be this disastrous strike.

Our chairman thought in good faith it ought to be 60 days and over on the Senate side someone wanted 10 days. I think I can say probably in good faith they were talking about more nearly—10 days—yes. So we finally talked about 30 days. Then, finally, the 30 days threw us right in what some of you people like to term the Easter recess.

So we did the next best thing we could do. We came back on Monday and we allowed 5 days, which would give us until Friday night, April 11, at 12:01 a.m.

That is in essence what we did then in an effort to meet this situation.

What is the effect of the substitute resolution here which the chairman has by amendment to House Joint Resolution 1112? What does it do? It does not change the status of the parties a bit. It leaves both management and labor as they are at the present time. But it does invoke the final paragraph of section 10 of the Railway Labor Act so that it shall be applied and shall extend it for an additional period with respect to the dispute which, it is my understanding as a lawyer, but I will stand corrected if I am not right, that if either one—if either management or labor does anything to violate this particular final paragraph of section 10 that the Attorney General or any aggrieved party may then go into court to seek an injunction.

That is the effect, and where the parties stand at this point. So, you can have no lockout legally and you can have no strike legally until 12:01 a.m. of April 11.

That, I think, gentlemen is where we are with this legislation and what this legislation is all about. Since there are so many questions asked of me as to how much labor and management was involved, I felt it necessary to make this explanation.

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

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

Mr. HALEY. Mr. Chairman, I hope that no Member present here this afternoon is under the impression that I was criticizing the committee.

I think you have done the very best you could in this situation that we have which prevails at the moment.

I do say this—I think it is about high time that the Congress took action to prevent a situation like this occurring

again, with a very, very small majority of the people, the union people, involved.

Because, as the gentleman just explained, out of the four, the leadership as I understood it, all agreed that this strike should not be gone through with. But here is one small group, and only about one-half of that group wanted to call a strike, which would tie up the entire railroad systems of our Nation. Now something must be done and I think the Congress should take action to do something about it.

Mr. SPRINGER. I thank the gentleman for his contribution.

The CHAIRMAN. The gentleman has consumed 11 minutes.

Mr. SPRINGER. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan, the distinguished minority leader (Mr. GERALD R. FORD).

Mr. GERALD R. FORD. Mr. Chairman, this is the third time in roughly 2 years that the Congress has been called upon to act in an emergency way, in a crisis situation, to avert a labor-management problem in the railroad industry. This is a bad way to legislate, a bad way to get us out of the kind of problem we are in today. For that reason the Congress ought to act as promptly as it can on the President's long-range labor-management legislation which he submitted a week or 10 days ago, and which will take the railroads, the airlines, and the trucking industry out of the Railroad Labor Act and put them in as a part of the Taft-Hartley legislation with some new and unique proposals that would avert crises of this kind.

I tend to agree with the gentleman from West Virginia and the gentleman from Illinois that the alternatives they faced were all bad. I suspect that the proposal before us today is one of several bad alternatives.

I personally would have preferred the bill that the President sent up yesterday, House Joint Resolution 1112, which would in effect have done the following: It would have finalized the memorandum agreement reached on December 4, 1969, which was signed by the negotiators for management and signed by the negotiators for the four unions. Let me read you the language of the bill proposed by the President. It would read as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the memorandum of understanding date December 4, 1969, shall have the same effect (including the preclusion of resort to either strike or lock-out) as though arrived at by agreement of the parties under the Railway Labor Act (45 U.S.C. 151 et seq.) and that the date of enactment of this resolution shall be deemed the "date of notification of ratification" as used in this memorandum of understanding.*

This would, in my judgment, have been a better solution. Time probably precluded the adequate consideration in committee and in the House and in the other body of this proposal.

Let me point out one or two things that we should not forget—and the gentleman from Florida put his finger on them. In my judgment, Mr. Chairman, the American people are not going to tolerate 2,200 members of 500,000 to 600,-

000 railroad employees upsetting an agreement signed by their negotiators. I do not think the American people want that or will stand for it.

Second, 2,200 out of 6,000 members in the Sheetmetal Workers' Union, by the action they are taking, are precluding roughly 40,000 railroad employees from getting now—now—approximately \$500 apiece in retroactive pay. I do not think 40,000 union employees are going to like that further delay in this compensation, and that is what the arbitrary action of 2,200 is bringing about. And 2,200 out of 6,000 in one union are precluding a 60-cent pay increase from going into effect now. I do not believe that the roughly 40,000 union members are going to like that delay in a pay increase.

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

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

Mr. SPRINGER. The gentleman mentioned a 60-cent pay increase. I believe he intended to say a 60-cent-per-hour raise.

Mr. GERALD R. FORD. I am glad to have that clarification from the gentleman from Illinois (Mr. SPRINGER) and will correct the record.

So the action that we are taking today is not going to have universal acceptance among union people. In the long run it is not going to have complete acceptance among the American people.

The action we are taking today is frustrating a bargaining process that has gone on for almost a year and a half, legitimate bargaining between labor and management. Regrettably, I am not optimistic that any settlement is going to happen in the next 37 days. It must be frustrating to the negotiators for both labor and management to have their long and arduous work undermined by less than one-half of 1 percent of 600,000 railroad employees.

I do not think that group is going to change in the next 37 days. I do not see how much can change. The negotiators made an agreement in good faith. Unfortunately, we are going to have this right back on our doorstep 36 days from now.

We will not solve, by the enactment of this legislation today, one thing. I think we will have irritated the American people, and we have certainly irritated the 40,000 employees who are not going to get immediately the \$500 apiece in retroactive pay, and who are not going to get the benefit of the pay increase which was agreed to.

This is just bad legislation. I recognize the problems as to time and otherwise, but the whole mess points up the need and the necessity for permanent legislation of the kind the President recommended roughly 10 days or 2 weeks ago. By the proposal before us we will put on the shelf, temporarily, a problem that will be back on our doorstep. It is incumbent on this committee or any other committee in the Congress to act affirmatively on basic legislative changes, so that we can avoid this kind of problem in the future.

I happen to agree with a quotation on

the tickertape from the chief negotiator for one of the four unions who said:

This legislation is a catastrophe.

I agree with him for different reasons, but believe me, Members of this body, this legislation is a catastrophe, and we should have a different solution of a permanent nature.

Mr. STAGGERS. Mr. Chairman, I yield to the gentleman from Illinois (Mr. PUCINSKI).

Mr. PUCINSKI. Mr. Chairman, do I understand for the purpose of legislative history here that all this resolution does is extend the cooling off period for 37 days, and nothing more?

Mr. STAGGERS. That is correct.

Mr. PUCINSKI. It does not change the substantive law and does not change the basic legislation?

Mr. STAGGERS. That is correct.

Mr. MACDONALD of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Massachusetts.

Mr. MACDONALD of Massachusetts. Mr. Chairman, I heard with great interest the remarks of the minority leader, and I was not quite clear whether he supports this legislation before us now or not. I quite agree that there has to be a permanent solution, but does the minority leader tonight, about 5 or 6 hours before the threatened strike, support the legislation we have before us or not?

Mr. GERALD R. FORD. Mr. Chairman, if the gentleman will yield, I will say to my friend from Massachusetts that if I vote for the legislation—and I have not yet made up my mind—I will certainly vote for it holding my nose. I will have many reservations. This proposal is one based on pure expediency.

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

Mr. STAGGERS. I yield to the gentleman from Ohio.

Mr. HAYS. Mr. Chairman, I thought I was fairly ambidextrous, but it looks to me as if the minority leader has put on the best exhibition of being ambidextrous of anybody I have seen around here. We cannot get an answer from him even yet. He says it is reprehensible legislation. I do not often take the gentleman's advice, but if the legislation is as reprehensible as he says it is, maybe we ought to turn it down.

The gentleman is talking about a Presidential message and all that. Actually the President advised the Congress it had better do something about 36 hours ago, and that is hardly time enough, it seems to me, to write comprehensive legislation.

Mr. GERALD R. FORD. Mr. Chairman, if the gentleman will yield, I did not say we ought to write comprehensive legislation between yesterday and today. The President sent up legislation to meet this current crisis which would have approved the memorandum of agreement signed by both labor and management on December 4, 1969. That is the solution I think we ought to have on the floor of the House at the present time.

Mr. HAYS. Oh, we ought to rubberstamp what the President sends up. Is that what the gentleman is saying?

Mr. GERALD R. FORD. No, No; we ought to rubberstamp what the labor and management negotiators had agreed to themselves. What is wrong with that?

Mr. HAYS. I would tell the gentleman what is wrong with it. If we start that, every time we get this kind of situation the Congress is going to have to pass a law about it. Maybe what they agree to is all right, but if the gentleman wants to know where the fault is, the fault is with the bill the gentleman supported himself, the minority leader himself, the so-called Landrum-Griffin bill. If the unions do not have any faith in their own officials, then they can change their officials.

I will tell you one thing: I certainly would not want to serve in Congress if every time I voted on something we had to have a referendum back home about it. That is where the weakness is. That is where the fault is. And that is why we are in this predicament.

Mr. STAGGERS. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. PICKLE).

Mr. PICKLE. Mr. Chairman, I do not believe that we are all perfectly happy about the result before us. What we have passed today is crash legislation. We recognize this, but it is the best we could do under the circumstances.

I believe we are all agreed, perhaps—at least, many of us in this body—that for the first time we are facing the fact that some type of permanent legislation should be presented to the Congress.

I have introduced a bill for at least 3 or 4 years asking that we make permanent amendments to our Railway Labor Act. I stood in the well of the House, and I have asked for hearings to be held, and I have asked different Members on both sides to join in asking for the hearings and proper legislation.

I have not had one Member to join the church yet. That is understandable, because this is a very difficult and unpleasant approach to take. I have not introduced this legislation either in the interest of management or labor, but in the public interest. American commerce cannot stand a nationwide railroad shutdown.

Now after this period of inaction we are faced with a critical strike situation. We did get a recommendation from the administration prescribing permanent changes in our labor laws on Friday, 4 days ago. I am glad to see the administration take some action. It was lonely fighting the battle by myself.

The Secretary of Labor today said he had not sent up this legislation just so it would be in advance of this special, strike-preventing legislation we are considering this afternoon. For whatever reason, it was sent at this particular time it is good to see action being taken on an old problem.

I believe now is the time that the Members on both sides of the aisle ought to join hands and ask for hearings on how best to change our current labor laws. While the seriousness of a nationwide railway shutdown is still fresh on our minds, let us get about the business of trying to find a better solution to the

problem than the Railway Labor Act is presently. The American people are going to demand action from us.

I would not agree with the minority leader's statement this afternoon that we ought to do away with our separate labor laws governing airlines and railroads and to put these industries under the Taft-Hartley Act.

I think we need to keep these two industries under separate labor law that deals with them particularly, as the Railway Labor Act does. These two industries need our special attention because of their immense importance to our Nation's well-being.

I do think that we need to put more teeth into section 10, the emergency strike provision, of the Railway Labor Act. This is what my bill, H.R. 8446, does.

But whatever approach we take to solving the problem, I am glad we have reached the point that we are facing the need for action and I hope the Members will address themselves to the problem in this session of the Congress.

So far I have been speaking about what Congress should do in the future, now I want to say something about what we did today. We have prohibited this strike for 37 days, until April 11. There are two main reasons why the Interstate and Foreign Commerce Committee recommended putting the strike off for this length of time. First, we felt Congress needed more time to deal intelligently with the problem. Second, we wanted to give labor and management another chance to try to solve the problem. I think the disputants should be forewarned that if they have not reached an agreement by April 11, that Congress will take steps to solve the problem for them as we did in 1967.

Mr. STAGGERS. Mr. Chairman, I yield 2 minutes to the distinguished Speaker, the gentleman from Massachusetts, Mr. McCORMACK.

Mr. McCORMACK. Mr. Chairman, I want to congratulate the Committee on Interstate and Foreign Commerce for meeting this situation as quickly as the committee has done, for the House to have this joint resolution under consideration. I understand it has passed in the other body by a vote of 82 to nothing.

I am a little bit surprised by the remarks of my dear friend from Michigan. I would think he would be down here, like myself, congratulating the committee for meeting an immediate situation.

We must keep in mind that the message from the President was only received last night. I had no knowledge about the message. I had no knowledge of what the President was going to send up. The first information I had of a message was when the minority leader kindly told me yesterday afternoon, when he came up to the rostrum, that the President was sending up a message which probably would arrive around 7 o'clock.

I want to congratulate the committee. I believe the recommendation of the President is entitled to consideration by the Committee, as well as all factors involved.

This legislation is to meet an immediate situation which will confront the country. The committee has met its responsibilities under the circumstances,

operating within 24 hours. This legislation meets the immediate situation.

The longer range one will then be considered by the committee. We have to keep in mind that the Congress was only notified last night by a message from the President. There was no meeting of the leaders advising us 2 or 3 days ahead of what might be coming. There was no meeting with the chairman, with the ranking members, and the other members of the committees of both branches of the Congress advising that the legislation would be referred to us and briefing us and alerting us on it. None of that information was available to us.

Now, I do not want to be critical, but this is the most unusual situation that I have ever encountered in all the years that I have been a Member of this body, when we had no advance notice that a message was coming up and no advance notice of the immediate situation that confronted the country requiring Congress to act immediately. I think my friend from Michigan, whom I admire and respect, ought to take the House into his confidence and rise, and I am going to ask him this question—are you going to vote for the passage of this joint resolution?

Mr. GERALD R. FORD. I have not made up my mind because I have many serious reservations. I think it is bad legislation.

Mr. McCORMACK. We will not discuss that. You have not made up your mind.

Mr. GERALD R. FORD. No. I clearly stated that it is far better to take the original legislation recommended by the President.

Mr. McCORMACK. That is another thing. That is a longer range angle.

Mr. GERALD R. FORD. No, no.

Mr. McCORMACK. Oh, the gentleman now—

Mr. GERALD R. FORD. Would the distinguished Speaker yield?

Mr. McCORMACK. We did not get the message before last night.

Mr. GERALD R. FORD. Would the distinguished Speaker yield to let me answer his question?

Mr. McCORMACK. Of course I will.

Mr. GERALD R. FORD. The President's proposal—

Mr. McCORMACK. Not to apologize the gentleman's way out but to answer my question. My question is, are you going to vote for the joint resolution?

Mr. GERALD R. FORD. The distinguished Speaker of the House made a statement that is inaccurate. The bill recommended by the President is not long-range legislation. It was legislation recommending to the Congress that we approve the agreement agreed to December 4 by both management and labor.

Mr. McCORMACK. Yes. But that involves—

Mr. GERALD R. FORD. That is not long-range legislation.

Mr. McCORMACK. That involves many questions, too.

Mr. GERALD R. FORD. The President's proposal would put the approval of the Congress on the agreement made by both labor and management.

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

Mr. STAGGERS. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. McCORMACK. I am amazed at my friend from Michigan. With the vote coming in a few minutes, I will make a little bet now, and I will give odds of 10 to 1, that he will vote for the joint resolution. I am not going to make a bet on the floor of the House, but I am just making an observation. If anybody wants to come outside and meet me outside, I will bet \$10 against \$1 that the gentleman from Michigan will vote for the passage of the joint resolution because he should, and I give the gentleman credit for always rising to his responsibility. So with that statement—

Mr. GERALD R. FORD. Would the distinguished Speaker yield?

Mr. McCORMACK. Oh, I will be glad to yield.

Mr. GERALD R. FORD. I do not know if there is any direct connection or relevancy to this wagering offer and our function in the legislative branch. You have suggested a little unusual twist to this legislative responsibility we have. We are now in the process of a major investigation involving major league baseball because of some alleged gambling activities of the outstanding pitcher of the Detroit Tigers. I hope because of the Speaker's comments which I am certain were made in jest we do not subject ourselves under these circumstances to any such comparable investigation.

Mr. McCORMACK. What I said was open. Nobody misunderstood my observation. I simply said that I am convinced that the gentleman from Michigan will rise to his responsibility and vote for the joint resolution. Now—

Mr. GERALD R. FORD. That is not a decision for the distinguished Speaker. I will make my decision when the time comes.

Mr. McCORMACK. That is going to come very quick.

Furthermore, I would think my friend from Michigan, as the spokesman for the President in the House, would be down in the well of the House arguing that he hopes the House will pass the bill recommended by the President but urging the passage of this joint resolution at this time and complimenting the committee, both Democratic and Republican members, for voting this joint resolution out of committee. And I congratulate both my Democratic and Republican friends who are members of the committee for meeting the immediate responsibility. I am confident that the gentleman from Michigan will not default so to speak and fail to assume his responsibility.

Incidentally, this joint resolution is designed to meet an immediate situation which is of paramount importance. I am not going to plead with my friend to vote right occasionally, but if he votes "yes" for this joint resolution he will be voting right on this occasion.

Mr. STAGGERS. Mr. Chairman, I yield 1 minute to the gentleman from Ohio (Mr. HAYS).

Mr. HAYS. Mr. Chairman, I am surprised that the minority leader did not yield to the pleadings of the Speaker, but I will say in my position and in his position that could be taken by a great

many Members, "H" comes after "F." Therefore, I am going to wait and see what the minority leader does. If he does not vote for his own President to bail him out, I do not see why I as a Democrat should.

Mr. STAGGERS. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas (Mr. ECKHARDT).

Mr. ECKHARDT. Mr. Chairman, I rise merely to clear up one point and that is that the resolution offered by the President would have done something entirely unprecedented in the history of this Congress. It would have put into effect a permanent contract running to the end of its term written by the Congress of the United States.

Now, this has never been done before and that is the problem with which we were faced.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield to me right there?

Mr. ECKHARDT. I am delighted to yield to the distinguished Speaker.

Mr. McCORMACK. Mr. Chairman, I think the gentleman has made a very important point, because the President's recommendations would have been compulsory mediation by law; is that right?

Mr. ECKHARDT. Mr. Speaker, it would have been more than that. It would have been to put a contract into effect by this Congress on the floor of this House to which the parties did not agree.

I just got through questioning Mr. Hiltz, the Chairman of the National Railway Labor Conference, when he was before our committee, and I asked him point blank: Is there an enforceable contract? His answer to that was "No." His answer was that, if we wrote into law this language today, under the proposal of the President, the railroads could go into court and proceed under a contract written in Congress to enjoin a strike, but if we did not go into that, there was no contract that could be so enforced.

Therefore, the committee had the choice of creating the extremely bad precedent of writing a contract on the floor of the House as a final agreement or else we could extend the time for mediation under section 10 of the Railway Labor Act to see if the parties would write a contract then. During this extension there could not legally be a strike.

I submit that these two things are quite different and I shall vote for the joint resolution, if amended. I shall vote against the joint resolution if it is not amended.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the memorandum of understanding dated December 4, 1969, shall have the same effect (including the preclusion of resort to either strike or lockout) as though arrived at by agreement of the parties under the Railway Labor Act (45 U.S.C. 151 et seq.) and that the date of enactment of this resolution shall be deemed the "date of notification of ratification" as used in this memorandum of understanding.*

#### COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: Strike out all after the resolving clause and insert in lieu thereof the following:

"That the provisions of the final paragraph of section 10 of the Railway Labor Act (45 U.S.C. 160) shall apply and be extended for an additional period with respect to in Executive Order No. 11486 of October 3, 1969, so that no change, except by agreement, shall be made by the carriers represented by the National Railway Labor Conference, or by their employees, in the conditions out of which such dispute arose prior to 12:01 a.m. of April 11, 1970."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will read the preamble.

The Clerk read as follows:

Whereas the labor dispute between the carriers represented by the National Railway Labor Conference and certain of their employees represented by the International Association of Machinists and Aerospace Workers; International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers and Helpers; Sheet Metal Workers' International Association; International Brotherhood of Electrical Workers functioning through the Employees' Conference Committee, labor organizations, threatens essential transportation services of the Nation; and

Whereas all the procedures for resolving such dispute under the Railway Labor Act have been exhausted; and

Whereas the representatives of all parties to this dispute reached agreement on all outstanding issues and entered into a memorandum of understanding, dated December 4, 1969; and

Whereas the terms of the memorandum of understanding, dated December 4, 1969, were ratified by the overwhelming majority of all employees voting and by a majority of employees in three out of the four labor organizations party to the dispute; and

Whereas the failure of ratification resulted from the concern of a relatively small group of workers concerning the impact of one provision of the agreement; and

Whereas this failure of ratification has resulted in a threatened nationwide cessation of essential rail transportation services; and

Whereas the national interest, including the national health and defense, requires that transportation services essential to interstate commerce be maintained; and

Whereas the Congress finds that an emergency measure is essential to security and continuity of transportation services; Now, therefore, be it

#### COMMITTEE AMENDMENT TO PREAMBLE

The CHAIRMAN. The Clerk will report the committee amendment to the preamble.

The Clerk read as follows:

Amend the preamble so as to read:  
"Whereas the labor dispute between the carriers represented by the National Railway Labor Conference and certain of their employees represented by the International Association of Machinists and Aerospace Workers; International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers and Helpers; Sheet Metal Workers' International Association; International Brotherhood of Electrical Workers functioning through the Employees' Conference Committee, labor organizations, threatens essential transportation services of the Nation; and

"Whereas all the procedures for resolving such dispute under the Railway Labor Act have been exhausted; and

"Whereas the representatives of all parties to this dispute reached tentative agreement on all outstanding issues and entered into

a memorandum of understanding, dated December 4, 1969; and

"Whereas the terms of the memorandum of understanding, dated December 4, 1969, were ratified by the overwhelming majority of all employees voting and by a majority of employees in three out of the four labor organizations party to the dispute; and

"Whereas the failure of ratification has resulted in a threatened nationwide cessation of essential rail transportation services; and

"Whereas the national interest, including the national health and defense, requires that transportation services essential to interstate commerce be maintained; and

"Whereas the Congress finds that an emergency measure is essential to security and continuity of transportation services:

The committee amendment to the preamble was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MATSUNAGA, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the joint resolution (H.J. Res. 1112) to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employees, pursuant to House Resolution 867, he reported the joint resolution back to the House with sundry amendments adopted by the Committee of the Whole.

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

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

The amendments were agreed to.

#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries.

#### FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a joint resolution of the following title in which the concurrence of the House is requested:

S.J. Res. 180. Joint resolution to provide for a temporary prohibition of strikes or lockouts with respect to the current railway labor-management dispute.

#### LABOR DISPUTE BETWEEN CERTAIN CARRIERS BY RAILROAD AND CERTAIN OF THEIR EMPLOYEES

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

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

The SPEAKER. The question is on the passage of the joint resolution.

Mr. MACDONALD of Massachusetts. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 343, nays 15, not voting 72, as follows:

[Roll No. 40]  
YEAS—343

Abbitt	Eilberg	McFall
Abernethy	Erlenborn	McKneally
Adair	Esch	McMillan
Adams	Eshleman	Macdonald,
Addabbo	Evans, Colo.	Mass.
Albert	Evins, Tenn.	MacGregor
Alexander	Fallon	Madden
Anderson,	Fasell	Marsh
Calif.	Feighan	Martin
Anderson, Ill.	Findley	Matsunaga
Andrews, Ala.	Fisher	May
Andrews,	Flood	Mayne
N. Dak.	Flowers	Melcher
Annunzio	Flynt	Meskill
Arends	Foley	Michel
Ashbrook	Ford, Gerald R.	Miller, Ohio
Ashley	Ford,	Mills
Aspinall	William D.	Minish
Ayres	Foreman	Mink
Beall, Md.	Fountain	Minshall
Belcher	Fraser	Mize
Bennett	Frelinghuysen	Mizell
Berry	Frey	Monagan
Bevill	Friedel	Montgomery
Biaggi	Fulton, Pa.	Moorhead
Blester	Fuqua	Morgan
Bingham	Galifianakis	Morse
Blackburn	Gallagher	Morton
Blanton	Garmatz	Mosher
Blatnik	Gaydos	Murphy, Ill.
Boggs	Gettys	Myers
Bolling	Giaino	Natcher
Bow	Gibbons	Nedzi
Brademas	Gilbert	Nelson
Brasco	Gonzalez	Nichols
Brinkley	Goodling	Obey
Brooks	Gray	O'Hara
Broomfield	Green, Oreg.	O'Konski
Brotzman	Green, Pa.	O'Neal, Ga.
Brown, Mich.	Griffin	O'Neill, Mass.
Brown, Ohio	Griffiths	Patman
Broyhill, N.C.	Gross	Patten
Broyhill, Va.	Grover	Pelly
Buchanan	Gude	Pepper
Burke, Fla.	Hagan	Perkins
Burke, Mass.	Haley	Philbin
Burlison, Tex.	Hall	Pickle
Burlison, Mo.	Halpern	Pike
Burton, Utah	Hamilton	Pirnie
Bush	Hammer-	Poage
schmidt	Podell	Poff
Button	Hanley	Pollock
Byrne, Pa.	Hansen, Idaho	Preyer, N.C.
Cabell	Hansen, Wash.	Price, Ill.
Caffery	Harrington	Price, Tex.
Carey	Harsha	Pryor, Ark.
Carter	Hastings	Pucinski
Casey	Hathaway	Purcell
Cederberg	Hays	Quile
Celler	Hébert	Quillen
Chamberlain	Hechler, W. Va.	Railsback
Chappell	Heckler, Mass.	Randall
Clancy	Helstoski	Rarick
Clark	Henderson	Reid, N.Y.
Clausen,	Hogan	Reifel
Don H.	Howard	Reuss
Collier	Hull	Rhodes
Collins	Hungate	Riegler
Colmer	Hunt	Rivers
Conte	Hutchinson	Roberts
Corbett	Ichord	Robison
Coughlin	Jacobs	Rodino
Cowger	Jarman	Roe
Cramer	Johnson, Pa.	Rogers, Colo.
Crane	Jonas	Rogers, Fla.
Culver	Jones, Ala.	Rosenthal
Cunningham	Jones, N.C.	Roth
Daddario	Jones, Tenn.	Roudebush
Daniel, Va.	Kastenmeier	Ruth
Daniels, N.J.	Kazen	St Germain
Davis, Ga.	Kee	St Onge
Davis, Wis.	Keith	Sandman
de la Garza	King	Satterfield
Delaney	Kleppe	Schadeberg
Dellenback	Kluczynski	Scherle
Denny	Koch	Schneebeli
Dennis	Kyl	Schwengel
Dent	Kyros	Scott
Derwinski	Landgrebe	Sebelius
Devine	Landrum	Shipley
Dickinson	Langen	Shriver
Diggs	Latta	Sikes
Dingell	Lloyd	Sisk
Donohue	Long, La.	Skubitz
Dorn	Long, Md.	Slack
Downing	McClary	Smith, Calif.
Dulski	McClure	Smith, Iowa
Duncan	McCulloch	Smith, N.Y.
Eckhardt	McDade	
Edwards, Ala.		

Snyder	Thompson, N.J.	Williams
Springer	Thomson, Wis.	Wilson,
Stafford	Tiernan	Charles H.
Staggers	Udall	Winn
Stanton	Vanik	Wold
Steed	Vigorito	Wolf
Steiger, Ariz.	Waggonner	Wright
Steiger, Wis.	Wampler	Wyatt
Stephens	Watkins	Wydler
Stokes	Watson	Wylle
Stratton	Watts	Wyman
Stubblefield	Weicker	Yates
Stuckey	Whalen	Yatron
Sullivan	Whalley	Young
Symington	White	Zablocki
Taylor	Whitehurst	Zion
Teague, Tex.	Whitten	Zwach
Thompson, Ga.	Widnall	

## NAYS—15

Barrett	Edwards, Calif.	Olsen
Burton, Calif.	Farbstein	Rooney, N.Y.
Clay	Hicks	Roybal
Cleveland	Johnson, Calif.	Ryan
Conyers	Karth	Waldie

## NOT VOTING—72

Anderson,	Hanna	Mollohan
Tenn.	Harvey	Moss
Baring	Hawkins	Murphy, N.Y.
Bell, Calif.	Holifield	Nix
Betts	Horton	Ottinger
Boland	Hosmer	Passman
Bray	Kirwan	Pettis
Brock	Kuykendall	Powell
Brown, Calif.	Leggett	Rees
Byrnes, Wis.	Lennon	Reid, Ill.
Camp	Lowenstein	Rooney, Pa.
Chisholm	Lujan	Rostenkowski
Clawson, Del.	Lukens	Ruppe
Cohelan	McCarthy	Saylor
Conable	McCloskey,	Scheuer
Corman	McDonald,	Taft
Dawson	Mich.	Talcott
Dowdy	McEwen	Teague, Calif.
Dwyer	Mahon	Tunney
Edmondson	Mailliard	Ullman
Edwards, La.	Mann	Van Deerlin
Fish	Mathias	Vander Jagt
Fulton, Tenn.	Meeds	Wiggins
Goldwater	Mikva	Wilson, Bob
Gubser	Miller, Calif.	

So the joint resolution was passed.

The Clerk announced the following pairs:

Mr. Fulton of Tennessee with Mr. Conable.  
Mr. Brown of California with Mrs. Chisholm.  
Mr. Holifield with Mr. Bell of California.  
Mr. Miller of California with Mr. Pettis.  
Mr. Murphy of New York with Mrs. Dwyer.  
Mr. Passman with Mr. Byrnes of Wisconsin.  
Mr. Rostenkowski with Mr. Harvey.  
Mr. Hawkins with Mr. Lowenstein.  
Mr. Rooney of Pennsylvania with Mr. Betts.  
Mr. Tunney with Mr. Goldwater.  
Mr. Boland with Mr. Saylor.  
Mr. Van Deerlin with Mr. Teague of California.  
Mr. Cohelan with Mr. Bob Wilson.  
Mr. Mikva with Mr. Ruppe.  
Mr. Corman with Mr. Mailliard.  
Mr. Leggett with Mr. McCloskey.  
Mr. Lennon with Mr. Bray.  
Mr. Dowdy with Mr. Lukens.  
Mr. Edmondson with Mrs. Reid of Illinois.  
Mr. Moss with Mr. Hosmer.  
Mr. Edwards of Louisiana with Mr. Brock.  
Mr. Hanna with Mr. Gubser.  
Mr. Ottinger with Mr. Horton.  
Mr. Rees with Mr. Del Clawson.  
Mr. Mann with Mr. Lujan.  
Mr. Ullman with Mr. Camp.  
Mr. Anderson of Tennessee with Mr. Wiggins.  
Mr. Mollohan with Mr. Taft.  
Mr. Mahon with Mr. Talcott.  
Mr. McCarthy with Mr. Fish.  
Mr. Baring with Mr. Vander Jagt.  
Mr. McEwen with Mr. Mathias.  
Mr. Scheuer with Mr. Nix.  
Mr. Kirwan with Mr. Kuykendall.  
Mr. Meeds with Mr. McDonald of Michigan.  
Mr. Dawson with Mr. Powell.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent for the immediate consideration of a similar Senate joint resolution (S.J. Res. 180) to provide for a temporary prohibition of strikes or lockouts with respect to the current railway labor-management dispute.

The Clerk read the title of the Senate joint resolution.

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

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 180

Joint resolution to provide for a temporary prohibition of strikes or lockouts with respect to the current railway labor-management dispute

Whereas the labor dispute between the carriers represented by the National Railway Labor Conference and certain of their employees represented by the International Association of Machinists and Aerospace Workers; International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers and Helpers; Sheet Metal Workers' International Association; International Brotherhood of Electrical Workers functioning through the Employees' Conference Committee, labor organizations, threatens essential transportation services of the Nation; and

Whereas all the procedures for resolving such dispute under the Railway Labor Act have been exhausted; and

Whereas the representatives of all parties to this dispute reached tentative agreement on all outstanding issues and entered into a memorandum of understanding, dated December 4, 1969; and

Whereas the terms of the memorandum of understanding, dated December 4, 1969, were ratified by the overwhelming majority of all employees voting and by a majority of employees in three out of the four labor organizations party to the dispute; and

Whereas the failure of ratification has resulted in a threatened nationwide cessation of essential rail transportation services; and

Where the national interest, including the national health and defense, requires that transportation services essential to interstate commerce is maintained; and

Whereas the Congress finds that an emergency measure is essential to security and continuity of transportation services: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled.* That the provisions of the final paragraph of section 10 of the Railway Labor Act (45 U.S.C. 160) shall apply and be extended for an additional period with respect to the disputes referred to in Executive Order Numbered 11486 of October 3, 1969, so that no change, except by agreement, shall be made by the carriers represented by the National Railway Labor Conference, or by their employees, in the conditions out of which such disputes arose prior to 12:01 a.m. of April 11, 1970.

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

A similar House joint resolution (H.J. Res. 1112) was laid on the table.

**ANNUAL REPORT ON FOREIGN ASSISTANCE PROGRAM FOR FISCAL YEAR 1969—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91-248)**

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

*To the Congress of the United States:*

It is my conviction that continued U.S. assistance to the developing countries is essential both for humanitarian reasons and for those of our national self interest.

The challenges we face are both moral and practical in nature. We seek a stable and peaceful world in which all nations can cooperate effectively to improve the quality of human life.

The Annual Report on the Foreign Assistance Program for Fiscal Year 1969, which I transmit herewith, indicates the ways in which we have attempted to promote our interests in the developing world in the recent past. It also provides a preview of the new directions this Administration has charted for the future.

We have determined that a new emphasis should be placed on enlisting the energies and expertise of American private enterprise. As a first step toward doing so, I proposed the creation of an Overseas Private Investment Corporation to provide businesslike management of our incentives to private investment in the developing countries. I am pleased that the Congress has accepted this proposal.

We have also decided to give a strong new emphasis to technical assistance. The transfer of skills to the people of the developing world is vitally important to their future. Technical assistance plants the seeds that enable developing countries to grow by themselves. To give practical expression to these concepts, we have established a new Technical Assistance Bureau within the Agency for International Development. The Bureau has been charged with the task of raising the quality of our advisory, training and research services.

These are only first steps, however. To assist me in determining the course of our international development programs in the 1970's, I named a task force of distinguished private citizens, headed by Rudolph Peterson, to review all U.S. foreign assistance programs. This task force is now at work, and its recommendations will provide a basis for my proposals for a new U.S. program for the years ahead.

To assure continuous management inspection of our program, the post of Auditor-General has been created in AID. The job of the Auditor-General is to make sure that AID's funds are used efficiently and for the intended purposes.

To make the AID dollar go further and to assist free market systems in the developing countries, I also eliminated some of the commodity-purchase requirements which were forcing some nations to employ regressive exchange, import or credit arrangements.

During fiscal year 1969, 87 percent of our economic aid was concentrated in the 15 countries which we believed could make best use of it: Brazil, Chile, Colombia, Guyana, Panama, Indonesia, Laos, Korea, Thailand, Vietnam, India, Pakistan, Turkey, Ethiopia, and Nigeria.

A record commitment of \$45 million was made in the priority field of family planning, so essential for speeding the rate of economic and social progress in many of the developing nations.

Achievements in which our assistance played a pivotal role during fiscal year 1969 included:

- growth of the Korean economy at a rate of 13 percent;
- self-sufficiency in rice production for the Philippines;
- control of inflation in Indonesia;
- use of Food-for-Peace supplies in self-help food-for-work projects which employed 16 million people;
- assistance in providing nutritious diets for 50 million children in 105 countries.

These are substantial achievements. They can be surpassed in the future through our continued commitment to the proposition that development of the best in all nations provides the surest hope for security and dignity for all men.

RICHARD NIXON.

THE WHITE HOUSE, March 4, 1970.

**AUTHORITY FOR CLERK TO RECEIVE MESSAGES AND THE SPEAKER TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS**

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that, notwithstanding the adjournment of the House until tomorrow, the Clerk be authorized to receive messages from the Senate and that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

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

There was no objection.

**WHITE HOUSE BACKS CRAMER OIL POLLUTION CONTROL AMENDMENTS**

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

Mr. CRAMER. Mr. Speaker, the House and Senate have been in conference on oil and water pollution in the Water Quality Control Act of 1969, and now 1970, since October 16 of last year. The House acted in April on this legislation—the other body did not see fit to act under Senator MUSKIE's chairmanship until October. We were unable to get the matter resolved in that the other body determined that they did not want it resolved last year. We are still in conference.

Now, recently there has been an oil spill in my district. It has been my objective to get a bill out, the strongest

possible bill, for many months. As a matter of fact, our side of the aisle, the minority side of the aisle, led the fight in 1968 to pass an oil and water pollution control bill called the Clean Water Act of 1968. We passed it once. We took the Senate amendments, or the largest majority of them, passed it a second time, and the Senate failed or refused to act.

Now, recently, Mr. Speaker, I have offered and proposed certain amendments for the strengthening of oil pollution control legislation now in conference. I discussed these proposals at the leadership meeting in the White House on Tuesday. I have just been advised that the administration is supporting these amendments, now pending in conference.

These amendments would first, require the President within 60 days to prepare a national contingency plan for removal of oil. The plan would set up a national strike force with experts and the latest equipment available, to move in quickly to contain an oil spill and to begin immediate cleanup, if it is not contained, to limit damage to the ecology, wildlife, and other natural resources with State and local cooperation.

It would, second, allow the U.S. Coast Guard to board and inspect vessels for potential pollution dangers.

Third, these amendments would establish a high priority research and development program to devise means to contain an oil spill and disburse the pollutant rapidly without endangering the ecology.

We must mobilize the technology and know-how of both Government and the private sector in this effort. As soon as there is a spill we must be able to move in the latest in equipment and harmless chemical dispersants to limit the damage.

I have just consulted with the Department of the Interior, and they are wholeheartedly in support of this, and I trust that these amendments will be adopted and the conference will be finalized. We are meeting tomorrow afternoon at 3:30, and I hope we can have this legislation on the floor of the House for final action next week.

I met at the office of Carl Klein, Assistant Secretary of Interior for Water Quality and Research, and he approved the amendments.

I have also asked the Coast Guard, and the Department of the Interior has been asked to investigate the possibility that the asphalt that came ashore at St. Marks in Florida may have come from the *Darian Appolon*, the Greek vessel which ran aground, spilling oil into Tampa Bay, on February 13, 1970.

**THE GATES COMMISSION REPORT ON ALL-VOLUNTEER ARMED FORCES—PART II, CHAPTER 4**

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

Mr. STEIGER of Wisconsin. Mr. Speaker, chapter 4 of the Gates Commission report deals with questions about



our military personnel requirements now and in the future and the ability of the volunteer army system to meet these commitments.

The text of chapter 4 follows:

#### MILITARY PERSONNEL REQUIREMENTS

In planning for an all-volunteer armed force, the size and quality of future military forces are critical variables. Small forces or those of low quality could be raised on a voluntary basis, even if military compensation were reduced. Very large forces or those of high quality would require substantial increases in military pay.

The size of active duty forces since World War II, shown in table 4-I, has fluctuated widely. After reaching a peak of 3.6 million men during the Korean War, the armed forces slowly declined in size toward an apparent equilibrium level of 2.5 to 2.6 million men. Although the Vietnam War reversed this trend, the President's budget message of April 1969 suggested that, in a post-Vietnam environment, active duty force levels be stabilized at a level of 2.0 to 2.5 million men.

Because of the uncertainties surrounding force plans for a post-Vietnam environment, the Commission decided to analyze the manpower and budgetary implications of four alternative active duty force levels, 2.0, 2.25, 2.5, and 3.0 million men. These four force levels cover a reasonable range of alternative peacetime active duty forces that might be needed to insure national security.

TABLE 4-I.—ACTIVE DUTY FORCE STRENGTH (SELECTED FISCAL YEARS 1950-69 AND PROJECTIONS)

Fiscal year	Total DOD (millions)	Active duty as percent of 18 to 45 male population
1950	1.46	4.8
1953	3.56	11.6
1955	2.94	9.6
1960	2.48	7.9
1965	2.66	8.0
1969	3.49	9.8
ALTERNATE PROJECTED FORCES		
1975	3.00	7.4
	2.50	6.1
	2.25	5.5
	2.00	4.9

The armed services' demand for the nation's manpower resources is indicated by the size of the active duty forces as a percentage of the male population 18-45 years of age, shown in the last column of table 4-I. The comparatively small force of 2.5 million men in FY 1960 represented 7.9 percent of this male population. In light of the projected growth of the male population, all four alternative force levels constitute smaller percentages of the projected 18-to-45-year-old male population in 1975.

Over the past two decades, the structure of the armed forces has changed substantially (see table 4-II). The service structure is important because the Army is the only service that has consistently required draftees to meet its strength objectives. (The Navy and Marine Corps have occasionally issued draft calls to meet temporary shortfalls, but the Air Force has never used the draft.) Prior to Korea, the Army made up 41 percent of all active duty forces. The post-Korean reduction in forces of the late 1950's was accompanied by a shift which gave larger shares of the defense responsibility to the Navy and Air Force. Since the escalation of American involvement in Vietnam, the ground combat forces of the Army and Marine Corps have become a larger fraction of the force, as shown in table 4-II. The service distribution of the four future forces

shown in table 4-II reflects a slight reversal of the trend of the late 1950's. The Army, for example, represents 40 percent of the 2.5-million-man force compared with only 35 percent for the 1960 active duty force. The relative size of the Army in force plans is important because the projected shortfalls in recruitment are largest for the Army.

TABLE 4-II.—DISTRIBUTION OF ACTIVE DUTY FORCE STRENGTH BY SERVICE (SELECTED FISCAL YEARS 1950-69 AND PROJECTIONS)

Fiscal year:	Distribution (percent)			
	Army	Navy	Marine Corps	Air Force
1950	41	26	5	28
1953	43	22	7	28
1955	38	22	7	33
1960	35	25	7	33
1965	37	25	7	31
1969	44	22	9	25
Alternative forces (millions):				
3.00	43	24	8	25
2.50	40	24	8	27
2.25	37	25	9	29
2.00	37	26	8	29

Substantial numbers of civilians and reservists supplement the active duty forces in the overall defense manpower picture, as shown in table 4-III. The ratio of civilians to active duty personnel [column (5) of table 4-III] has declined over the past 15 years. Many positions in the force structure currently manned by uniformed servicemen could be staffed with civilians at lower budgetary costs and with no loss in immediate effectiveness. In addition, the substitution of civilians for servicemen reduces the demands for new recruits. Civilians typically need less training, involve fewer transfers of personnel, and require lower levels of compensation, especially in an all-volunteer force. Civilians, however, are only imperfect substitutes for uniformed personnel, because they cannot be involuntarily mobilized and moved in the event of an emergency. The scope of civilian substitutions is, therefore, limited by the military's need to provide positions for rotational assignments and career development.

TABLE 4-III.—ACTIVE DUTY, CIVILIAN, AND PAID DRILL RESERVE STRENGTH, FISCAL YEARS 1947-69

Fiscal year	[In thousands]				
	Total DOD <sup>1</sup>	Total civilian	Paid drill reserve	Ratios: civ/DOD	Ratios: paid/drill DOD
(1)	(2)	(3)	(4)	(5)	(6)
1947	1,583	1,060	231	0.67	0.15
1952	3,636	1,650	506	.45	.14
1957	2,796	1,429	1,047	.51	.37
1962	2,808	1,241	889	.44	.32
1965	2,655	1,164	933	.44	.35
1969	3,460	1,456	960	.42	.28

<sup>1</sup> Active duty military personnel only.

A position-by-position analysis of the opportunities for civilian substitution was not possible within the scope of this study because of limitations of time and resources. However, a careful aggregative study of individual occupational specialties was conducted, ranking the various occupations by the degree to which they were purely military. This study concludes that approximately 95,000 positions in a force of 2 million men could be staffed by civilians with no loss in effectiveness. Larger civilian substitutions could be achieved at larger force levels. The budgetary savings (in constant 1969 prices) which would result from carrying out the proposed civilian substitution programs range from \$90 million for the

2-million-man force to \$125 million for the 3-million-man force. If these programs are implemented, the proportion of total defense manpower which is civilian will increase from 31 percent to about 34 percent, thereby reversing the trend of the past 15 years.

The reductions in the size of each of the active duty uniformed forces that would result from civilian substitution are shown in table 4-IV. The impact of civilian substitution on required accessions is slow to take effect, and its full impact is not felt until 1978. Rotation policies and the size of overseas deployment have an important effect on the potential for civilian substitutions. The potential is greatest in the Air Force, where the majority of the force is stationed in the continental United States. In the Army and Marine Corps the opportunities are limited by relatively large overseas deployments and rotation policies.

TABLE 4-IV.—SUBSTITUTION POTENTIAL, ALL SERVICES [In thousands]

Size force	Army	Navy	USMC	USAF	DOD
2,000,000:					
Officer	5.2	5.1	0.6	9.4	20.3
Enlisted	0	8.8	6.8	59.7	75.3
Total	5.2	13.9	7.4	69.1	95.6
2,250,000:					
Officer	5.9	5.6	.7	10.3	22.5
Enlisted	0	9.8	7.9	66.0	83.7
Total	5.9	15.4	8.6	76.3	106.2
2,500,000:					
Officer	6.6	6.2	.8	11.3	24.9
Enlisted	0	10.8	8.9	72.2	91.9
Total	6.6	17.0	9.7	83.5	116.8
3,000,000:					
Officer	8.9	7.0	.9	12.4	29.2
Enlisted	0	12.1	10.2	79.1	101.4
Total	8.9	19.1	11.1	91.5	130.6

When the forces have reached their post-Vietnam equilibrium levels, a program of civilian substitutions should be initiated and carried out over a three-to-four-year period. Too rapid replacement of uniformed personnel by civilians might seriously impair the attractiveness of military careers. It is also recommended that civilian manpower ceilings be relaxed to enable the Department of Defense to follow more rational manpower management policies. Prior attempts to accomplish civilian substitution (in fiscal years 1952, 1955, 1962, and 1965), were curtailed, abandoned, or even reversed because of civilian manpower and budget ceilings. The Department of Defense should have the flexibility to vary the ratio of civilians to military personnel within a total budget constraint. To establish an economic balance between civilian and military personnel, the Department of Defense should undertake a position-by-position analysis, review the criteria to determine whether a particular position should be military or civilian, and develop better data to estimate the real economic costs of military and civilian personnel.

Trained reservists provided much of the manpower for the rapid expansions of active duty forces during the Korean War and the Berlin crisis of 1961-62. However, reserves have not been activated in significant numbers for the Vietnam War. Reference to table 4-III reveals that the size of the paid reserve forces has remained stable over the past decade. Details regarding the size and composition of the reserves in an all-volunteer force are more fully discussed in Chapter 9.

#### EFFECTIVE FORCE STRENGTHS

The size of the active duty forces does not directly reflect defense capability. The serv-

icemen who have already completed basic military and technical training are the ones who provide defense capability. Recruits, instructors, and support personnel at training bases only indirectly contribute to defense by supplying future trained personnel. In addition to these non-effective training billets, other positions in the active force structure must be set aside for personnel in transit between duty assignments or interned as patients and prisoners. With lower personnel turnover, each recruit spends a smaller fraction of his service career in training or in other forms of non-effective status. Because it will have fewer non-effective men, an all-volunteer force can be smaller than a mixed force of conscripts and volunteers but still provide the same effective strength.

Personnel turnover in an all-volunteer force will be reduced for several reasons. If the draft is continued, it is projected that about 42 percent of accessions into the Army (for a force of 2.5 million men) will be draftees who serve for only two years, compared with three and four-year tours for voluntary enlistments. Moreover, the re-enlistment rates of draftees and draft-motivated volunteers are considerably lower than those of men who voluntarily choose military service. Finally, the pay increase needed to move to an all-volunteer force includes somewhat higher pay for second-term enlisted men, which will further increase the re-enlistment rate.

When these factors are taken into account, we estimate that the turnover of enlisted personnel in an all-volunteer Army will be only 17 percent per year, compared with 26 percent for a mixed conscript/volunteer Army of the same size. With this reduction in turnover, the enlisted strength of an all-volunteer force could be 5 percent less than that of a mixed force, while retaining the same number of effective men in non-training and non-transient positions. Put another way, 13 percent of a mixed force is assigned to non-effective positions at training bases or in transit, while only 9 percent of the all-volunteer force will be so occupied. These manpower savings are greatest for the Army, which is projected to realize the sharpest reduction in personnel turnover rates as a result of moving to a voluntary system.

In developing estimates of overall accession requirements for uniformed personnel, the sizes of all-volunteer forces were reduced to provide the same effective strengths as the four mixed forces in table 4-II. The manpower savings that derive from lower personnel turnover are evident from the data in table 4-V, which shows enlisted strengths for forces of equal effectiveness.

TABLE 4-V.—EQUAL EFFECTIVENESS, ALL-VOLUNTEER AND DRAFT FORCES

Total strength	[In thousands]			
	DOD enlisted strength (draft)	DOD enlisted strength (all-volunteer)	Army enlisted strength (draft)	Army enlisted strength (all-volunteer)
2,000,000	1,713	1,683	642	624
2,250,000	1,930	1,886	721	692
2,500,000	2,146	2,089	868	827
3,000,000	2,597	2,559	1,120	1,047

The higher retention rate for true volunteers inevitably produces a more experienced force. Our projections indicate that, by 1980, 45 percent of Army enlisted men will have four years or more of service experience, as compared with 31 percent for a mixed force of the same size. Since experience involves on-the-job-training, a more experienced force is more productive than a less experienced one. Military officers agree that one career enlisted man is worth more than one

first-term serviceman, but few officers are willing to indicate the precise trade-offs. Although the all-volunteer and mixed forces in table 4-V have the same numbers of effective men in non-training and non-transient positions, the all-volunteer forces actually provide greater effectiveness because they possess more experience.

The concept of effective force strength is equally applicable to officers. Because officers typically receive their training before they are commissioned, it is difficult to estimate their non-effective training time. Moreover, training times and costs vary widely, being highest for an Academy graduate who goes on to flight training, and lowest for a chaplain who receives a direct appointment.

In estimating the budgetary savings resulting from lower turnover among commissioned officers, we have disregarded non-effective training times. We have instead based our estimates on the average cost of \$12,000 for training an officer in either the college or non-college officer training schools that have been used in the past to meet fluctuating demands for officers.

REQUIRED ACCESSIONS UNDER ALTERNATIVE MANPOWER PROCUREMENT SYSTEMS

The flow of accessions (voluntary enlistments and draftees) required to maintain a given force depends on the size of the force and the losses from active duty ranks. These requirements can be met either on a purely voluntary basis or through a mixture of enlistments and inductions. With an all-volunteer force, smaller flows are required for two reasons. First, true volunteers serve longer, thereby reducing losses due to separations upon completion of initial obligated tours. Second, the same effective force strength can be maintained with a smaller total active duty force.

The annual flows of accessions required to sustain the four mixed force levels using a lottery draft are presented in the first and third columns of table 4-VI. If the draft is abolished and all recruits are true volunteers, the same effective force strength can be maintained by the smaller annual flows of required accessions shown in the last two columns of table 4-VI. An all-volunteer force with the same effective strength as a 2.5-million-man mixed force requires 25 percent fewer accessions per year than the mixed force. The reduction in required accessions resulting from the move to an all-volunteer force is considerably smaller for officers. The projections in table 4-VI pertain to the period 1979-81 after the greater retention rates for an all-volunteer force have taken effect. In the transition to stable force levels, accession requirements for the all-volunteer forces are slightly higher especially in the case of the Army, where the average annual requirements for FY 1973-75 are 188 thousand, compared with 148 thousand for FY 1979-81.

TABLE 4-VI.—REQUIRED ACCESSIONS TO ENLISTED RANKS (ANNUAL AVERAGES FISCAL YEARS 1979-81)

DOD total strength	[In thousands]				
	Continued draft			All volunteer	
	DOD	Army draft calls	Army	DOD	Army
2,000,000	312	19	138	259	104
2,250,000	362	46	170	290	118
2,500,000	440	98	235	332	148
3,000,000	584	184	340	410	192

QUALITATIVE CHARACTERISTICS OF THE ACTIVE DUTY FORCES

Members of the armed services today must possess more skills than their predecessors in

World War II and Korea. This trend is indicated by the data in table 4-VII which shows the occupational mix of enlisted men in the Department of Defense and the Army. In 1953, 18 percent of all enlisted men were assigned to ground combat occupations that require comparatively little technical skill. The proportion of enlisted men in these relatively unskilled occupations has declined over time. Indeed, the projections of the force structure in a post-Vietnam environment show that only 11 percent will be in the ground combat forces. The declining importance of the ground combat forces cannot be attributed to a relative reduction in the size of the Army. In the Army occupational structure, the percentage of enlisted men in the ground combat occupations is projected to fall from 29 percent in FY 1963 to 21 percent in the forces of tomorrow. The services' demand for highly skilled men to staff electronics and other technical occupations has climbed over time.

TABLE 4-VII.—PERCENTAGE DISTRIBUTION OF ENLISTED MEN BY MAJOR OCCUPATION (SELECTED FISCAL YEARS, 1945-74)

Occupation	1945	1953	1957	1963	1969 <sup>1</sup>	1974 <sup>1</sup>
Department of Defense:						
Ground combat	23	18	14	14	15	10
Electronics	6	10	13	15	10	11
Other technicians	7	7	8	8	14	17
Adm/clerical	15	20	18	19	18	18
Mechanics	22	23	26	25	24	24
Craftsmen	11	7	8	7	7	7
Services	16	15	13	12	12	13
Army:						
Ground combat	39	35	32	29	26	21
Electronics	4	5	9	9	7	7
Other technicians	7	7	8	9	15	16
Adm/clerical	15	19	16	19	19	22
Mechanics	9	12	14	16	16	17
Craftsmen	7	3	5	4	4	4
Services	19	19	16	14	13	13

<sup>1</sup> The "Other technicians" include the 3 major DOD occupations for communications/intelligence, Medical Corps, and "Other technical." The DOD figures are weighted averages based on enlisted force strengths. The percentages of DOD that were in the Army were respectively 50.4, 43.7, 36.2, 36.7, 44.4, and 39 for the 6 years shown in this table.

Source: H. Wool, "The Military Specialist," p. 43 (copyrighted material) and special service tabulations.

Two features of the changing occupational structure of the armed services are important. An increased demand for skilled personnel characterizes the civilian economy as well as the services. Thus, the services must compete with the civilian sector for those youths who in increasing numbers enter the labor force with more education and greater technical background than young men two decades ago. The other aspect of this phenomenon is the growing similarity of the military's skill requirements to those of the civilian sector. Various estimates suggest that 20 to 30 percent of active duty billets are directly related to combat missions. The remaining positions are required for logistical support, administration, maintenance and training—all of which have counterparts in the civilian economy.

QUALIFICATION STANDARDS FOR ENLISTED MEN

Admission to the enlisted ranks of the military services is now limited to men who satisfy three kinds of criteria: mental, physical, and moral. The physical and moral standards have remained stable over the past two decades. Although mental standards have exhibited some short-run variations, they have generally risen over time. The mental ability of a recruit is measured by his score on the Armed Forces Qualification Test (AFQT). Recruits are divided into five mental groups. Men in the lowest mental group, group V, are exempt by law from military service. The mental group distribution of accessions in the two war years, FY

1953 and FY 1969, are shown in table 4-VIII, along with a distribution for a recent peacetime year, FY 1965.

TABLE 4-VIII.—MENTAL GROUP DISTRIBUTION OF ENLISTMENTS AND INDUCTIONS, DOD

[In thousands]

Mental group	Fiscal year 1953		Fiscal year 1965		Fiscal year 1969	
	Number	Percent	Number	Percent	Number	Percent
I.....	64	7	22	6	48	6
II.....	214	24	126	31	247	32
III.....	279	32	196	49	294	38
IV.....	283	32	56	14	185	23
Adm. acceptee.....	46	5	2	.....	5	1
Total.....	886	100	402	100	779	100

The proportion of accessions in the top three mental groups was 63 percent in 1953, at the peak of the Korean expansion, and 76 percent in 1969, at the peak of the Vietnam expansion. During the intervening years the proportion in Categories I-III was higher, reflecting the selectivity possible with the draft during peacetime. Another indication of the quality of enlisted personnel is the fraction of voluntary enlistees who are high school graduates. The proportions for 1959 and 1969 are given in table 4-IX.

The services argue that they must have high-quality recruits for the following reasons:

1. The machinery of modern warfare requires recruits who have the mental capability to absorb complex technical training.
2. Training costs can be reduced by limiting enlistments to highly qualified individuals, even though men with less mental ability could be taught the requisite skills with enough training investment.
3. The disciplinary problems created by men in the lowest mental group contribute to administrative costs and detract from force effectiveness.
4. Given the normal attrition and losses due to non-re-enlistment, the services must have a large fraction of highly qualified recruits to provide the raw material to staff the non-commissioned officer ranks.

TABLE 4-IX.—PERCENTAGE OF VOLUNTARY ENLISTMENTS WITH HIGH SCHOOL DIPLOMAS

Service	Fiscal year 1959	Fiscal year 1969
Army.....	68	69
Navy.....	60	80
Marine Corps.....	54	57
Air Force.....	73	94
Total DOD.....	65	76

Are the services' quality standards too high? Mental standards were raised significantly between 1957 and 1965, when enlistments of individuals in mental group IV (AFQT scores of 10 to 30) were limited. In late 1965, the Department of Defense initiated the New Standards Program (Project 100,000), which directed the services to accept 100,000 mental group IV enlistments each year. The services complied and also redesigned many training programs to place less emphasis on written and verbal skills and more on manual talents. Experience gained from this program shows that men with lower AFQT scores and less schooling can achieve acceptable levels of performance. Moreover, the new-standards men have not caused appreciably greater disciplinary problems.

In our study the number of Category IV enlistees has been limited to a maximum of 20 percent in any service. The recom-

mendations for enlisted compensation are therefore designed to provide that a minimum of 80 percent of the accessions be from categories I through III. In addition, the recommendation in chapter 5 to expand the use of proficiency pay and to encourage accelerated promotions provides a selective mechanism to help sustain the quality of military personnel. When these are combined with more intensive recruiting and improvements in military personnel management, the services should be able to maintain the high quality of their forces.

#### PAKISTAN SENDS TROOPS TO JORDAN

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

Mr. HALPERN. Mr. Speaker, I am shocked to learn that Pakistan, a major beneficiary of the U.S. foreign aid program, has sent troops to Jordan to assist in the unrelenting war against Israel.

I wish to serve notice that unless the Pakistani forces are withdrawn, I will offer an amendment to the next appropriation bill before this Congress to withhold further assistance from Pakistan. It is my understanding Pakistani troops, equipped with antiaircraft devices and automatic weapons, are being deployed in Jordan to shoot down the Phantom jets provided to Israel by the United States.

Over 1,000 Pakistani soldiers have already arrived in Jordan and are taking combat positions near the cease-fire lines. I feel that this intrusion by Pakistan into the tragic friction embroiling Israel and her immediate neighbors adds a dangerous new element to the crisis.

It is my conviction, Mr. Speaker, that the American people should not subsidize a regime and an army that joins with the pro-Communist Arab forces in the war of attrition against Israel. I also view with alarm the Pakistani relationship with Communist China, a nation that has cynically sought to aggravate the already inflammatory Middle East in the hopes of triggering an American-Soviet confrontation.

The time has come, Mr. Speaker, for our Government to serve notice on Pakistan that her entrance into the Arab-Israeli hostilities will not be tolerated by the United States. We should consider the immediate suspension of aid already authorized if Pakistan is not immediately responsive.

#### PRESIDENT NIXON'S TROJAN HORSE

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

Mr. ASHBROOK. Mr. Speaker, last week the President sent to the Congress a message recommending enactment of a Federal Economy Act—an effort to cut Federal spending by eliminating or restructuring certain programs. The President said "No program should be too small to escape scrutiny; a small item may be termed a 'drop in the bucket'

of a \$200.8 billion budget, but these drops have a way of adding up. Every dollar was sent to the Treasury by some taxpayer who has a right to demand that it be well spent."

I could not agree more. But at the same time that President Nixon is scrutinizing the drops in the bucket he is urging us to open up the floodgates to a torrential deluge which will inundate the already sinking taxpayer.

This comes in the form of a Trojan horse bearing the administration's radical welfare reform scheme. And as Troy was sacked almost 3,200 years ago, so, too, the taxpayers of today and tomorrow will be pillaged to pay the exorbitant costs of putting the Government permanently in the charity business.

In his message seeking cost reductions the President said:

The savings we make now are dollars enlisted in the fight against inflation, and there is no need more urgent to all the people than the need to hold down the rising cost of living . . . This is no time for business as usual politics as usual. This is the time for cutting out waste and cutting down costs with new vigor and new determination.

Yet, with that same vigor and determination President Nixon seeks enactment of a welfare package estimated to cost \$4.4 billion the first year—and who seriously believes this figure?—and an inestimable total sum if the Congress should make the grievous error of approving this radical plan. This is in addition to present Federal spending for public assistance, estimated at \$4.2 billion in fiscal year 1970. Do you cut down excessive spending and combat inflation by more than doubling the welfare rolls? The President would decrease welfare costs by multiplying them. And at the same time he would nourish the very evils he condemns. No one really thinks it will cost \$4.2 billion—it will, like most panaceas, cost far more.

It is no fun to be proved correct about your warnings when the country suffers. I well recall the medicare debates and the promises of what it would do. Now we see the bitter seeds which have borne fruit in cost overruns, attempts to regulate doctors' fees, limit medicaid and, finally, the suggestions that we chuck the whole program and implement a socialized national health insurance system. I joined with many of my colleagues in an effort to point out that this is what would happen. Helping our citizens with their medical bills was uppermost in all of our minds. Everyone wanted to do that. We just chose the wrong approach and now the recipients as well as the taxpaying public must suffer.

In the end, a program was adopted which overpromised the benefits and underestimated the costs. Only this past week the Senate heard testimony from the Social Security Administration actuary, Robert Meyers, that he had revised the costs upward to more than a \$200 billion deficit in the program. Think of that—over \$200 billion. You know the answer—the employer and the employee will be hit with higher payroll taxes.

I listened to the debates on medicaid. That was a neat little package tucked in

title XIX of the medicare bill. It was open ended—just reimburse the States for medical payments to their welfare recipients. Well, the State of New York ended up spending almost as much in 1 year as the program drafters estimated would be spent in the entire United States.

Why do I point this out? Because I see us clearly heading down the same road again. This time it is one with far greater dangers and pitfalls than were intrinsic to the medicare program. That a Republican president should want to take us down that road is a cause for despair to many Americans who supported him and believed that he meant what he said in the campaign. Here we see the same thing: everyone wants to clean up the welfare mess but, like medicare, are we leaping before we look. I think so.

Even HEW Secretary Finch seems to agree with this point. In a recent interview he said:

There are some chilling analogies to comparable past situations in the welfare area. I think back to 1965 and the debate over Medicare; in the Legislative rush, Medicaid was literally just tacked on. It received no thorough consideration. It was enacted in November for January implementation—and the result has been a mismanaged, costly, ineffective morass.

It is very strange that he cannot now see the same quagmire in his own "baby" which will foist even worse and more unworkable programs on the taxpaying public.

#### CONSERVATIVE RHETORIC, LIBERAL POLICIES

Two days after the President unveiled his welfare proposals last summer, the Washington Post carried the following editorial comment:

It was just about eight months ago that Mr. Nixon's task force on welfare turned in what was then considered a pretty far-out, not to say flaming-liberal report, recommending that he consider a federal payments floor, national standards of eligibility, and other incremental gains in the existing system. A number of those who worked on the report (which declared a plan of this general nature beyond political feasibility) and a number who did not, came into government and pursued the matter there . . . Reportedly, the position finally reached was not widely popular within the administration, and there is said to have been more than plenty of warning to the President that he was moving in an unpopular, impractical and financially insupportable direction. Mr. Nixon subscribed in the end to the minority view, and in our opinion he has chosen well.

Not surprisingly, I find myself at odds with the Post's editorial writers. Mr. Nixon, in my view, should have heeded the majority of his advisers and stuck by his campaign promise.

On May 15, 1968, candidate Richard Nixon said:

One of the reasons that I do not accept—and at the present time I do not see a reasonable prospect that I will recommend—a guaranteed annual income or a negative income tax is because of my conviction that doing so, first would not end poverty, and second, while it might be a substitute for welfare, it would have a very detrimental effect on the productive capacity of the American people . . . that is why I take a dim view of these programs.

Apparently the majority of his Cabinet recognized that this thinking is just as valid today as when it was articulated, but unfortunately the President chose to listen to the few who espoused this epochal leftward leap. For the most part, these advisers are either not Republican at all, such as Daniel Moynihan, or Ripon Republican types who had little to do with him ever getting to the White House. For example, the New York Times in a front page story, August 10, 1969, quoted Mayor Lindsey as saying that he had been "invited to the White House to assist in the final drafting of this legislation" and that he would seek a "fair share of tax relief" for the city.

That such non-Republicans should play an important part in the program must come as a surprise to those who supported the President in the past and expected that he would present the type of programs he outlined in his campaign.

At the 11th hour after much haggling, the baby was christened "family assistance plan" in an effort to neutralize criticism and make the product more marketable. Slogans, fancy labels and packaging are an old ploy and most welfare programs of the past have won their way partly on euphemism. But most thoughtful citizens will not be deceived by the rhetoric although, unfortunately, many were misled initially by the conservative gloss sprayed on the proposal.

The President is advocating a dramatic welfare departure which lays the cornerstone for a program few considered seriously or politically feasible a decade ago. A strong advocate of welfare, Mitchell Ginsberg, administrator of the New York City Human Resources Administration, remarked:

There is irony in it, of course . . . in the fact that here, coming from a Republican, is something that amounts to a guaranteed annual income.

Columnist Carl T. Rowan recently asked his readers:

Imagine someone telling you 20 years ago that a Republican president would ask the federal government to guarantee a minimum annual income to every family.

You would have laughed your informant out of town.

Especially if he told you that this Republican would advocate a welfare program that covered 25 million Americans instead of 10 million and cost \$10 billion instead of \$5 billion.

Unlikely as it seemed, President Nixon made "such a revolutionary proposal to the American people," to use Rowan's words. And, just as unlikely as it seemed, the Ways and Means Committee has put its stamp of approval on the welfare package, essentially in the form in which it was recommended. As columnists Rowland Evans and Robert Novak saw it, the gift the Ways and Means Democrats handed President Nixon this week was meant to be a trap. They quote one Democratic committee member as telling them:

I think that once the people of the country see how much this is going to cost and how outrageous it is they are going to raise hell about it.

Another Democratic member of the committee was recently quoted by the

Wall Street Journal as suggesting that the feebleness of opposition to the measure results from a general lack of understanding about how far-reaching the reforms are. According to the Journal, this committee member said:

It's my frank opinion that the less said about this bill, the better. It's a step toward a nationalized welfare system, and I'm for it.

It is more than a step toward a nationalized welfare system; it is a headlong plunge toward a permanent welfare state. And I'm totally against it. It is the beginning of a giant roller coaster ride down a one-way street.

Also, I might add, the more said about this bill the better. The taxpayers must be alerted to the truth about the ultimate cost and ramifications of this "reform" proposal. Given the facts, their protest could well drown out the braying of liberals in the administration and the professional welfare organizations who would have us believe that welfare is a "right."

The Secretary, in an interview published in the February 1970 issue of Government Executive, acknowledged that "In welfare, the proposal we made is really the revolutionary one." Although, understandably, preferring to call the proposal an "income supplement"—which it is—rather than a "guaranteed income"—which it nevertheless also is—he added:

We're going to push like the dickens to get that passed. It is the most revolutionary thing since the change in Elizabethan poor laws.

Answering "yes" when asked whether he thought the welfare proposal stood a good chance of passing Congress, Finch admitted his prediction was based "not so much on the merits of our own case as the reaction to the existing system that is going to help us get the thing through."

Despite such cautious optimism, he told a National Press Club audience recently that he "would estimate the odds in the Congress to be running against any type of fundamental welfare reform right now." Taking a cue from campus militants, in this same speech he listed as "fundamental, nonnegotiable features" of the plan establishment of the following basic principles:

A national income floor, coverage for the working poor national eligibility standards and some measure of Federal administration.

It must be most disturbing to the silent Americans who elected Mr. Nixon to learn that liberal James Reston would write approvingly that their candidate, now president, "proposes more welfare, more people on public assistance . . . than any other President in the history of the Republic." Would they have voted for him if they had known?

In a column headed "Nixon Opens Door to Doctrines of the Left," Richard Wilson wrote:

Two novel ideas originating in the left of the political spectrum have now been introduced by a supposedly conservative Republican president. President Nixon has moved as fast or faster in this direction than a Democratic president would have been likely to be able to do.

Liberal Columnist Clayton Fritchey has characterized the minimum income principle as "that once most radical of socialist concepts." Despite the conservative veneer, the concept remains radical and it remains socialist. As Fritchey states:

A federal welfare program . . . is simply a minimum income plan under an old name:

Mr. Fritchey goes on to predict:

The United States is not more than a step or two away from adopting that once most radical of socialist concepts—a national minimum income guaranteed by the federal government. . . . Much of the credit must go to President Nixon for his unexpected income proposal. However inadequate it may be, it has undoubtedly accelerated acceptance of the principle of federal responsibility. And in the long run, it's the principle that counts the most.

Yes, it is the principle that counts the most. To abandon the original concept of relief as a means of helping those who are temporarily in need and to substitute a new concept of welfare denoting an obligation on the part of Government—that is, all the people—to care for those persons who are characterized as "poor" is a principle that should be vigorously opposed.

This is the nefarious concept of redistribution of income—with a healthy slice deducted for the administrative costs of Government bureaucracy—which has replaced the original idea of helping those temporarily in need.

A representative of the National Welfare Rights Organization, Mrs. Beulah Sanders, told the Ways and Means Committee:

Everybody in this country has the right to share the wealth and the middle class is getting it all.

In other words, the nonproductive and the producer must have equal access to our abundance—"to each according to his need." This policy is destructive of the very goals the President professes to seek for the poor—self-reliance, jobs, and independence from Government aid.

No spokesman appeared before the committee to tell its members that Federal giveaway programs are chipping away at the living standards of those who find themselves in the middle—those who were taught what some liberals apparently now consider an anachronism: "a man is entitled to the fruits of his labor."

#### PRESIDENTIAL SEMANTICS?

The President in announcing his welfare proposals declared that "This national floor under incomes for working or dependent families is not a 'guaranteed income.' During the presidential campaign last year I opposed such a plan. I oppose it now, and will continue to oppose it." Why then, if he still opposes a guaranteed income, does the President put his stamp of approval on a guaranteed income plan? No one seriously doubts that it is a guaranteed income plan. The President is engaging in political semantics.

Such semantic subterfuge brings to mind the following passage from "Alice in Wonderland:"

"When I use a word," Humpty Dumpty

said, in rather a scornful tone, "it means just what I choose it to mean—neither more nor less."

"The question is," said Alice, "whether you can make words mean so many different things."

"The question is," said Humpty Dumpty, "which is to be master—that's all."

So by whatever name, it is a guaranteed income, pure and simple. It is a plan leading to direct Federal provision of income maintenance to all of the poor, without regard to eligibility requirements, investigations or other administrative regulations. Obviously pressure for higher payments will mount in the future as living costs go up and States attempt to reduce their own welfare outlays. As the Federal stipend rises, more and more poor families with small outside earnings would be eligible. Couple this with the fantastic population increases which have been projected. You end up with a total cost that very nearly defies estimation.

It is interesting to note that even though President Nixon and some conservative Republicans who have announced their support of the program say it is not a guaranteed income plan, virtually everyone else thinks it is. The UAW thinks it is. The New York Times thinks it is. Those leftists who advocated this drastic step forward for years think it is.

As the New York Times put it, the only real difference between his proposal and a real guaranteed income "is more money than the administration believes it can afford now."

Applauding the President, the New York Times said:

Family security, a guarantee of basic annual income the poor long have lacked, has been recognized by no less than the President as the responsibility of government.

Herein lies the biggest danger. Recognizing it as a government responsibility starts the ball rolling. We all know what to expect next—a full-blown government spending program which will stagger the imagination.

To put to rest any doubt that it is considered as a guaranteed income plan, let me cite the memo which was sent by Daniel P. Moynihan, his urban affairs adviser, to President Nixon last June. Mr. Moynihan stated:

I am really pretty discouraged about the budget situation in the coming three to five years. I fear you will have nothing like the options I am sure you hoped for. Even more, I fear that the pressure from Congress will be high irresistible to use up what extra resources you have on a sort of 10% across-the-board increase in all the Great Society programs each year. This is the natural instinct of the Congress, and it is hard for the President to resist.

If your extra money goes down that drain, I fear in four years' time you really won't have a single distinctive Nixon program to show for it all. Therefore I am doubly interested in seeing you go up now with a genuinely new, unmistakably Nixon, unmistakably needed program, which would attract the attention of the world, far less the United States. We can afford the Family Security System (a form of guaranteed minimum income for families on welfare). Once you have asked for it, you can resist the pressures endlessly to add marginal funds to already doubtful programs.

This way, in 1972 we will have a record of solid, unprecedented accomplishment in a vital area of social policy, and not just an explanation as to how complicated it all was.

Like his recent comment calling for "benign neglect" in the racial area, Mr. Moynihan at least calls it straight. It is, in his own words as one of the principal presidential advisers in this field, a form of guaranteed minimum income for families on welfare. And, I might add, the way it came down to us from the White House it is also a form of guaranteed income for the working poor. Let us stop deluding ourselves. We know what it is.

What happened to the campaign talk about voluntary action, black capitalism working through the private sector? What a tragedy to end up with such a radical vehicle when the very actions the President advocated are available now as they were in the campaign.

#### RESPONSIBLE REFORM NEEDED

On how to solve the welfare mess there are divergent views. But there is near unanimity that it is a mess. Our present system is an abysmal failure, marked by inequities and abuses. It perpetuates dependence on welfare payments, with recipients now demanding bigger welfare checks with less Government supervision.

The growing costs of this welfare system to our society in both human and financial terms compel development of new initiatives to insure that all citizens have both the opportunity and responsibility to participate meaningfully and gainfully in our economy.

Although it is agreed generally that we need welfare reform, there is disagreement on what constitutes responsible welfare reform.

Alternatives to the burgeoning aid to families of dependent children program—AFDC—are eagerly to be welcomed, but implicit in this welcome is the requirement that the alternative be workable and financially feasible, given current national, State and local budget restraints. The family assistance plan, proposed to replace AFDC, is neither.

A new Federal minimum support level would be set for families of four at \$1,600, if there is no outside income. Each adult would get \$500 a year and each child would be entitled to \$300 annually, with no limit on the number of children eligible and no restrictions regarding illegitimate children. Any child-oriented allowance system is bound to produce an adverse effect on family size. Considering that a not insignificant number of unwed mothers have had 10, 11, 12, and sometimes more children on relief, it is not hard to envision the outrageous results of increased subsidization of children particularly at a time that population growth looms as a problem.

This unwise subsidy plan would more than double the number of individuals receiving a Federal handout. Recent estimates put the total at 25 million Americans, an increase of 2.6 million over the number of beneficiaries announced last August when the plan was unveiled. It is shocking to think that anyone would propose that 11 percent of the U.S. population be subsidized by the taxpayers. If these were dark, depression days

such a burden might be understandable. But these are times of general prosperity and unequal opportunity for gainful employment.

One of the evils the President seeks to eliminate in his replacement of AFDC is State to State because "no child is worth more in one State than in another." Such an assertion, however much emotional political appeal it may have, avoids the truly relevant consideration. What a child needing support may be "worth" is not the question; the pertinent question is: What is the cost of adequately supporting a child in a particular location? What are the taxpayers willing to pay?

The cost of providing shelter and clothing is not by any means standard throughout the country. The wide divergences in prevailing income and living standards among the States is illustrated by the 1960 census finding that the median money income of families in Connecticut was 138 percent greater than that of families in Mississippi. Therefore, differences in welfare payments for dependent children in different areas of the country do not necessarily involve unequal support. Rather, a uniform minimum national income would create more serious problems than any it might solve. Economist Henry Hazlitt predicts that a national guarantee "would be so high compared with prevailing incomes in the Deep South as to tempt a third or more of the population to quit their jobs and climb aboard the welfare wagon, or to draw supplemental handouts. This could put a tremendous strain on the State budgets that could least afford it."

#### ONLY THE BEGINNING

Already the push is on for more lavish handouts. George A. Wiley, executive director of the National Welfare Rights Organization, denounced the proposed \$1,600 minimum for a family of four as entirely inadequate and urged that it be increased to \$5,500. This reaction is not surprising in view of his statement that—

Welfare is a right. We look on the growth of welfare rolls as a healthy thing.

The AFL-CIO executive council described the administration's welfare reform proposal as "manifestly inadequate," and said most of the changes it wants are contained in a bill recently introduced in the other body. This measure would guarantee all the Nation's poor a federally subsidized income set at the Government-decreed "poverty level" which is now \$3,600 and supposedly would cost about \$7 billion in its first year.

Even administration spokesmen acknowledge that the welfare proposals are just a beginning. One of the administration's chief lobbyists for the measure, Deputy Assistant Secretary of HEW Robert E. Patricelli, is quoted as saying:

First and quite properly, our critics point out that the Family Assistance Plan is not universal in its coverage. It does not provide federal assistance to non-aged childless couples or single persons. But that omission in

the plan traces not to any disagreement in principle with the need to cover such persons, but rather to the need to accommodate to what we hope will be short-term budgetary limitations.

Within the \$4.4 billion available, we chose to place our emphasis upon families with children, but there is no disagreement in principle that the system should be made universal when resources permit.

Note this statement well. Here a Republican administration, not a Democrat administration, is using the old foot in the door approach. "Give us the vehicle, we will take it from there," they are in effect saying.

Patricelli further remarked that it is "certainly the case" that the proposed \$1,600 payment to a family of four is "far from adequate." He said the administration has never suggested that the family assistance plan provides a "guaranteed adequate income." He said:

When and if the budgetary situation improves, we might look toward increases in the federal base payment.

Anyone who will take the time to look cannot fail to see the handwriting on the wall. Once the groundwork is laid the familiar Washington "Topsy" syndrome will manifest itself. It will grow, and grow, and grow.

A spokesman for the Socialist Workers Party has declared that a family of four needs over \$10,000 to maintain a decent standard of living and labels the proposed welfare floor of \$1,600 a "starvation formula." The proposed work requirement is viewed as "only another way of supplying low-wage labor to cheapskate companies."

So the chorus of "not enough, we want more" has begun even before the legislation has been drafted and approved. And already the professional welfare advocates are charging that the work requirements of the Nixon plan would amount to "involuntary servitude" and labeling them as "punitive and repressive."

Operating under a Labor Department grant authorizing study of the Federal work incentive program, National Welfare Rights Organization officials lectured welfare recipients at a 2-day seminar on "how they could avoid job training or work under the new work incentive program." Repeat: how they could "avoid" job training or work under the administration program. Workfare is a joke, I fear, but it will be the recipients, not the taxpayers who will be laughing.

The professional welfare recipients are undoubtedly encouraged in their militancy by recent court decisions in their favor. In 1968 the Supreme Court struck down the "man in the house" rule which, with local variations, barred aid to families if an able-bodied adult male lived with them. In May of last year the Supreme Court upheld a special Illinois Federal court decision which ruled that States and localities could no longer impose residency requirements on those applying for welfare payments. Previously, most States required at least a year's residency before a needy person could be eligible for welfare payments. This rule was aimed especially at those

who moved into a State with a higher payment scale for the specific purpose of getting on relief. A New York Federal court has recently held that welfare investigators no longer have the right to visit homes of welfare recipients to verify that the requirements of the law are being met.

The professional welfare recipients will not be happy until they have carte blanche to the producers' pockets. "Give us the money with no questions asked," they say.

#### LACK OF SCRUTINY

To receive a Government check, an applicant would merely be required to fill out a simple statement of need, stating what he expects his income to be in the benefit period. Monthly amounts would then be mailed directly to recipients from the Social Security Administration without preliminary investigation. Spot checks would be conducted on a random basis, much like the Internal Revenue Service's practice. Unlike the IRS practice, however, falsification of welfare applications carries no severe penalties. Without sanctions provided for those caught cheating on welfare—and with only spot checks most fraud would go undetected—the entire program could become a haven for chiselers and loafers.

Experience has shown that with the relaxation of means tests and other welfare restrictions welfare rolls and costs increase dramatically. Some safeguards to insure the proper disbursement of welfare aid are essential.

#### "WORKFARE" AN ILLUSION WHICH FAILED BEFORE

By emphasizing the "workfare" aspects of the bill, the President has convinced many conservative Americans that a large segment of the welfare population will be gainfully employed as a condition precedent to receiving continued assistance. This is a totally unrealistic expectation and does not square with the facts. Although in theory the Nixon plan may offer incentives for heads of families to seek gainful employment, I believe it will not prove true in practice.

Since 1967 AFDC has had what amounts to a work requirement and a work incentive under the WIN program. Even a key author of that plan, Chairman WILBUR MILLS of the House Ways and Means Committee, conceded that it has failed to live up to expectations:

I have been greatly disappointed with the performance so far of the 1967 amendments, even though there is a requirement for training.

The Department of Health, Education, and Welfare—which coadministers WIN with the Department of Labor—originally prophesied that as a result of the WIN program "an estimated 900,000 to 1 million persons might be expected to secure employment and become self-supporting. When account is taken of their families, those employed persons could represent a reduction of 3 to 4 million persons of AFDC rolls over a 6-year period." HEW also estimated that an average of 1.4 million people would

be eligible for enrollment in WIN every year.

How accurate were these predictions? Since the adoption of the WIN program in 1967, only 92,000 people have actually enrolled in the program. Of this number, only 13,000 have found employment following training, according to data released by Labor Secretary George Shultz. The estimate was off by nearly 99 percent.

The present welfare establishment in our States and localities apparently has made little or no effort to administer these provisions, and where they have been tried the welfare rolls have continued to grow. There is little prospect for improvement if, as is widely expected, the local welfare bureaucracies retain their power and existence on contract from the Social Security Administration under the Nixon plan.

Certainly the failure of the WIN program to date should give us pause before we push ahead with the President's massive welfare reform measure which is keyed to a variation of the WIN program.

Particularly is this so when we are told that the work requirement is the factor which distinguishes the administration proposal for a guaranteed annual income—which the President still claims to oppose. Since the requirement is based on a rejuggled version of a work incentive program that has largely failed to accomplish its objectives, and since approximately 95 percent of intended beneficiaries would be excluded from that work requirement—and who knows how many of the remaining 5 percent after determinations are made as to suitability and proximity of the job?—the distinction becomes virtually meaningless.

In expressing the rationale for the work incentive provisions of the 1967 amendments to the Social Security Act, Chairman MILLS said:

We should take care of people in need, yes. That is the American way of life, but when you confine the matter of taking care of people in need to the mere handout of the dollar, you have not done one thing to help that person in need, because the minute the dollar is gone, he is still in that same position.

He went on to say that the answer is work training and the provisions of that bill would subject appropriate candidates for training and work. But, as we have seen, the performance fell far short of the promise.

Why has the WIN program accomplished so much less than the stated expectations? In a Library of Congress report Frederick B. Arner, chief of the Library's Education and Public Welfare Division, explains it this way:

There are many possible reasons for the lack of progress of WIN but little definite information as to which reasons predominate. The possible reasons include WIN's inherent division of authority and responsibility between the Departments of Labor and HEW, the inability of staff at the Federal level to provide adequate supervision and effective program direction and coordination, the failure of the States to carry out certain parts of the Federal law and regulations, the residue of resentment at both the State and Federal level between the labor and welfare bureaucracies which was built up during the

administration of the Work Experience program and during the legislative consideration of the WIN program, the inability of the State employment offices to set up training programs with the rapidity which was initially claimed, the lack of referrals attributable to a lack of confidence in the usefulness or appropriateness of such programs, the lack of development of adequate child-care programs, and finally, the almost total lack of implementation of the special work projects.

Several years ago New York City—which currently has 1.1 million welfare recipients in its metropolitan area—began a demonstration project offering work incentives to the 200,000 families receiving aid to dependent children. Although these incentives were larger than those in either the 1967 law or the Nixon plan, the Wall Street Journal reports that only 235 people actually worked themselves off the welfare rolls—an astoundingly low one-tenth of 1 percent.

Again I ask: Does it make any sense to premise a massive new welfare scheme on what is essentially a sugar-coated version of a program that has been notably unsuccessful? We have seen no statistical data which prove that programs designed to get people of welfare rolls and on to payrolls work. Why, therefore, is the administration urging the adoption, on a nationwide scale, of a program costing billions of dollars, the presumed efficacy of which is for the most part speculative?

The greatest work incentive is money—money not, as under the Nixon plan, from the Government, but from private employers who pay for a day's work.

It is proposed that all employable recipients would lose their benefits—benefits to the rest of the family would not be affected—if they refuse to accept training or suitable employment. Assuming a particular recipient is deemed deficient in work skills and placed in a training program, what happens if, after completion of the training, no "suitable" employment is available to him or he refuses to accept a job? Having taken that training under the "either-or" language of the proposed law, is he then forevermore entitled to benefits?

But I oppose inclusion of a work requirement—not because I object to the principle as such, but because there is no evidence that such a requirement would or could be administered either by the Federal Government or by the local welfare bureaucracies. The presence of a work requirement has confused the central issue—the distinction to be made between the working poor and the nonworking poor—and has raised false hopes in the minds of the taxpayers who are being asked to fund the Nixon plan. It is a typical example of using conservative rhetoric to cover up a socialistic boobytrap.

Work would be required only if "suitable jobs are available either locally or at some distance if transportation is provided." What is a "suitable" job? Will such jobs as car washing, window cleaning, laundry work, garbage collection be considered "suitable"? And how far from home is "some distance" and is it further in the city than it is in the country? This will be determined under guidelines to be established by the Secretary of

Labor. Experience with guidelines for other Federal aid programs has shown that problems of interpretation and implementation will abound. And the usual result is that they become more liberal and more liberal and more liberal.

Knowing something about the language of the bureaucrat and the manner in which they implement laws to circumvent even our most obvious intent, I wrote Secretaries Finch and Shultz. Their Departments will implement this welfare program. Their answers to these questions would be most illuminating but I doubt that many specifics will be forthcoming. The letter follows:

DEAR SECRETARY FINCH: Believing, as President Nixon has said, that the present welfare system has "failed us," we would like very much to be able to support the Administration's reform proposals when they reach the floor of the House of Representatives. However, we also believe, as the President has said, that in dealing with such matters one should "abandon the ivory tower and consider the real world in all we do." This being the case, there are several crucial questions which we feel must be answered before we can offer that support:

1. Workfare: In his August 11, 1969, Welfare Reform Message, President Nixon stressed that under his plan "all employable persons who choose to accept welfare payments be required to register for work or job training and be required to accept that work or training, provided suitable jobs are available either locally or if transportation is provided. . . . For an employable person who chooses not to work, neither the present system nor the one we propose would support him, though both would continue to support other dependent members in his family. . . . No able-bodied person will have a 'free ride' in a nation that provides opportunity for training and work."

The idea that we ought to get people off welfare rolls and onto payrolls is an admirable goal; but the question is, what proof do we have that work-incentive programs work? Indeed, evidence to the contrary seems to abound.

In a June, 1969, report on the Work Incentive (WIN) Program, Frederick B. Arner, Chief of the Library of Congress' Education and Public Welfare Division, wrote:

"The WIN program is off to a slow start. Almost every element of the program has been disappointing in terms of the objectives which Congress expressed during the consideration of the Social Security Amendments of 1967 and those declared by the executive agencies after the legislation's enactment. In terms of individuals enrolled in education and training, day-care services provided, and the ultimate test of the program—welfare recipients who became self-sufficient—the program has accomplished less than stated expectations. . . . If performance to date is indicative of the future, there may be a sizeable gap between stated expectations and the results. Thus far the program has had a history of missed estimates and revised estimates, only to be missed again."

While these criticisms are now some eight months old, a recent phone call to Mr. Arner has reaffirmed their validity.

Another report, completed earlier this year by the Auerbach Corporation for the Department of Labor, voiced similar criticisms of the WIN program. Thus, it seems that information as to the positive aspects of work training programs is lacking. As Mr. Arner has written in another report on work and training programs in general:

"Statistics currently available for the programs, for instance, cannot answer the basic question of what has happened to graduates of the programs. Are they working or are

they on welfare? Moreover, we have very little good data to show the relationship between the jobs trained for and the jobs obtained, the previous and subsequent work history of trainees, the employment rates and average wages of various groups of participants, the attitudes of trainees toward the program, etc."

All of which brings us to the central question of workfare: Do you have statistical data which proves, beyond a reasonable doubt, that programs designed to get people off welfare rolls and on to payrolls work? If not, why are we urging the adoption, on a nationwide scale, of a program costing billions of dollars, the presumed efficacy of which is for the most part speculative?

2. Suitable Jobs: What are suitable jobs? In an appearance several weeks ago on William F. Buckley, Jr.'s TV show "Firing Line," Presidential Advisor Daniel P. Moynihan was pressed on this subject and said:

"One of the things that is kind of discouraging about our time is the degree to which the upper middle-class has persuaded a lot of working people to devalue the only human experience available to them, which is, you know, what's wrong with being a porter, what's wrong with pushing a truck in the garment district, what's wrong with being a bartender? I mean, they're jobs you know, they have to be done, and there's nothing wrong with doing them."

We would like to know, specifically, what the Secretary of Labor considers to be "suitable" employment for a welfare recipient. Domestic work? Digging ditches? What is unsuitable? Also, we would like to know, again specifically, what he considers to be a "good cause" for not participating in "suitable" manpower services, training or employment?

Moreover, what can be done to insure against the type of thing where the Department of Labor continues a \$435,000 Work Incentive Program (WIN) contract with a group like the National Welfare Rights Organization whose leader is quoted in newspaper stories as having lectured welfare recipients on how to avoid job training?

3. Working Poor: What percentage of the total cost of the President's welfare reform proposals will go to the working poor? All statistics seem to indicate that the upward mobility of our economy is slowly but surely taking care of the working poor and they are steadily declining as a class in America. If this is true, why a new Federal program to deal with a problem which appears to be solving itself?

4. Enforcement: In an alternative welfare reform proposal submitted to Ways and Means Committee Chairman Wilbur Mills, the American Conservative Union has charged that by emphasizing the "workfare" aspects of his plan, the President has unintentionally misled many Americans into believing that there is a known formula for inducing or compelling large numbers of welfare heads of households to go to work when this is not the case. The ACU report says: "The present welfare establishment in most of our states and localities has made little or no effort to enforce mandatory work requirements; and where they have tried, welfare rolls have continued to grow." The ACU sees little prospect for improvement under the Nixon proposals. How do you answer this? What will be the enforcement procedures? What will be the penalties for violating them?

5. Goods and Services: Some, Harvard Professor Edward Banfield for one, have urged that the non-working poor be given goods and services rather than cash; i.e., medical stamps, housing stamps, etc. Do you have any idea why this idea was discarded in favor of the cash subsidy?

To sum up, we all applaud Secretary of HEW Robert Finch's recent testimony be-

fore the House Ways and Means Committee in which he said that the two principal reasons for the Nixon welfare reform proposals are to "support and nourish the work ethic" and to provide "proper incentives" for welfare recipients to leave the rolls and work.

The purpose of this letter is to try and ascertain whether or not there is a basis in fact for these noble aspirations.

#### SUPPLEMENTING, NOT SUPPLANTING

Although the welfare package is being advertised as a substitute for the present chaotic system, this program would not in fact supplant, but merely supplement, all other welfare programs on the books. Only the AFDC program would be eliminated. All the others—food stamps, free school lunches, the war on poverty, and so forth—would continue unabated, with ever higher appropriations.

It was at first alleged that the food stamp program would be phased out with a corresponding reduction in cost. Families who had been receiving the stamps would be expected to purchase food with the cash they receive under the new family plan. The President's welfare message stated: "For dependent families there will be an orderly substitution of food stamps by the new direct monetary payments."

Once the proposed abolition of food stamps was announced, however, there followed a classic case of Government reversal under organized liberal pressure. Before the year was out the administration announced it would support a doubling of present annual appropriations for the food stamp program. Thus each family of four will receive not only a federally guaranteed income of \$1,600—which excludes additional State payments—but also an additional food stamp allotment which would bring the total federally paid income to more than \$2,400 annually.

The new programs, therefore, are not "instead of." They are "in addition to." We cannot solve the welfare mess by merely adding one more jerry-built program to the heap. This would serve only to further institutionalize a permanent class of welfare recipients. Once again we see conservative rhetoric and liberal action.

The Nixon proposals are being embraced by some on the thesis that any alternative is bound to be superior to the present indisputable welfare quagmire. This is an erroneous assumption for we are not truly being offered an alternative but rather a huge and costly extension of more of the same.

Furthermore, we have but sketchy results and fragmentary data from the few pilot projects testing the theories which underpin the administration's proposals. Certainly the administration should be able to cite some hard data that would tend to prove that these utopian theories have at least a chance of achieving a modicum of success in practice before making such grandiose claims and imposing a greater onus on the already straining and complaining taxpayer. Strange indeed that this massive spending proposal comes from a party and a President that campaigned on a platform of cutting Federal spending and lowering taxes I would hate to

see this administration remembered as the "Welfare Deal," responsible for making the dole a way of life.

The answer to the question "Why this headlong rush into an uncharted wilderness before the results of our Federal pilot projects are analyzed?" probably comes in the memo from Daniel Moynihan, already cited. He urged this program for the political credit that could be gained. I doubt there will be much credit, political or otherwise. It certainly is not the type of program that I want to claim.

#### GUARANTEED ANNUAL INCOME

Noted economist Henry Hazlitt, in his new book, "Man Versus the Welfare State" reminds us that often you hear the guaranteed income disguised under euphemisms such as "income maintenance" or "negative income tax." As he points out:

Trick names of this sort corrupt the language and confuse thought. It would hardly clarify matters to call a handout a "negative deprivation" or having your pocket picked "receiving a negative gift."

Joining many other informed writers covering all points of the political spectrum in showing that the Nixon plan is a radical proposal in conservative dress, Hazlitt states:

[The President] put forward this radical proposal in the language of conservatism. He said that the last third of a century had "produced a bureaucratic monstrosity" and "left us a legacy of entrenched programs." Then he proposed a plan that can only make the bureaucratic monstrosity more monstrous and create still bigger and more entrenched programs.

Shortly before the President sent the Congress his welfare message last year, U.S. News & World Report made the following statement:

Unless Mr. Nixon rejects the counsel of most of his advisers on domestic affairs, he will soon be sending to Congress the most liberal welfare program ever proposed by a President of either major party.

Does anybody honestly think this is what people voted for in the last election? If we had told the American people that we would implement a guaranteed annual income program, they might have preferred the Democratic Party, which has demonstrated real expertise in promoting spending sprees. If our Republican leaders have decided that we do not want to be the type of responsible party we have been, let us at least be honest enough to tell the people this in direct and clear language.

Many economists have pointed out that adoption of a guaranteed annual income could cause severe distortions in the economy. They cite the inherent "disincentive" against work in the plan, which could cause manpower shortages in low-paying jobs. With the pages of most metropolitan newspapers already filled with job openings for domestic and unskilled labor employees, the day is foreseeable when almost everyone who would ordinarily have to accept such employment would elect instead to receive a Government paycheck. To counter this trend, employers would have to offer even



higher wages, intensifying inflationary pressures.

The basic difficulty presented by the Nixon plan and all other forms of the guaranteed annual income is the attempt to reconcile several irreconcilable goals. There is the need to provide an adequate relief payment to families with little or no earnings; to offer strong work incentives; to minimize or avoid payments to those who do not need them; and to hold down the cost of the total program. Perhaps most dangerous of all, the guaranteed annual income, once accepted as a basic principle of the welfare system, would seem to exclude forever welfare as a matter of temporary relief. Welfare would henceforth be enshrined as the right of every American. The ultimate extension of such a principle would lead to a situation in which, as the late Senator Robert A. Taft once warned, "finally the Government would take all of your income and the Government would decide what each person would need."

The skeptic should consider the fact that the average taxpayer already works nearly 5 months of the year just to pay his total tax load. And for every \$100 added to the basic guarantee, the estimated cost is \$440 million.

**WORKING POOR DO NOT NEED  
THIS KIND OF HELP**

The most radical and potentially costly feature of the Nixon plan—income supplements for the working poor—addresses itself to a problem rapidly being solved by the American economy. Under this provision, in figuring payments to a family of four, the government would disregard the first \$750 earned annually, and for every dollar earned thereafter, the wage earner could still retain a matching 50 cents of his welfare payments. Thus one earning \$720 annually would receive a Federal income supplement which would produce a total income of \$2,320. A family with \$2,000 annual wages would still receive another \$960 in Federal funds. If the family earned \$3,000, it would get \$300. The family would have to earn \$3,920 before it would no longer be eligible for Federal payments.

All statistics seem to indicate that the upward mobility of our economy is slowly but surely taking care of the working poor and they are steadily declining as a class in America. If this is true, why a new Federal program to deal with a problem which appears to be solving itself? And why jeopardize the traditional work ethic and upward mobility of the American working poor?

The one poverty group that is not declining is poverty-level homes headed by women. Statistics show that the crisis is not among the poor in general, but among poor families without fathers. What is needed is the sharpest possible distinction between the working poor and the nonworking poor, for the simple reason that it is bad policy to involve an industrious, hard-working group of families, rapidly declining in numbers, with the problems of a very specialized and very troubled poverty substratum.

It is the gravest failing of the family security proposal that it confuses and blurs the lines between these two groups, putting the working, upwardly mobile poor under a structure designed to encourage people with very different motivational and societal problems. Lumping the working poor under the same umbrella with the nonworking poor is the surest way to adversely affect the behavior of the larger group.

Welfare should remain a program of public assistance for the aged, the blind, the handicapped, the young, and those in need through no fault of their own. The numbers of these deserving poor, with the exception of children, remain fairly constant. For all the others, only a program leading to jobs and to self-sufficiency can succeed in reducing the welfare burden. To this end, welfare should be made less attractive as a financial crutch and less rewarding to the indolent. It should offer fewer rewards to the two million mothers on AFDC who have borne almost five million children they cannot afford to support.

**ANOTHER POLITICAL FOOTBALL**

It is worth noting that welfare recipients, their number multiplied under the administration's proposal, would then comprise a large and powerful voting group. Politicians in and out of office would attempt to "buy" their votes by offering the largest increases in benefits and extensions of coverage. As with other political footballs, it will be kicked at the expense of the taxpayers.

It is questionable how long representative government would last in a country wherein a sizable voting bloc was directly dependent upon the party in power for food, clothing, and shelter. I cannot think of anything that will bring about a quicker dissolution of our system than a guaranteed annual income, the level of which is determined by the "type" of Congressman and Senator the voters elect. Auction block politics already a budding threat to our system, would become a stark reality.

Those who will be paying the bills for these handout programs as time goes by will find their numbers decimated as more and more people line up on the receiving end. Conceivably the working middle class could become the working poor and then we would have to start all over again.

**WHAT IS NEEDED**

It is essential that we recognize that occupational rehabilitation is the only constructive, mutually beneficial solution to the problems of able-bodied, needy American adults with a work potential.

In enacting welfare legislation the Federal Government should promote an understanding that any "right" of family heads with children in need to receive welfare from the community embodies a reciprocal responsibility of these adults to avail themselves of public literacy and training opportunities for jobs.

The major failure of existing welfare programs has been their total inability to help recipients break the poverty cycle. Welfare rolls are like treadmills.

People are fed, to some extent they are housed—they are helped only to the extent that they are sustained from day to day. But they need to be trained to help themselves; to do this they need jobs and they need education. If a manpower program can take a man now on the welfare rolls, help him to train for a job and become self-sufficient, then it can break the cycle which keeps him and his family a ward of the Government.

So I would view manpower training and education as the key to breaking the poverty cycle. But not as embodied in the illusory "workfare" provision of this bill, which even an administration spokesman recently conceded as "more form than substance."

Probably private industry should assume a much larger area of responsibility in the field of vocational training. This approach has a good chance of success when after training the individual is actually placed in a job with a future with the firm providing the training.

The new training opportunities proposed in the bill could simply become a revolving door through which potential employees pass without obtaining employment.

**WILL WE EVER LEARN?**

In a 1935 message to Congress, President Franklin D. Roosevelt said:

The Federal government must and shall quit this business of relief—continued dependent upon relief induces a spiritual and moral disintegration, fundamentally destructive to the national fibre. To dole out relief in this way is to administer a narcotic, a subtle destroyer of the human spirit.

Will the American people never ever tire of such rhetoric from their leaders? Will they ever catch on? Have we not learned anything in 35 years? One more Trojan horse on the way.

**LEAVE OF ABSENCE**

By unanimous consent, leave of absence was granted to:

Mrs. REID of Illinois (at the request of Mr. ARENDS), on account of illness, for March 4, 1970.

Mr. BARING (at the request of Mr. JOHNSON of California), for today, on account of official business.

(The following Members, at the request of Mr. GERALD R. FORD:)

Mr. SAYLOR, for today, on account of influenza.

Mr. CONABLE, for today, on account of official business.

Mr. CAMP, for today, on account of influenza.

Mr. McCLOSKEY, for today, on account of official business.

**SPECIAL ORDERS GRANTED**

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PUCINSKI, for 60 minutes, today.

Mr. O'HARA (at the request of Mr. MONTGOMERY), for 30 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. HECHLER of West Virginia, for 1 hour, on March 5; to revise and extend his remarks and include extraneous matter.

Mr. DEVINE, for 15 minutes, today; to revise and extend his remarks and include extraneous matter.

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

Mr. POFF, for 15 minutes, today.

Mr. CONTE, for 15 minutes, on March 5.

Mr. MILLER of Ohio, for 5 minutes, today.

Mr. STEIGER of Arizona, for 10 minutes, today.

Mr. STEIGER of Wisconsin, today, for 30 minutes.

Mr. HALPERN, today, for 10 minutes.

Mr. ASHBROOK, today, for 30 minutes.

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

Mr. ROONEY of New York, for 15 minutes, today.

Mr. GONZALEZ, for 10 minutes, today.

#### EXTENSION OF REMARKS

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

Mr. MADDEN and to include extraneous matter.

(The following Members (at the request of Mr. WYLIE) and to include extraneous matter:)

Mr. BUSH in two instances.

Mr. HALL.

Mr. BROWN of Michigan.

Mr. ARENDS.

Mr. BROWN of Ohio.

Mr. DERWINSKI in two instances.

Mr. CONTE.

Mr. GERALD R. FORD in five instances.

Mr. MIZE.

Mr. ZWACH.

Mr. FRELINGHUYSEN.

Mr. SCHERLE in three instances.

Mr. DUNCAN.

Mr. GOODLING.

Mr. LLOYD.

Mr. GUDE in two instances.

Mr. REID of New York in two instances.

Mr. WIGGINS.

Mr. HORTON.

Mr. RAILSBACK in three instances.

Mrs. HECKLER of Massachusetts.

Mr. PELY in three instances.

Mr. HOGAN.

Mr. ASHBROOK.

Mr. ADAIR.

Mr. SCHWENDEL.

(The following Members (at the request of Mr. PUCINSKI) and to include extraneous matter:)

Mr. DADDARIO in five instances.

Mr. ROSENTHAL in five instances.

Mr. SCHEUER.

Mr. KOCH.

Mr. RODINO.

Mr. FASCELL in two instances.

Mr. CHARLES H. WILSON.

Mr. GONZALEZ in two instances.

Mr. WALDIE in three instances.

Mr. WOLFF in two instances.

Mr. ANDERSON of California.

Mr. RYAN in three instances.

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Mr. PREYER of North Carolina in two instances.

Mr. FRIEDEL in two instances.

Mr. EVINS of Tennessee.

Mr. JACOBS.

Mr. O'HARA.

Mr. OTTINGER.

Mr. HATHAWAY.

(The following Members (at the request of Mr. MONTGOMERY), and to include extraneous matter:)

Mr. GALLAGHER in two instances.

Mrs. GREEN of Oregon.

Mr. DINGELL.

Mr. EVANS of Colorado.

Mr. BOLLING.

Mr. BINGHAM in two instances.

Mr. MONAGAN in three instances.

Mr. DORN in two instances.

Mr. JOHNSON of California in two instances.

Mr. EVINS of Tennessee.

Mr. DULSKI.

Mr. HAGAN in two instances.

#### 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. 8020. An act to amend title 37, United States Code, to provide entitlement to round trip transportation to the home port for a member of the Uniformed Services on permanent duty aboard a ship overhauling away from home port whose dependents are residing at the home port; 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.

#### SENATE ENROLLED BILL AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled bill and a joint resolution of the Senate of the following titles:

S. 2701. An act to establish a Commission on Population Growth and the American Future; and

S.J. Res. 180. Joint resolution to provide for a temporary prohibition of strikes or lock-outs with respect to the current railway labor-management dispute.

#### BILL PRESENTED TO THE PRESIDENT

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

H.R. 11702. An act to amend the Public Health Service Act to improve and extend the provisions relating to assistance to medical libraries and related instrumentalities, and for other purposes.

#### ADJOURNMENT

Mr. MONTGOMERY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 33 minutes p.m.), the

House adjourned until tomorrow, Thursday, March 5, 1970, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1725. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved according certain beneficiaries third and sixth preference classification, pursuant to the provisions of section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

1726. A letter from the Assistant Commander for Contracts, Naval Facilities Engineering Command, Department of the Navy, transmitting a semiannual report on military construction contracts awarded on other than a competitive bid basis to the lowest responsible bidder for the period July 1-December 31, 1969, pursuant to the provisions of section 704, Public Law 91-142; to the Committee on Armed Services.

1727. A letter from the Assistant to the Commissioner, government of the District of Columbia, transmitting a draft of proposed legislation to provide additional revenue for the District of Columbia, and for other purposes; to the Committee on District of Columbia.

1728. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to extend, consolidate, and improve programs under the Library Services and Construction Act; to the Committee on Education and Labor.

1729. A letter from the Comptroller General of the United States, transmitting a report on the implementation of the accounting system for operations in the Department of Defense; to the Committee on Government Operations.

1730. A letter from the Comptroller General of the United States, transmitting a report on procedures to be improved for determining what constitutes a farm, for purposes of subsidy payments under the U.S. sugar program, Agricultural Stabilization and Conservation Service, Department of Agriculture; to the Committee on Government Operations.

1731. A letter from the Deputy Administrator, National Aeronautics and Space Administration, transmitting a report on the disposal of certain foreign excess property pursuant to the provisions of section 404(d) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 514); to the Committee on Government Operations.

1732. A letter from the Governor of the Canal Zone and the President of the Panama Canal Company, transmitting a report of disposal of foreign excess property for the year 1969, pursuant to the provisions of section 404(d) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 514); to the Committee on Government Operations.

1733. A letter from the Chief, Forest Service, U.S. Department of Agriculture, transmitting a copy of the river plan for the Middle Fork Feather River, Calif., pursuant to the provisions of subsection 3(b) of the Wild and Scenic Rivers Act (82 Stat. 906-918); to the Committee on Interior and Insular Affairs.

1734. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting plans for works of improvement involving more than 4,000 acre-feet of total capacity, pursuant to the provisions of section 5 of the Watershed Protection and Flood Prevention Act, as amended; to the Committee on Public Works.

### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HALEY: Committee on Interior and Insular Affairs. S. 227, an act to provide for loans to Indian tribes and tribal corporations, and for other purposes; with amendments (Rept. No. 91-864). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 15945, a bill to authorize appropriations for certain maritime programs of the Department of Commerce; with amendments (Rept. No. 91-865). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee of conference. Conference Report on H.R. 13300. (Rept. No. 91-866). Ordered to be printed.

Mr. COLMER: Committee on Rules, House Resolution 867. Resolution providing for the consideration of House Joint Resolution 1112, a joint resolution to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employees (Rept. No. 91-867). Referred to the House Calendar.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. House Joint Resolution 1112, a joint resolution to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employees; with amendments (Rept. No. 91-868). Referred to the House Calendar.

### PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BIAGGI:

H.R. 16278. A bill to amend section 703 of the Housing and Urban Development Act of 1965 to liberalize and make more effective the program of grants for neighborhood facilities, including single-purpose as well as multipurpose facilities, and for special planning grants; to the Committee on Banking and Currency.

By Mr. BURTON of Utah:

H.R. 16279. A bill to amend the Water Resources Research Act of 1964, to increase the authorization for water resources research and institutes, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BUTTON:

H.R. 16280. A bill to amend title 13, United States Code, to provide for a mid-decade census of population, unemployment, and housing in the year 1975 and every 10 years thereafter; to the Committee on Post Office and Civil Service.

By Mr. DENNEY:

H.R. 16281. A bill to raise the Veterans' Administration to the status of an executive department of the Government to be known as the "Department of Veterans' Affairs"; to the Committee on Government Operations.

By Mr. FLYNT:

H.R. 16282. A bill to amend title 44, United States Code, to provide for 98 copies of the daily edition of the Congressional Record to be furnished to each Representative, and Resident Commissioner in Congress; to the Committee on House Administration.

By Mr. HAYS:

H.R. 16283. A bill to amend title XVIII of the Social Security Act to provide payment

for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. HORTON:

H.R. 16284. A bill to amend the Railroad Retirement Act of 1937 to provide a full annuity for any individual (without regard to his age) who has completed 30 years of railroad service; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of California:

H.R. 16285. A bill to amend the Water Resources Research Act of 1964, to increase the authorization for water resources research and institutes, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MIZELL (for himself, Mr. LANDGREBE, and Mr. RHODES):

H.R. 16286. A bill to establish nondiscriminatory school systems and to preserve the rights of elementary and secondary students to attend their neighborhood schools, and for other purposes; to the Committee on Education and Labor.

By Mr. MOLLOHAN:

H.R. 16287. A bill to provide for the orderly expansion of trade in manufactured products; to the Committee on Ways and Means.

By Mr. MONTGOMERY:

H.R. 16288. A bill to amend title 10 of the United States Code so as to permit members of the Reserves and the National Guard to receive retired pay at age 55 for non-Regular service under chapter 67 of that title; to the Committee on Armed Services.

By Mr. PHILBIN:

H.R. 16289. A bill to authorize the disposal of natural ceylon amorphous lump graphite from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

H.R. 16290. A bill to authorize the disposal of refractory grade chromite from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

H.R. 16291. A bill to authorize the disposal of chrysotile asbestos from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

H.R. 16292. A bill to authorize the disposal of corundum from the national stockpile; to the Committee on Armed Services.

H.R. 16293. A bill to authorize the disposal of industrial diamond crushing bort from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

H.R. 16294. A bill to authorize the disposal of industrial diamond stones from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

H.R. 16295. A bill to authorize the disposal of natural battery-grade manganese ore from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

H.R. 16296. A bill to authorize the disposal of mercury from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

H.R. 16297. A bill to authorize the disposal of molybdenum from the national stockpile; to the Committee on Armed Services.

By Mr. RIVERS:

H.R. 16298. A bill to amend section 703(b) of title 10, United States Code, to extend the authority to grant a special 30-day leave for members of the uniformed services who voluntarily extend their tours of duty in hostile-fire areas; to the Committee on Armed Services.

By Mr. ROBISON:

H.R. 16299. A bill to amend the Internal Revenue Code of 1954 and title II of the Social Security Act to provide a full exemption (through credit or refund) from the

employees' tax under the Federal Insurance Contributions Act, and an equivalent reduction in the self-employment tax, in the case of individuals who have attained age 65; to the Committee on Ways and Means.

By Mr. SLACK:

H.R. 16300. A bill to amend title 38 of the United States Code to liberalize the provisions relating to payment of pension, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CRAMER:

H.R. 16301. A bill to amend title XVIII of the Social Security Act to provide payment for the services of a chiropractor, a naturopath, a podiatrist, or other licensed practitioner of the healing arts, under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. DELLENBACK:

H.R. 16302. A bill to require disclosure of political campaign financing in the District of Columbia; to the Committee on the District of Columbia.

By Mr. JACOBS:

H.R. 16303. A bill to amend the Public Health Service Act to authorize the Secretary of Health, Education, and Welfare to undertake a program to encourage full utilization of training programs for allied health professions; to the Committee on Interstate and Foreign Commerce.

H.R. 16304. A bill to make bribery of State and local officials a Federal offense punishable to the same extent as bribery of Federal officials; to the Committee on the Judiciary.

By Mr. MILLER of Ohio:

H.R. 16305. A bill to amend title II of the Social Security Act to provide minimum monthly benefits thereunder at age 72 for all uninsured individuals, without regard to the time at which such age is attained; to the Committee on Ways and Means.

By Mr. PODELL:

H.R. 16306. A bill to prevent further increases in the monthly premium payable for supplementary medical insurance under part B of the medicare program established by title XVIII of the Social Security Act, and for other purposes; to the Committee on Ways and Means.

By Mr. PUCINSKI:

H.R. 16307. A bill—Impact Aid Reform Act of 1970; to the Committee on Education and Labor.

By Mr. WEICKER:

H.R. 16308. A bill to provide for a study of the extent and enforcement of State laws and regulations governing the operation of youth camps; to the Committee on Education and Labor.

By Mr. ADAMS (for himself and Mr. DINGELL):

H.J. Res. 1113. Joint resolution to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employees; to the Committee on Interstate and Foreign Commerce.

By Mr. BROWN of California:

H.J. Res. 1114. Joint resolution to repeal the Gulf of Tonkin Resolution and other legislation relating to American foreign military commitments, and to express the sense of Congress on aspects of U.S. foreign and military policies in Vietnam, Laos, and other nations in Southeast Asia, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ALEXANDER (for himself, Mr. ADAMS, Mr. ADDABBO, Mr. ANDERSON

of California, Mr. ANDERSON of Tennessee, Mr. BARRETT, Mr. BEVILL, Mr. BLANTON, Mr. BOLAND, Mr. BURKE of Florida, Mr. CABELL, Mr. CAFFERY, Mr. CASEY, Mr. CHAPPELL, Mr. DON H. CLAUSEN, Mr. CORMAN, Mr.

DANIELS of New Jersey, Mr. DENT, Mr. DINGELL, Mr. EDWARDS of California, Mr. EDWARDS of Louisiana, Mr. FASCELL, Mr. FLOWERS, Mr. FRASER, and Mr. FRIEDEL):

H. Con. Res. 522. Concurrent resolution expressing the sense of the Congress in opposition to the high-interest-rate policy; to the Committee on Banking and Currency.

By Mr. ALEXANDER (for himself, Mr. MIKVA, Mrs. MINK, Mr. NEDZI, Mr. NIX, Mr. OBEY, Mr. OLSEN, Mr. O'NEILL of Massachusetts, Mr. OTTINGER, Mr. PASSMAN, Mr. PODELL, Mr. PRYOR of Arkansas, Mr. PUCINSKI, Mr. PURCELL, Mr. RANDALL, Mr. REES, Mr. ROE, Mr. RYAN, Mr. SCHEUER, Mr. SIKES, Mr. SLACK, Mr. STOKES, Mr. STUCKEY, Mr. SYMINGTON, and Mr. TAYLOR):

H. Con. Res. 523. Concurrent resolution expressing the sense of the Congress in opposition to the high-interest-rate policy; to the Committee on Banking and Currency.

By Mr. WRIGHT (for himself, Mr. GALIFIANAKIS, Mr. GIBBONS, Mr. GONZALEZ, Mr. GRAY, Mrs. GREEN of

Oregon, Mr. HALEY, Mr. HALPERN, Mr. HANLEY, Mr. HARRINGTON, Mr. HAYS, Mr. HECHLER of West Virginia, Mr. HELSTOSKI, Mr. HICKS, Mr. HOLIFIELD, Mr. HOWARD, Mr. HUNGATE, Mr. ICHORD, Mr. JOHNSON of California, Mr. JONES of Tennessee, Mr. KOCH, Mr. LEGGETT, Mr. MADDEN, Mr. MATSUNAGA, and Mr. MELCHER):

H. Con. Res. 524. Concurrent resolution expressing the sense of the Congress in opposition to the high-interest-rate policy; to the Committee on Banking and Currency.

By Mr. WRIGHT (for himself, Mr. THOMPSON of Georgia, Mr. TIERNAN, Mr. TUNNEY, Mr. UDALL, Mr. VAN DEERLIN, Mr. WALDIE, Mr. WHITE, Mr. WOLFF, and Mr. YATRON):

H. Con. Res. 525. Concurrent resolution expressing the sense of the Congress in opposition to the high-interest-rate policy; to the Committee on Banking and Currency.

By Mr. ROONEY of New York:

H. Con. Res. 526. Concurrent resolution expressing the sense of the Congress with respect to the conquest of cancer as a national crusade; to the Committee on the Judiciary.

By Mr. FRIEDEL:

H. Res. 865. Resolution increasing the number of positions of Official Reporters to committees and positions of Expert Transcribers to Official Committee Reporters; to the Committee on House Administration.

By Mr. McCARTHY:

H. Res. 866. Resolution urging the President to eliminate the restriction imposed on the importation of crude oil and its derivatives; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. JOHNSON of California:

H.R. 16309. A bill to authorize the Secretary of the Interior to convey certain lands in Placer County, Calif., to Mrs. Edna C. Marshall, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. STRATTON:

H.R. 16310. A bill for the relief of Wheat Bros., Inc., to the Committee on the Judiciary.

SENATE—Wednesday, March 4, 1970

The Senate met at 11:30 o'clock a.m. and was called to order by Hon. ERNEST F. HOLLINGS, a Senator from the State of South Carolina.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

O God of History who hast brought us to this hour and to our appointed tasks, we offer Thee the love of our hearts and the service of our minds, our hands, our speech. Help us in all our work to be guided by Thy spirit for the welfare of all the people. Deliver us from the little evils which lay waste to life, shrivel the soul, and blemish character. Keep us from impatience and irritability. Give us inner serenity and outward assurance. Spare us stubbornness in self will but make us firm in adherence to Thy will. Amid the pressures, tensions, and struggles of the time, preserve in us the inner holy of holies, the silent sentinel of conscience, the serene sanctuary wherein Thy spirit dwells. When the evening comes, grant us the gift of sleep and knowledge we have walked and worked with Thee.

In Thy holy name we pray. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will read a communication to the Senate.

The assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, D.C., March 4, 1970.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. ERNEST F. HOLLINGS, a Senator from the State of South Carolina, to perform the duties of the Chair during my absence.

RICHARD B. RUSSELL,  
President pro tempore.

Mr. HOLLINGS thereupon took the chair as Acting President pro tempore.

APPOINTMENT OF REPUBLICAN MEMBERS OF SELECT COMMITTEE ON EQUAL EDUCATIONAL OPPORTUNITY

Mr. SCOTT. Mr. President, I send to the desk a resolution and ask unanimous consent for its immediate consideration.

The ACTING PRESIDENT pro tempore. The resolution will be stated.

The assistant legislative clerk read the resolution (S. Res. 363) as follows:

Resolved, That the following shall constitute the minority party's membership on the Select Committee on Equal Educational Opportunity, pursuant to S. Res. 359 of the Ninety-first Congress: Mr. Roman L. Hruska; Mr. Jacob K. Javits; Mr. Peter H. Dominick; Mr. Edward W. Brooke; Mr. Mark O. Hatfield; and Mr. Marlow W. Cook.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Pennsylvania?

There being no objection, the resolution was considered and agreed to.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, March 3, 1970, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Chair recognizes the Senator from Vermont (Mr. AIKEN).

Mr. MANSFIELD. Mr. President, will the Senator from Vermont yield, without losing his right to the floor or any of the time allotted to him?

Mr. AIKEN. Mr. President, I am glad to yield to the Senator from Montana, the distinguished majority leader, under those terms.

COMMITTEE MEETINGS DURING SENATE SESSION TODAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT TO TOMORROW AT 10 A.M.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 10 o'clock tomorrow morning.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR EAGLETON TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the prayer tomorrow, the distinguished Senator from Missouri (Mr. EAGLETON) be recognized for not to exceed 40 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR HOLLINGS TOMORROW

Mr. MANSFIELD. And, with the approval of the Presiding Officer, I ask unanimous consent that, at the conclusion of the remarks of the distinguished Senator from Missouri (Mr. EAGLETON), the distinguished Senator from South