ing the decision, Secretary of State William P. Rogers declared that the United States continues to regard the United Kingdom as the lawful sovereign in Rhodesia. Therefore, according to Mr. Rogers, the withdrawal of the American consulate has been necessitated by the final break between Rhodesia and Great Britain on March 2 when the new Rhodesian Constitution was officially implemented.

I regard the grounds upon which this decision has been made as ill founded. I call upon President Nixon to delay the State Department's action in regard to the consulate in Rhodesia until the question can be publicly discussed, all opinions aired, and a decision openly arrived at after adequate study of all the factors involved.

This is 1970 not 1770; it is not a time for our foreign policy decisions to be dictated by Whitehall. It is very well for Great Britain to request the United States to close its consulate in Salisbury because it suits the particular strategy which Great Britain has chosen to follow in dealing with a pressing foreign policy problem. But, what about Great Britain's continued trade with North Vietnam and Cuba while turning a deaf ear to American pleas to embargo trade with these nations?

Great Britain has acknowledged that the presence of the American consulate in Rhodesia does not acknowledge official recognition of the present Rhodesian Government. Until today the United States has also made this point clear in the defense of its diplomatic presence in Salisbury. Thirteen other nations have also retained official contacts in Rhodesia; it will be interesting to note if they are similarly led to follow Whitehall's dictates.

I am also appalled at the apparent disregard for the important functions carried out by the American mission in Salisbury. There are 1,500 Americans in Rhodesia who rely on the consulate for protection. Furthermore, there are considerable American investments in Rhodesia which merit protection. The valuable chrome mines owned by American industry represent a vital source of a scarce resource essential to the American economy. At present the United Nations sanctions against Rhodesia are forcing American firms to purchase chrome ore from Russia and Turkey, the only other significant sources of metallurgical chromite. Russian and Turkish chrome is inferior to the Rhodesian ore and is presently being purchased at a considerable premium to the costs of the Rhodesian product.

The decision to close the consulate in Rhodesia is shocking in light of the new turn toward realism that American foreign policy is supposedly taking in the 1970's. If we truly feel we have found new maturity and greater objectivity in our thinking on international problems, we have failed to demonstrate this outlook in reaching this decision. It is difficult to disregard the existence of Rhodesia as an independent sovereign state. Since the unilateral declaration of independence in 1965, the State of Rhodesia has continued to meet the accepted international definition of statehood. It has a permanent population, a defined territory, a working government, and the capacity to enter into international relations. It has done us no wrong.

In view of these facts, I see no other fair and rational course for the President to take than to reopen the question of continuing the operation of our consulate in Rhodesia.

PENDING QUESTION

Mr. BYRD of West Virginia. Mr. President, what is the pending question before the Senate?

The PRESIDING OFFICER. Amendment No. 545, the amendment of the Senator from Montana (Mr. MANSFIELD).

PROGRAM

Mr. BYRD of West Virginia. Mr. President, before I move to adjourn, I wish, by way of recapitulation, to review the orders that have been previously secured by the majority leader.

The Senate will shortly adjourn until 9:30 tomorrow morning.

Following the disposition of the reading of the Journal, the Senator from Ohio (Mr. YOUNG) will be recognized for not to exceed 15 minutes.

Following the Senator from Ohio, the Senator from Oklahoma (Mr. BELLMON) will be recognized for not to exceed 15 minutes.

Following the Senator from Oklahoma, the Senator from Colorado (Mr. ALLOTT) will be recognized for not to exceed 30 minutes.

Following the conclusion of the remarks of the Senator from Colorado, there will be a period for the transaction of routine morning business, with a limitation of 3 minutes on speeches.

When the unfinished business—H.R. 4249—is laid before the Senate, the pending question will be on Senator MANSFIELD's amendment No. 545.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate adjourn until tomorrow, Wednesday, March 11, 1970, at 9:30 a.m.

The motion was agreed to; and (at 7 o'clock and 5 minutes p.m.) the Senate adjourned, in accordance with the previous order, until tomorrow, Wednesday, March 11, 1970, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate March 10, 1970:

D.C. COUNCIL

The following-named persons to be members of the District of Columbia Council for terms expiring February 1, 1973:

Stanley J. Anderson, of the District of Columbia. (Reappointment)

Henry S. Robinson, Jr., of the District of Columbia. (Reappointment)

Carlton W. Veazey, of the District of Columbia, vice Polly Shackleton, term expired.

HOUSE OF REPRESENTATIVES—*Tuesday, March 10, 1970*

The House met at 12 o'clock noon.

Rev. Noble M. Smith, Trinity Church, Oxford, Philadelphia, Pa., offered the following prayer:

Almighty and ever-living God, who hast given us this great country for our heritage, grant to these Representatives of the people wisdom, sincerity, and patience to continue in their undertakings as one of the world's greatest deliberative bodies. May Thy presence cause their discussions, debates, and decisions to be the result of a body feeling Thy Holy Spirit directing them wisely. May their presence in this House be a witness to the sincerity of each in his endeavor to return thanks for sharing the human responsibility of governing so great a country. Now, O Father, may both You the Heavenly and they the earthly be patient one with the other, never faltering at the desire to serve the needs of mankind the world over. Bless the families of our statesmen. Protect each Congressman through this day, lift whatever may burden him so that he may fulfill his duties with wisdom, sincerity, and patience; through Jesus Christ, our Lord. 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. 2910. An act to amend Public Law 89-260 to authorize additional funds for the Library of Congress James Madison Memorial Building.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 514) entitled "An act to extend programs of assistance for elementary and secondary education, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. PELL, Mr. YARBOROUGH, Mr. RANDOLPH, Mr. WILLIAMS of New Jersey, Mr.

KENNEDY, Mr. MONDALE, Mr. EAGLETON, Mr. PROUTY, Mr. JAVITS, Mr. DOMINICK, Mr. MURPHY, and Mr. SCHWEIKER to be the conferees on the part of the Senate.

THE REVEREND NOBLE M. SMITH

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

Mr. EILBERG. Mr. Speaker, it is a special pleasure and privilege for me today to welcome the Reverend Noble M. Smith, the rector of Trinity Church, Oxford, in Philadelphia, to the House of Representatives. I want to thank him for his message of inspiration.

Father Smith, only 35, is a young, vigorous spirit who carries the torch of honored tradition ably and well. His appearance here today is not without historic precedent.

Trinity Church, the church Father Smith serves so well, was founded in 1698 and is among the oldest in our great land. One of its colonial rectors was Dr. William Smith, the founder of the College of Philadelphia, now the University of Pennsyvania.

Dr. Smith's missionary associate, Father Jacob Duche, offered the prayer before the first meeting of the First Continental Congress.

So nearly 200 years later another man of Trinity offers spiritual inspiration to the Congress.

But while honoring this proud past, Father Smith's commitment to youth and the community has made Trinity a church for our times, a church of the future.

In cooperation with our city's police department, Father Smith has counseled hundreds of boys, boys in the kind of small trouble that so often leads to serious delinquency and crime.

His patience, his interest, his obvious concern, his faith, and his advice have spared countless boys—and their parents—the anguish and despair of lives ruined too early. Under Father Smith's leadership, Trinity has become the only Philadelphia church to become home, physically as well as spiritually, to a police athletic league post.

So we in Philadelphia, a city where street delinquency and juvenile crime are hard and real and much too common, owe Father Smith a special thanks.

His energy in the community, his faith, and inspiration serve Trinity well. His parishioners and friends, many of whom are with us today in the gallery, have good reason to be proud of Father Smith. As of course does his lovely wife, Lillian, and their daughters, Susan and Barbara, also with us today.

I know all of us in Philadelphia are proud of this young, dedicated Episcopal father and we hope he is with us for many years to come.

OUR RELATIONSHIP WITH RHODESIA

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

Mr. ABERNETHY. Mr. Speaker, after giving away multiplied billions of dollars on foreign aid to a hundred or more foreign nations, fighting endless wars, sending our young men to the four corners of the world, leaving the bodies of many of them in foreign cemeteries, and giving up a considerable portion of our domestic markets to foreign-made automobiles, textiles, wearing apparel, plywood products, shoes, watches, pianos, glass, steel, and numerous other items in an attempt to make, as well as purchase, the friendships of foreigners and foreign nations, the facts are that our wonderful country has fewer friends today than it has ever had in its entire history. And, Mr. Speaker, no doubt we have fewer foreign friends than any nation on earth.

In the face of this horrible situation, I was quite surprised this morning when I picked up a newspaper and noted in glaring type that we had just summarily and wrongfully severed our last tie with another little country which has sought no aid or assistance from the United States, the friendly little country of Rhodesia. All she sought was our friendship and good wishes for her existence in the world family of nations.

If there was ever a time that this Nation ought to be trying to get along with the world, particularly those who are trying to get along with us, it is now.

The headline served notice to the world that this administration has severed our last relationship with Rhodesia. I think I know the reason why, but that was not the reason given. The reason assigned by the State Department was that the United States has not recognized the withdrawal by Rhodesia from her status as a colonial possession of Great Britain, and further that we have not recognized the government of Ian Smith, the Prime Minister who fostered Rhodesian independence.

Now is that not absurd. Can anyone think of a more absurd position taken by a nation which in 1776 declared itself independent of Great Britain and fought a long war to make it stick. Of course, that nation was our own United States of America.

Mr. Speaker, what would be our answer if some responsible nation of this world would break off ties with us for the reason that they do not recognize and accept our throwing off a colonial status and declaring ourselves independent of the British Crown? Why we would laugh in their face. And Rhodesia, though small she may be, is now laughing at our inconsistency. In fact most of the world is laughing.

Rhodesia is the best supplier of chrome in all the world. We use a great abundance of this product. We need it. And we need it so badly that we are forced, because of our policy with Rhodesia, to purchase chrome from our worst enemy, the Soviet Union.

The Congress has not expressed itself as favoring the severance of all ties with Rhodesia. This severance was a unilaterial action, taken by the administration, and more particularly by order of the State Department. It is very unfortunate. And I predict we will someday regret it.

I respectfully urge President Nixon to reverse the action of the Department of State.

ENVIRONMENT AND TECHNOLOGY

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

Mr. PRICE of Illinois. Mr. Speaker, I am pleased to be associated with the distinguished majority floor leader in the sponsorship of a joint resolution to establish a Joint Committee on Environment and Technology.

About a week ago, the Joint Committee on Atomic Energy, of which I have the honor to be a member, closed the second part of its extensive hearings on the environmental effects of producing electric power. From that large experience, and from my continuing association with environmental and ecological matters in the course of the discharge by the Joint Committee on Atomic Energy of its statutory responsibility for legislative oversight of the Atomic Energy Commission's programs, I am deeply aware of the general nature and scope of the problems that the Joint Committee on Environment and Technology will have to consider.

In my judgment, this new joint committee will assure full congressional focus on the total environmental situation and contribute to an effective national program to enable scientific and technological progress in harmony with the safeguarding and enhancement of our environment.

THE ADMINISTRATION'S ANSWER TO INFLATION

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

Mr. ANDERSON of California. Mr. Speaker, for the past 14 months, I, like all Americans, have been both an observer and a victim of the administration's economic policy. At first glance, it appeared that the administration's fight against inflation was limited to encouraging both high interest rates and tight money.

This two-pronged fight has been less than a total success, since 1969 was the most inflationary period since the Korean war.

Now, a third factor has entered the picture. The administration's current answer to ending inflation seems to be increased unemployment. In the last 14 months, almost a million more American workers are out of jobs. Unemployment has jumped from 3.3 percent to 4.2 percent during this period.

Surely, this is not the answer.

Surely, the administration can come up with something better than higher prices, high interest rates, and growing unemployment as the answer to inflation.

ROGERS CAUTIONS AGAINST RECOGNITION OF CUBA

(Mr. ROGERS of Florida asked and was given permission to address the

House for 1 minute and to revise and extend his remarks.)

Mr. ROGERS of Florida. Mr. Speaker, I am interested to learn that the State Department has made some progress in negotiating with Cuba for the return of airline hijackers. This is certainly welcome news.

I would, however, caution against any agreement with Cuba which would in any manner give Cuba official recognition contrary to our present policy toward this Communist island nation.

I was concerned last month when several State Department personnel were quoted as saying the United States might be interested in allowing Cuba to regain her membership in the Organization of American States. I am immediately suspicious that this latest talk on hijackers may involve some form of recognition of Cuba.

Two South American nations have already proposed that Cuba be allowed to reenter the OAS. I am in complete disagreement with this proposition.

So long as Castro is the dictator in power and Russia dominates Cuban Government, I am against Cuban membership in the OAS. Of course, if Cuba were to be readmitted, it would mean the end to the economic boycott which was initiated and supported by the United States.

Castro, under communism and with Soviet support, has relegated Cuba into a slave state. And the people of Cuba know now better than any political science teacher what communism means.

Food and clothing are rationed, there are neighborhood spy networks which are seen only in dictatorships and Communist countries, and in general, the entire economic system has gone to ruin. We should not fall for any agreement which would bail Castro out of this mess and give his puppet regime any air of respectability.

I hope that the State Department is successful in assuring the return of air hijackers, but I would object strongly to any part of such a deal that would result in the recognition of Cuba.

STATE DEPARTMENT PUTS POOR PRICE ON AMERICA'S PRESTIGE

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

Mr. PELLY. Mr. Speaker, yesterday was a sorry day for U.S. foreign policy when it was announced by the State Department that our consulate in Salisbury, Southern Rhodesia, was being withdrawn.

Once again, Mr. Speaker, the State Department has demonstrated that it will assume the position of weakness under pressure. This was an extreme example of placing a pitifully poor price on America's prestige by exchanging it for pseudo-support of a handful of African votes in the United Nations or for appeasement of England who demonstrated her lack of support of the United States so clearly by trading with Cuba and North Vietnam.

Again, I am forced to say, as I have said for many years, it is time for a thorough change of personnel in all the policymaking positions in the Department of State.

It is time to put America first.

THE "TODAY SHOW"

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

Mr. CEDERBERG. Mr. Speaker, yesterday morning, March 9, I watched with concern and disgust an interview on the National Broadcasting system nationwide "Today Show." On that show there was an interview with a Mr. Earl Anthony, an admitted former Black Panther and one who says he is still in sympathy with the Black Panther movement. He was there to be interviewed about a new book he wrote the title of which, if I picked it up correctly on the show, was "Picking Up the Gun." During this interview, during which, incidentally, they gave him probably about 15 minutes, he took that time to attack the U.S. Government, the system under which we live, to attack the President of the United States, to attack the police forces around the country, and to praise the actions of the defendants at the court trial in Chicago. He also said that he considers the Panthers to be the vanguard of the black liberation movement.

Now, Mr. Speaker, why the National Broadcasting System finds that it has to give almost 15 minutes of nationwide time to allow an individual to attack the institutions of this country under the guise of selling a book entitled "Picking Up the Gun," I do not know. How many times have you watched interviews on the "Today Show" and other shows where people were trying to promote something good for the country? I would say if someone wrote a book on "Laying Down the Gun," they might get about 5 minutes before being cut off for a commercial. I am concerned that our nationwide networks and the NBC in this instance would give the author of a book this kind of nationwide publicity which is designed to do nothing but create trouble and dissension in this country.

MEDDLING IN RHODESIA'S AFFAIRS IS DISGRACEFUL

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

Mr. GROSS. Mr. Speaker, in a long-winded statement a few days ago, President Nixon announced "a new approach to foreign policy."

His first act under the "new approach" came yesterday when, at the behest of the leeching British Government in London, he ordered the U.S. consulate in Rhodesia closed, thus and for all practical purposes severing diplomatic relations with that friendly African country.

This means, in conjunction with the continuing economic boycott of Rhodesia, that American purchasers of chrome ore, formerly obtained from Rhodesia, will continue to pay Communist Russia double the per ton price. In other words, American manufacturers and consumers of their products will continue to pay through the nose to the Soviet Union.

Mr. Speaker, the United States needs friends, not enemies, around the world. The meddling in the internal affairs of the Republic of Rhodesia was a disgraceful act on the part of former President Johnson and it is no less disgraceful on the part of President Nixon.

THE CONTROVERSIAL BOOK "POINTS OF REBELLION" BY SUPREME COURT JUSTICE WILLIAM O. DOUGLAS

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

Mr. SCOTT. Mr. Speaker, over the weekend I read the controversial book "Points of Rebellion" by Supreme Court Justice William O. Douglas. The back page of the book indicates that it is the first of three volumes dealing with dissent and rebellion.

Now, of course, writing about dissent today is commonplace. But the author of this book is a Justice of our Highest Court and, in my opinion, the book not only justifies but encourages rebellion. Therefore, I urge each Member of the House to read the book and, as you find criticism of the Government on each page of the volume, ask yourself whether a man who devotes an entire volume to building a case against the establishment and criticizing various Government agencies, including those charged with law enforcement, can be impartial and fair in deciding issues between those agencies and the individual citizen. Is he competent to sit on the Supreme Court? Should he be impeached if he declines to resign?

Because some of you may not take time to read this book, I intend to review one of the three major sections each day for the next 3 days.

As you know, lawyers generally advocate the rule of law in our society but this man advocates revolution. I believe we should ask ourselves what are we going to do about it.

THE LATE HONORABLE JAMES B. UTT

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

Mr. MAILLIARD. Mr. Speaker, I have asked for this time in order to announce to the House that it is my intention to ask for a special order tomorrow afternoon after the finish of all legislative business so that all Members may have an opportunity to express their comments on the life and service of our late colleague, the gentleman from California, the Honorable James B. Utt.

PERMISSION FOR SUBCOMMITTEE ON MINES AND MINING TO SIT DURING GENERAL DEBATE TODAY

Mr. CAREY. Mr. Speaker, I ask unanimous consent that the Subcommittee on Mines and Mining of the Committee on Interior and Insular Affairs may have permission to sit during general debate this afternoon for the purpose of hearing Department witnesses.

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

There was no objection.

PERMISSION FOR SUBCOMMITTEE ON HOUSING 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 be permitted to sit during general debate today.

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

There was no objection.

AUTHORIZING DISPOSAL OF ACID GRADE FLUORSPAR FROM NATIONAL STOCKPILE AND SUPPLEMENTAL STOCKPILE

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from the further consideration of the bill (H.R. 15833) to authorize the disposal of acid grade fluorspar from the national stockpile and the supplemental stockpile, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts (Mr. PHILBIN)?

Mr. VANIK. Mr. Speaker, reserving the right to object, I would like to ask the distinguished gentleman from Massachusetts (Mr. PHILBIN) what the budget effect is? What will be the increment to the Treasury resulting from the adoption of this proposal?

Mr. PHILBIN. I might say to the distinguished gentleman that the increment to the Treasury will be $1.8 million.

Mr. VANIK. I thank the gentleman.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts (Mr. PHILBIN)?

There was no objection.

The Clerk read the bill, as follows:

H.R. 15833

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of approximately two hundred thousand two hundred and seventy-one short dry tons of acid grade fluorspar now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h) and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954 (68 Stat. 456), as amended (73 Stat. 607). Such disposition may be made without regard to the requirements of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided,* That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

SEC. 2. (a) Disposals of the material covered by this Act may be made only after publicly advertising for bids, except as provided in subsection (b) of this section or as otherwise authorized by law. All bids may be rejected when it is in the public interest to do so.

(b) The material covered by this Act may be disposed of without advertising for bids if—

(1) the material is to be transferred to an agency of the United States;

(2) the Administrator determines that methods of disposal other than by advertising are necessary to protect the United States against avoidable loss or to protect producers, processors, and consumers against avoidable disruption of their usual markets; or

(3) sales are to be made pursuant to requests received from other agencies of the United States in furtherance of authorized program objectives of such agencies.

With the following committee amendment.

On page 1, lines 4 and 5, strike out "two hundred thousand, two seventy-one" and insert in lieu thereof, "two hundred twelve thousand, six hundred thirty-seven."

The committee amendment was agreed to.

The SPEAKER. The Chair recognizes the gentleman from Massachusetts.

Mr. PHILBIN. Mr. Speaker, H.R. 15833, would authorize the disposal of 212,637 short dry tons of acid grade fluorspar from the national stockpile and the supplemental stockpile.

This bill, as amended, would authorize the disposal, without regard to the 6 months' waiting period, of approximately 212,637 short dry tons of acid grade fluorspar from the national stockpile and the supplemental stockpile. Between the time the legislative proposal was submitted to Congress by the General Services Administration and the date of the subcommittee hearings, stockpile requirement for fluorspar had been reduced by an additional 12,366 short dry tons. The latter amount was contained in a bill introduced by the Honorable JOHN D. DINGELL, H.R. 14146. Upon recommendation of General Services Administration and the Office of Emergency Preparedness the subcommittee amended the bill, H.R. 15833, to include the amount reflected in H.R. 14146.

Presently we have in our two stockpiles a total of 1,102,637 short dry tons and a stockpile objective of 890,000 short dry tons. This objective was established on February 28, 1964.

Fluorspar is a mineral of calcium fluoride. Acid grade fluorspar is the commercial source of hydrofluoric acid. Important products requiring large quantities of hydrofluoric acid in their production are: aviation gasoline, freon gas, and synthetic cryolite. It is also used as a flux in the melting of aluminum and magnesium during alloying and in the refining of scrap of these metals.

There is no satisfactory commercial substitute for acid grade fluorspar.

Mexico is the principal foreign source; Canada, Spain, Italy, and Germany also contribute to the U.S. supply. Domestic production has held relatively steady in recent years while consumption has grown by an average of 10 percent a year since 1962. U.S. production of acid grade fluorspar amounted to 160,000 short dry tons in 1967 and 170,000 tons in 1968. Domestic consumption rose from 690,000 tons in 1967 to 743,000 tons in 1968, while imports rose from 594,000 tons to 638,000 tons in the same period.

Average acquisition cost of the acid grade fluorspar in the national and supplemental stockpiles was $52.43 per short dry ton. The present market value is about $57.50 per short dry ton.

The disposal program will be subject to continuous scrutiny and the Administrator of General Services Administration will consult with other Federal agencies concerned at any time he considers such action advisable, or at any time consultation is requested by such agencies. If any significant modification of the program appears necessary or advisable as a result of such consultation, the change will be publicly announced.

General Services Administration proposes to make the 212,637 short dry tons of excess fluorspar available for commercial sale over a period of years. The quantities and timing of disposals will be determined upon evaluation of previous sales and current market conditions. Quantities of this material required for transfer directly to Government agencies will be over and above those involved in the commercial sales program.

The subcommittee and the full committee recommended immediate action on this bill, as amended. I therefore respectfully urge the House to take favorable action on H.R. 15833.

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

Mr. PHILBIN. I yield to the gentleman.

Mr. GUBSER. Mr. Speaker, I wish to concur in the remarks made by my distinguished colleague from Massachusetts (Mr. PHILBIN), who handled this matter before the Stockpile Subcommittee.

Witnesses who testified before the subcommittee strongly urged that this bill be acted upon as soon as possible.

This bill was unanimously approved by the subcommittee and reported to the full committee. The full committee, in turn, acted favorably upon the subcommittee recommendation that the bill be favorably reported.

I strongly urge the House to take favorable action on H.R. 15833, and I might say in order to avoid repetition, that these comments I have just made will apply to the eight succeeding stockpile bills which have been reported under the same circumstances from the subcommittee headed by the gentleman from Massachusetts (Mr. PHILBIN).

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

Mr. PHILBIN. I yield to the gentleman.

Mr. VANIK. Mr. Speaker, will the distinguished gentleman from Massachusetts (Mr. PHILBIN) tell me what the Treasury effect is with reference to the

other bills, which will avoid my raising this question with reference to each bill. I would like to have the figures read into the RECORD, that is the increment to the Treasury as a result of these bills.

Mr. PHILBIN. I will put them into the RECORD for the distinguished gentleman.

The first bill has to do with bismuth, and shows an increment to the Treasury of $1,800,000.

The second bill has to do with castor oil which shows an increment to the Treasury of $2,800,000.

The next bill has to do with cobalt and the amount involved there is $88,400,000.

The next bill deals with flourspar and involves an increment to the Treasury of $11,800,000.

The next bill dealing with magnesium will result in an increment to the Treasury of $8,800,000.

The next bill having to do with manganese, type A, will result in an increment of $7,800,000.

The next bill dealing with manganese, type B, involves an increment of $3,300,000.

The next bill dealing with shellac involves an increment of $1,800,000.

The next bill dealing with tungsten involves an increment of $281,500,000.

Mr. VANIK. The figure on tungsten is $281,500,000?

Mr. PHILBIN. The gentleman is correct.

Mr. VANIK. I thank the gentleman.

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

AUTHORIZING DISPOSAL OF COBALT FROM NATIONAL STOCKPILE AND SUPPLEMENTAL STOCKPILE

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (H.R. 15021) to authorize the release of forty million two hundred thousand pounds of cobalt from the national stockpile and the supplemental stockpile, and ask for its immediate consideration .

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts (Mr. PHILBIN)?

There was no objection.

The Clerk read the bill, as follows:

H.R. 15021

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of approximately forty million two hundred thousand pounds of cobalt now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h) and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954 (68 Stat. 456, as amended by 73 Stat. 607). Such disposition may be made without regard to the requirements of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided,* That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

SEC. 2. (a) Disposals of the material covered by this Act may be made only after publicly advertising for bids, except as provided in subsection (b) of this section or as otherwise provided by law. All bids may be rejected when it is in the public interest to do so.

(b) The material covered by this Act may be disposed of without advertising for bids if—

(1) the material is to be transferred to an agency of the United States;

(2) the Administrator determines that methods of disposal other than by advertising are necessary to protect the United States against avoidable loss or to protect producers, processors, and consumers against avoidable disruption of their usual markets; or

(3) sales are to be made pursuant to requests received from other agencies of the United States in furtherance of authorized program objectives of such agencies.

Mr. PHILBIN. Mr. Speaker, H.R. 15021, introduced by our distinguished colleague, the Honorable WILLIAM S. BROOMFIELD, would authorize the release of 40,200,000 pounds of cobalt from the national stockpile and the supplemental stockpile.

An identical bill, H.R. 15717, was introduced by our distinguished colleague from Illinois, the Honorable ROBERT MCCLORY.

Cobalt is a dark grayish metal usually produced in the form of rondelles, granules, lumps, cones, or thin broken pieces. The chief ores are cobaltite and smaltite. However, virtually all cobalt is found associated with other metals such as copper, nickel, iron, zinc, silver, lead, and gold.

Cobalt is used primarily in high temperature alloys, permanent magnets, tool steels, corrosion resisting alloys, ammunition cores, enameled steel, ceramic pigments and driers, and as a chemical catalytic agent.

The Congo and northern Rhodesia are the chief producing countries of cobalt, followed by the United States, Canada, and French Morocco. These five countries contribute about 95 percent of the world output.

Cobalt has been used in research and development for some years as a substitute for nickel. It was not appealing as its price was about twice the normal producer price of nickel. During the recent nickel strike, nickel was in very short supply and its price was as high as $7 per pound. Under these conditions, cobalt, at about $1.85 to $2.20 per pound became more attractive as a substitute for nickel. Cobalt with nickel in a percentage of 10 to 50 percent, depending on the ultimate use of the plated article, can be used to advantage in extending the nickel supply.

The supply of cobalt, including GSA sales, has been sufficient for usual consumption, but not for the unprecedented demand which cannot be met by suppliers today. It would take many months of increased production to be effective, as is evidenced by the fact that nickel suppliers are still short and will continue to be for some months to come.

The total inventory held by the General Services Administration, as of January 31, 1970, was approximately 78,707,000 pounds. Of this quantity, 40,507,454 pounds were excess, with 334,870 pounds of the excess in the Defense Production Act inventory, already approved for disposal by the Director of the Office of Emergency Preparedness. The stockpile objectives, established March 27, 1969, is 38,200,000 pounds.

The average acquisition cost of the cobalt in the national and supplemental stockpiles is $2.21 per pound. The present market value of this cobalt is $2.20 per pound.

The subcommittee received detailed testimony from representatives of both Government and industry on the disposal action.

All the testimony received by the subcommittee urged the immediate enactment by the Congress of legislation which would authorize the disposal of cobalt from the stockpile in order to alleviate a shortage of this commodity now existing in the domestic market.

The subcommittee and the full committee were convinced that there is a severe shortage of cobalt in the domestic market and recommend immediate action on this bill in order that further hardship may be alleviated.

In view of these urgent needs I respectfully urge the House to take prompt, favorable action on H.R. 15021.

Mr. MCCLORY. Mr. Speaker, I am pleased that the House leadership has moved with dispatch to bring the subject of the shortage of cobalt before the Members of this body. Both the leadership and the members of the Committee on Armed Services deserve our thanks for their cooperation in obtaining quick action.

The bill that we take up today, H.R. 15021, was originally introduced by my colleague from Michigan (Mr. BROOMFIELD) in early December. I introduced an identical bill, H.R. 15717, on February 5. Both would authorize the release of 40,200,000 pounds of cobalt from the national stockpile, an amount the Office of Emergency Preparedness has determined is not needed for security purposes.

Mr. Speaker, the serious plight of those in this country that utilize cobalt in manufacturing both defense and nondefense items was brought to my attention by my constituents at the Arnold Engineering Co. of Marengo, Ill. They manufacture permanent magnets which have a very wide application, ranging in use from inertial guidance systems to telephones and computers. At present, for a variety of reasons, including the use of cobalt as a substitute for nickel during the international nickel strike last year, the supply of cobalt available is nearly exhausted. Arnold Engineering has advised that, if stockpiled cobalt is not placed on the market within 4 weeks, their production will cease.

Mr. Speaker, the General Services Administration, the agency that administers the national stockpile, strongly recom-

mends enactment of this legislation, and I have personally become convinced of its absolute necessity. I strongly urge my colleagues in the House to support it.

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

AUTHORIZING DISPOSAL OF TUNGSTEN FROM NATIONAL STOCKPILE AND SUPPLEMENTAL STOCKPILE

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (H.R. 15839) to authorize the disposal of tungsten from the national stockpile and the supplemental stockpile, and ask for its immediate consideration.

The Clerk read the title of the bill.

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

Mr. VANIK. Mr. Speaker, reserving the right to object—and I will not object—I would like to inquire of the gentleman what the effect of the sale of this tungsten would be for fiscal 1971. What is the Treasury effect for fiscal 1971?

Mr. PHILBIN. As I told the House before, at the end of the disposal, the effect will be the realization of $281.5 million.

Mr. VANIK. Will that be the effect in fiscal 1971?

Mr. PHILBIN. At this time we do not have information as to when it will be disposed of.

Mr. VANIK. Over what period of time is it anticipated that the disposition will take place?

Mr. PHILBIN. We cannot state a time period. We would not have a time period fixed on that. It would depend upon market conditions.

Mr. VANIK. So it would be entirely within the discretion of the Executive to dispose of the entire $281 million supply in either 1 year or over several years?

Mr. PHILBIN. It could be spread over several years, depending on market conditions. They would dispose of the amount when they could get the right price and be sure the economy and industry would be protected against an unfavorable impact from the sale.

Mr. VANIK. I thank the gentleman.

Mr. GROSS. Mr. Speaker, further reserving the right to object, I would like to ask the gentleman from Massachusetts if he has knowledge—and I understand that none of this metal is represented in any of the bills before the House today—if he has any knowledge concerning the stockpile, if any, of chrome, chromite or chromium ore, held by this Government.

Mr. PHILBIN. We do not have a bill pending here today relating to that subject, but I can give the gentleman a statement of the amount of chrome that is in the stockpile, if the gentleman will bear with me a moment.

Mr. GROSS. Does the gentleman know whether we are still buying chromium in any form for stockpiling purposes? I ask the question because of the fact that chromium is being purchased from Soviet Russia.

Mr. PHILBIN. There are different kinds of chrome. Is the gentleman addressing himself to all of them? We have metallurgical chromite, we have chromite, and we have chromium-ferro and others. Of the first mentioned, the metallurgical chromite, there is in the stockpile at present 3,889,682 short dry tons.

Mr. GROSS. How much?

Mr. PHILBIN. There is 3,889,682 short dry tons in the three stockpiles.

Mr. GROSS. Are we still stockpiling? Does the gentleman have any figures on that?

Mr. PHILBIN. To my belief, we are not stockpiling chrome at this time.

Mr. GROSS. We are not adding to the stockpile; is that what the gentleman is saying?

Mr. PHILBIN. I am saying that is my opinion and belief, we are not stockpiling chrome at this time. The committee does not have information that we are. We would be glad to get that information for you, however, if the gentleman would like to have it.

Mr. VANIK. Further reserving the right to object, will the gentleman advise me what plans there are, if any, for the release of cadmium, which is desperately needed in the domestic industry for plating?

Mr. PHILBIN. The House passed a bill on that subject last year. It is now pending in the Senate. When action will be taken on that bill, I do not have the information.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 15839

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of approximately one hundred million pounds (W content) of tungsten now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h) and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954 (68 Stat. 456), as amended (73 Stat. 607). Such disposition may be made without regard to the requirements of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided,* That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

SEC. 2. (a) Disposals of the material covered by this Act may be made only after publicly advertising for bids, except as provided in subsection (b) of this section or as otherwise authorized by law. All bids may be rejected when it is in the public interest to do so.

(b) The material covered by this Act may be disposed of without advertising for bids if—

(1) the material is to be transferred to an agency of the United States;

(2) the Administrator determines that methods of disposal other than by advertising are necessary to protect the United States against avoidable loss or to protect producers, processors, and consumers against avoidable disruption of their usual markets; or

(3) sales are to be made pursuant to requests received from other agencies of the United States in furtherance of authorized program objectives of such agenies.

Mr. PHILBIN. Mr. Speaker, H.R. 15839 would authorize the disposal of 100,000,000 pounds of tungsten from the national stockpile and the supplemental stockpile.

A similar bill, H.R. 15879, was introduced by our distinguished colleague, the Honorable JOHN H. DENT, to authorize the release of 50,000,000 pounds.

Tungsten is a grey-white, heavy, high-melting, ductile, hard, metallic element, derived from wolframite, scheelite, huebnerite or ferberite.

Tungsten is used for electrical purposes, such as for lamp filaments, contact points and lead-in wires for power tubes, for alloying, to increase hardness of other metals in making carbides for cutting tools, abrasives, and dies, and for special shapes such as tungsten nozzles in missiles.

World production of tungsten in 1967 was estimated at 66,000,000 pounds as compared with 65.3 million pounds for the previous year. China has been the source of about 35 percent of the world's output, with Russia also a major producer. Other major world tungsten production is found primarily in Bolivia, Republic of Korea, North Korea, Portugal, and Australia.

U.S. consumption of tungsten ores and concentrates range from 11.1 million pounds during 1961 to 18 million pounds in 1966, and was 13.9 million pounds in 1967.

The total inventory of tungsten held by GSA as of January 31, 1970, was 143,534,000 pounds. The present stockpile objective, established April 2, 1964, is 44 million pounds.

The average acquisition cost of the tungsten in the national stockpile and the supplemental stockpile was about $54 per short ton unit. The current domestic market price ranges between $46 and $55 per short ton unit. In recent months market prices abroad have risen sharply and are now considerably higher than the domestic market price.

GSA proposes to make the excess tungsten available over a period of years. The long-range program has been started with sales from the Defense Production Act inventory excess under a plan approved by the Administrator of GSA on February 18, 1966. When congressional approval to dispose of the excess tungsten in the national and supplemental stockpiles is granted, the quantity of this material to be made available for disposal will be determined by evaluation of the current DPA material sales program, current market conditions, and by consultations with the affected agencies.

The subcommittee received detailed testimony from representatives of both Government and industry on the disposal action. GSA advised that in the latter part of 1969, as a result of reduced availability of material in the world market, large quantities of available ma-

terial were purchased for sale abroad, where prices were rising rapidly because of increased world consumption, tight world supply situation, and because the supply of available material was being depleted.

The subcommittee was advised that there is concern in the domestic industry about the assured availability of material to meet the shortfall between domestic production and consumption. GSA witnesses convinced the subcommittee that adequate provisions will be made in their disposal plans to assure availability for domestic consumption from the total quantities that will be available for sale.

All the testimony received by the subcommittee urged the immediate enactment by the Congress of legislation which would authorize the proposed disposal of tungsten from the national stockpile in order to alleviate a shortage of this commodity now existing in the domestic market.

The subcommittee was advised that the proposed disposal plan, concurred in by both Government and industry, represents an effort to achieve this disposal action with a minimum disruption of the market and yet provide the Federal Government with a maximum return from the sale of the material.

The subcommittee and the full committee recommended immediate action on this bill. Therefore, I respectfully urge the House to take prompt, favorable action on H.R. 15839.

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

AUTHORIZING DISPOSAL OF BISMUTH FROM NATIONAL STOCKPILE AND SUPPLEMENTAL STOCKPILE

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (H.R. 15831) to authorize the disposal of bismuth from the national stockpile and the supplemental stockpile, and ask for its immediate consideration.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 15831

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of approximately three hundred thousand pounds of bismuth now held in the national stockpile established pursant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h) and the supplementary stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954 (68 Stat. 456), as amended (73 Stat. 607). Such disposition may be made without regard to the requirements of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided,* That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

SEC. 2 (a) Disposals of the material covered by this Act may be made only after publicly advertising for bids, except ase provided in subsection (b) of this section or as otherwise authorized by law. All bids may be rejected when it is in the public interest to do so.

(b) The material covered by this Act may be disposed of without advertising for bids if—

(1) the material is to be transferred to an agency of the United States;

(2) the Administrator determines that methods of disposal other than by advertising are necessary to protect the United States against avoidable loss or to protect producers, processors, and consumers against avoidable disruption of their usual markets; or

(3) sales are to be made pursuant to requests received from other agencies of the United States in furtherance of authorized program objectives of such agencies.

The SPEAKER. The Chair recognizes the gentleman from Massachusetts.

Mr. PHILBIN. Mr. Speaker, H.R. 15831 would authorize the disposal of 300,000 pounds of bismuth from the national stockpile and the supplemental stockpile.

Bismuth is a grayish white, brittle, hard, easily powered metal, with a reddish tinge. It is derived mainly from residue in lead and copper smelting, but is also sometimes found in native form. It has a low melting point and expands 3.3 percent on crystallization. The thermal conductivity of solid bismuth is less than that of any other metal except mercury.

About 20 percent of the bismuth produced is used in the form of salts in pharmaceuticals, such as stomach remedies, antiseptics, and astringents, emollients, and as aid to X-ray definition due to its opaqueness. It is used in metallurgy to lower the melting point of tin alloys, including ammunition and solders. It is also used to add luster and hardness to lead alloys and to regulate or eliminate shrinkage in casting metal in molds. The largest use is for fusible alloys containing high percentages of bismuths which are used in spotting and anchoring dies, in patternmaking, and in the bending of thin-wall tubing. These alloys are also used as release links or plugs in sprinkler and alarm systems, and other thermal safety devices. Bismuth is also used in tube drawing and as thermocouple wire. New uses include permanent magnets thermoelectric materials, and for temperature control apparatus.

U.S. domestic product of bismuth is a byproduct of the refining of lead and copper ores. Other principal sources are Peru and Mexico. Bismuth is also produced in Canada, Sweden, Spain, Yugoslavia, Japan, Korea, Argentina, France, Australia, and Africa.

The total inventory of bismuth as of January 31, 1970, held by GSA was approximately 2,758,000 pounds. The present stockpile objective, established December 3, 1969, is 2,100,000 pounds. With this objective there remains an excess of 658,000 pounds. Of this quantity 358,000 pounds were authorized for disposal by the Congress in Public Law 90–153, enacted November 24, 1967. H.R. 15831 would give disposal authority for all existing excess bismuth.

The average acquisition cost of the bismuth in the national and supplemental stockpiles was $2.14 per pound. The present market value is about $6 per pound.

GSA proposes to make the 300,000 pounds of excess bismuth available for commercial sale over a period of years. The quantities and timing of disposal will be determined upon evaluation of previous sales and current market conditions. When congressional approval for the 300,000 pounds is granted, this quantity will be considered for disposal together with the quantity remaining available under previously authorized programs. Quantities of this material required for transfer directly to Government agencies will be over and above those involved in the commercial sales program.

The subcommittee received detailed testimony from representatives of Government on the proposal action. There was no objection from industry on the the proposed disposal.

The subcommittee was informed that industrial demand for bismuth has been very strong. GSA sales of approximately 280,700 pounds of excess bismuth during fiscal year 1969, and 268,000 pounds during the first 7 months of fiscal year 1970 have provided some relief to a tight supply situation.

All the testimony received by the subcommittee urged the immediate enactment by the Congress of legislation which would authorize the proposed disposal of bismuth from the stockpiles in order to alleviate a shortage of this commodity now existing in the domestic market.

The subcommittee was advised that the proposed disposal plan, concurred in by both Government and industry, represents an effort to achieve this disposal action with a minimum disruption of the market, and yet provide the Federal Government with a maximum return from the sale of the material.

The subcommittee and the full committee recommended immediate action on this bill and I, therefore, respectfully urge the House to take prompt, favorable action on H.R. 15831.

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

Mr. PHILBIN. I yield to the distinguished gentleman from Iowa.

Mr. GROSS. Mr. Speaker, will the gentleman help me with an explanation of the difference between the national stockpile and the supplemental stockpile?

Mr. PHILBIN. I will say to the gentleman from Iowa, there are three different stockpiles.

Mr. GROSS. Three different stockpiles?

Mr. PHILBIN. There are three different types of stockpiles: one is the national stockpile, which is the one that is used for the most part currently; and there is the supplemental stockpile, that is made up of materials we receive from foreign exchange of agricultural materials; and the third is the Defense Production Act stockpile, which contains materials which are used primarily for defense purposes.

Mr. GROSS. Who controls these stockpiles?

Mr. PHILBIN. The General Services Administration is responsible for the maintenance and storage of all material placed in the three stockpiles.

Mr. GROSS. All of the stockpiles?

Mr. PHILBIN. All of the stockpiles.

Mr. GROSS. They are controlled by the General Services Administration?

Mr. PHILBIN. Yes.

Mr. GROSS. Why do we have a national stockpile and a supplemental stockpile?

Mr. PHILBIN. The supplemental stockpile consists of materials that have been acquired from the exchange or barter of surplus agriculture commodities.

Mr. GROSS. Does the President have direct authority to dispose of materials from any of these stockpiles?

Mr. PHILBIN. The President has authority under section 5 of the Strategic and Critical Materials Stock Piling Act to release stockpile materials for use, sale, or other disposition when, in his judgment, such release is required for purposes of the common defense, either in time of war or during a national emergency.

Mr. GROSS. Does he do this by Executive order?

Mr. PHILBIN. He does it by his own order.

Mr. GROSS. By Executive order?

Mr. PHILBIN. By Executive order. He can and does issue orders and directions to the appropriate departments of the Government.

Mr. GROSS. Is the action he takes printed in the Federal Register?

Mr. PHILBIN. Yes, it would be printed in the Federal Register, and usually our committees are advised, and notice of this action is made public and appears in the press.

Mr. GROSS. So the President, by his own action, can dispose from which one of these stockpiles, or from all of them?

Mr. PRILBIN. He has authority to release material only from the National Stockpile. The Director of the Office of Emergency Preparedness has authority to release material from the Defense Production Act Inventory.

Mr. GROSS. Must he notify the Speaker of the House that he has disposed from these stockpiles?

Mr. PHILBIN. No. He usually notifies the Armed Services Committee, and his action is printed in the press, and there is widespread circulation and publicity given to the action when he takes it. He also notifies General Services Administration, the Commerce Department, and the Office of Emergency Preparedness.

Mr. GROSS. Does he notify the Speaker on the after-the-fact basis or before he makes the disposal?

Mr. PHILBIN. He is not required to notify the Speaker, but, as a matter of practice, anybody who is interested in these matters usually has that information from the public press and the announcements the President makes when he disposes of these critical materials and metals.

Mr. GROSS. Does the gentleman not think the President ought to at least notify Congress on a before-the-fact basis? Disposals from the various stockpiles could involve many millions of dollars and be of special benefit to certain purchasers.

Mr. PHILBIN. Yes, I have always thought he should, and actually he does in most cases. We receive information through the General Services Administration as a rule that he intends to do it, and then his order is carried out, and it is given to the press. Our committee is usually advised in advance of the disposal action.

There is no secrecy entailed regarding these matters of executive disposals from the stockpiles.

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

AUTHORIZING DISPOSAL OF MAGNESIUM FROM THE NATIONAL STOCKPILE

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (H.R. 15835) to authorize the disposal of magnesium from the national stockpile, and ask for its immediate consideration.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 15835

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of approximately twelve thousand short tons of magnesium now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h). Such disposition may be made without regard to the requirements of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided,* That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

SEC. 2. (a) Disposals of the material covered by this Act may be made only after publicly advertising for bids, except as provided in subsection (b) of this section or as otherwise authorized by law. All bids may be rejected when it is in the public interest to do so.

(b) The material covered by this Act may be disposed of without advertising for bids if—

(1) the material is to be transferred to an agency of the United States;

(2) the Administrator determines that methods of disposal other than by advertising are necessary to protect the United States against avoidable loss or to protect producers, processors, and consumers against avoidable disruption of their usual markets; or

(3) sales are to be made pursuant to requests received from other agencies of the United States in furtherance of authorized program objectives of such agencies.

Mr. PHILBIN. Mr. Speaker, H.R. 15835 would authorize the disposal of 12,000 short tons of magnesium from the national stockpile.

Magnesium is the lightest of the commercial metals produced in quantity at relative low cost. The metal is ductile and easily machineable and imparts these qualities to iron and steel in alloys. It is silvery in color, but oxidizes and tarnishes in moist air. In finely divided form, it is easily ignited and burns with an intense white light. The solid form must be heated above its melting point before it will burn.

Magnesium is used in aircraft chiefly in structural forms and sheet. It enters into alloys of iron, zinc, and aluminum, and serves in castings, forgings, and extrusions. It is also used for recovery processing for titanium, cathodic protection from corrosion for steel, scavenger, and deoxidizing applications in metallurgy.

Magnesium is currently produced from sea water at two plants in Texas and from dolomite in a plant in Alabama. A facility in Connecticut produces high purity metal for special purposes.

The total inventory of magnesium as of January 31, 1970, held by GSA was approximately 113,000 short tons. Of this quantity 35,123 short tons are excess, including 23,123 short tons authorized for disposal by the Congress under Public Law 90–604, enacted October 18, 1968. The present stockpile objective, established December 3, 1969, is 78,000 short tons.

The average acquisition cost of the magnesium in the national stockpile was $726 per short ton. The present market value is about $726 per short ton.

U.S. production of primary magnesium was 98,376 short tons in 1968. This was a slight increase over 97,406 short tons in 1967. The demand is increasing at a very substantial rate, due to new commercial uses. Increased production is planned but a tight supply situation may exist for the next several years.

The United States, for years, has consumed most of the world's magnesium. In 1968 consumption of primary and secondary magnesium was 103,000 short tons, of which 4,086 short tons was imported material. Our major import sources in 1968 were: Canada, 80 percent; United Kingdom, 7 percent; Japan and 16 others, 13 percent.

GSA proposes to make the 12,000 short tons of excess magnesium available for commercial sale over a period of years. The quantities and timing of disposals will be determined upon evaluation of previous sales and current market conditions. When congressional approval for the 12,000 short tons is granted, this quantity will be considered for disposal together with the quantity remaining available under previously authorized programs. Quantities of this material required for transfer directly to Government agencies will be over and above those involved in the commercial sales program.

The subcommittee received detailed testimony from representatives of Government on the disposal action. There were no objections from industry representatives to the proposal.

GSA advised that the industrial demand for magnesium was very strong throughout 1969, causing a drawdown in industry stocks despite increased production and GSA sales. GSA sales of 31,877 short tons of excess magnesium

during fiscal year 1969 and the first 7 months of fiscal year 1970 have provided some relief to a tight supply situation.

All the testimony received by the subcommittee urged the immediate enactment by the Congress of legislation which would authorize the proposed disposal of magnesium from the national stockpile.

The subcommittee was advised that the proposed disposal plan, concurred in by both Government and industry, represents an effort to achieve this disposal action with a minimum disruption of the market, and yet provide the Federal Government with a maximum return from the sale of the material.

The subcommittee and the full committee recommended immediate action on this bill and I, therefore, respectfully urge the House to take prompt, favorable action on H.R. 15835.

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

AUTHORIZING DISPOSAL OF CHEMICAL GRADE MANGANESE ORE, TYPE A, FROM NATIONAL STOCKPILE AND SUPPLEMENTAL STOCKPILE

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (H.R. 15836) to authorize the disposal of type A chemical grade manganese ore from the national stockpile and the supplemental stockpile, and ask for its immediate consideration.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 15836

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of approximately seventy-eight thousand, four hundred short dry tons of type A, chemical grade manganese ore now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h) and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954 (68 Stat. 456), as amended (73 Stat. 607). Such disposition may be made without regard to the requirements of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided,* That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

SEC. 2. (a) Disposals of the material covered by this Act may be made only after publicly advertising for bids, except as provided in subsection (b) of this section or as otherwise authorized by law. All bids may be rejected when it is in the public interest to do so.

(b) The material covered by this Act may be disposed of without advertising for bids if—

(1) the material is to be transferred to an agency of the United States;

(2) the Administrator determines that methods of disposal other than by advertising are necessary to protect the United States against avoidable loss or to protect producers, processors, and consumers against avoidable disruption of their usual markets; or

(3) sales are to be made pursuant to requests received from other agencies of the United States in furtherance of authorized program objectives of such agencies.

With the following committee amendment:

On page 1, lines 4 and 5, strike out "seventy-eight thousand, four hundred", and insert in lieu thereof, "one hundred eleven thousand, nine hundred."

The committee amendment was agreed to.

Mr. PHILBIN. Mr. Speaker, H.R. 15836, as amended, would authorize the disposal of 111,900 short dry tons of chemical grade manganese ore, type A, from the national stockpile and the supplemental stockpile.

Originally the bill, as introduced, would have provided for the disposal of approximately 78,400 short dry tons. However, the Office of Emergency Preparedness completed a new review of the stockpile objective in May 1969, and at that time the objective was reduced from 68,500 short dry tons to 35,000 short dry tons. The subcommittee amended the bill as recommended by both General Services Administration and the Office of Emergency Preparedness, to include the excess created by the revision.

Chemical grade manganese covers two types of high dioxide manganese ores, types A and B. Type A calls for a predominance of pyrolusite.

Type A manganese ore is used as an oxidizing agent in the manufacture of hydroquinone by continuous process. The principal uses of hydroquinone are as a photographic developer, and as an antioxidant, or inhibitor in compounding rubber in finished products, and in gasoline and medicinal processes. No direct use of chemical grade manganese is attributed to the military.

The total supply of chemical grade manganese is from imports. The Imini Mine in French Morocco is the principal source of type A manganese for the United States. Cuba has substantial resources of both types.

The total inventory of chemical grade manganese ore, type A, held by General Services Administration as of January 31, 1970, was approximately 146,914 short dry tons. The national stockpile contained 29,307 short dry tons, and the supplemental stockpile contained 117,607 short dry tons. The present stockpile objective, established May 13, 1969, is 35,000 short dry tons.

The average acquisition cost of the chemical grade manganese ore, type A, in the national and supplemental stockpiles, was $68.44 per short dry ton. The present market value is about $70 per short dry ton.

General Services Administration proposes to make the entire quantity of excess chemical grade, type A, manganese ore available for disposal over a period of years. The quantities and timing of disposals will be determined in the light of market conditions. Quantities of this material required for direct Government use will be over and above those involved in the commercial sales program.

Witnesses from both the Office of Emergency Preparedness and General Services Administration recommended that H.R. 15836 be amended to reflect the total excess currently in the national stockpile and the supplemental stockpile of 111,900 short dry tons. They advised that a new stockpile objective was approved on May 13, 1969, at which time the objective was reduced from 68,500 short dry tons to 35,000 short dry tons. This review was conducted subsequent to the time the General Services Administration proposal was submitted to the Congress.

All testimony received by the subcommittee favored the immediate enactment by the Congress of legislation which would authorize the proposed disposal of chemical grade manganese ore, type A, from the stockpiles.

The subcommittee was advised that the proposed disposal plan, concurred in by both Government and industry, represents an effort to achieve this disposal action with a minimum disruption of the market, and yet provide the Federal Government with a maximum return from the sale of the materials.

The subcommittee and the full committee recommended immediate action on this bill, as amended, and I, therefore, respectfully urge the House to take prompt, favorable action on H.R. 15836.

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

AUTHORIZING DISPOSAL OF CHEMICAL GRADE MANGANESE ORE, TYPE B, FROM NATIONAL STOCKPILE AND SUPPLEMENTAL STOCKPILE

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (H.R. 15837) to authorize the disposal of type B, chemical grade manganese ore from the national stockpile and the supplemental stockpile, and ask for its immediate consideration.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 15837

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of approximately thirty-six thousand eight hundred and fifty short dry tons of type B, chemical grade manganese ore now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h) and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assist-

ance Act of 1954 (68 Stat. 456), as amended (73 Stat. 607). Such disposition may be made without regard to the requirement of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided*, That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

SEC. 2. (a) Disposals of the material covered by this Act may be made only after publicly advertising for bids, except as provided in subsection (b) of this section or as otherwise authorized by law. All bids may be rejected when it is in the public interest to do so.

(b) The material covered by this Act may be disposed of without advertising for bids if—

(1) the material is to be transferred to an agency of the United States;

(2) the Administrator determines that methods of disposal other than by advertising are necessary to protect the United States against avoidable loss or to protect producers, processors, and consumers against avoidable disruption of their usual markets; or

(3) sales are to made pursuant to requests received from other agencies of the United States in furtherance of authorized program objectives of such agencies.

With the following committee amendment:

On page 1, lines 4 and 5, strike out "thirty-six thousand eight hundred and fifty", and insert in lieu thereof, "sixty-five thousand eight hundred."

The committee amendment was agreed to.

Mr. PHILBIN. Mr. Speaker, H.R. 15837, as amended, would authorize the disposal of 65,800 short dry tons of chemical grade manganese ore, type B, from the national stockpile and the supplemental stockpile.

Originally the bill, as introduced, would have provided for the disposal of approximately 36,850 short dry tons. However, the Office of Emergency Preparedness completed a new review of the stockpile objective in May 1969, and at that time the objective was reduced from 64,000 short dry tons to 35,000 short dry tons. The subcommittee amended the bill as recommended by General Services Administration and the Office of Emergency Preparedness to include the excess created by the revision.

Chemical grade manganese covers two types of high dioxide manganese ore, types A and B. Type B—psilomelane—suitable for the production of permanganates and other chemicals is generally identified with certain acceptable battery grade ores, particularly those originating in Ghana.

Type B manganese is used principally in the permanganates, manganese chloride, dye intermediates, glass and pottery coloring, electric lamps, welding rod, enamel frit, and nicotinic acid. No direct use of chemical grade manganese is attributed to the military.

The total supply of chemical grade manganese is from imports. Ghana, India, and Chile are the sources for most of the type B ore. Cuba has substantial resources of both types.

The total inventory of chemical grade manganese ore, type B, held by General Services Administration as of January 31, 1970, was approximately 100,800 short dry tons. The present stockpile objective, established May 13, 1969, is 35,000 short dry tons.

The average acquisition cost of the chemical grade manganese ore, type B, in the national and supplemental stockpiles, was $67.46 per short dry ton. The present market value is about $50 per short dry ton.

GSA plans to make the chemical grade, type B, manganese ore available for disposal over a period of years. The quantities and timing of disposals will be determined in the light of market conditions. Quantities of this material required for direct Government use will be over and above those involved in the commercial sales program.

Witnesses from both the Office of Emergency Preparedness and General Services Administration recommended H.R. 15837 be amended to reflect the total excess currently in the national stockpile and the supplemental stockpile of 65,800 short dry tons. They advised that a new stockpile objective was approved May 13, 1969, at which time the objective was reduced from 64,000 short dry tons to 35,000 short dry tons. This review was conducted subsequent to the time the General Services Administration proposal was submitted to the Congress.

All testimony received by the subcommittee favored the immediate enactment by the Congress of the legislation, which would authorize the proposed disposal of chemical grade manganese ore, type B, from the stockpiles.

The subcommittee was advised that the proposed disposal plan, concurred in by both Government and industry, represents an effort to achieve this disposal action with a minimum disruption of the market, and yet provide the Federal Government with a maximum return from the sale of the material.

The subcommittee and the full committee recommended immediate action on this bill, as amended. I, therefore, respectfully urge the House to take prompt, favorable action on H.R. 15837.

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

AUTHORIZING DISPOSAL OF SHELLAC FROM NATIONAL STOCKPILE

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (H.R. 15838) to authorize the disposal of shellac from the national stockpile, and ask for its immediate consideration.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 15838

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of approximately four million three hundred thousand pounds of shellac now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h). Such disposition may be made without regard to the requirements of section 3 of the Strategic and Critical Material Stock Piling Act: *Provided*, That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

SEC. 2. (a) Disposals of the material covered by this Act may be made only after publicly advertising for bids, except as provided in subsection (b) of this section or as otherwise authorized by law. All bids may be rejected when it is in the public interest to do so.

(b) The material covered by this Act may be disposed of without advertising for bids if—

(1) the material is to be transferred to an agency of the United States;

(2) the Administrator determines that methods of disposal other than by advertising are necessary to protect the United States against avoidable loss or to protect producers, processors, and consumers against avoidable disruption of their usual markets; or

(3) sales are to be made pursuant to requests received from other agencies of the United States in furtherance of authorized program objectives of such agencies.

Mr. PHILBIN. Mr. Speaker, H.R. 15838 would authorize the disposal of 4,300,000 pounds of shellac from the national stockpile.

Shellac is the purified form of the material known as lac or sticklac. It is the product of an insect that lives in southern Asia.

Shellac performs three functions: as a sealant, a binder, and a protective coating. It is used as a sealant for primers in ammunition, for binding abrasives and mica, in cements for basing electric bulbs and tubes. It is used in coatings on electrical parts and insulation; in engraving and printing inks; in floor wax; as a finish on foundry patterns; as a glaze for candy and medicinal tablets; as a felt hat stiffener; in paper, leather, and textile coatings; in surface coatings; and for many other uses. The largest present use is in self-polishing floor and furniture waxes.

The major part of the imports of shellac are from India and Thailand; the remainder of the U.S. imports are largely transshipments of shellac from European countries.

The total inventory of shellac held by the GSA as of January 31, 1970, was 8,829,723 pounds. The present stockpile objective is 3,900,000 pounds. The current excess totals approximately 4,929,000 pounds, of which 570,814 pounds will be offered for sale in early March.

The average acquisition cost of the shellac in the national stockpile was 50 cents per pound. The present market value is approximately 15 cents per pound.

World production of shellac in 1968 is estimated at 70 million pounds, produced principally in India and Thailand. India has maintained its position as the leading producer with an estimated 38.8 million pounds, and Thailand is second place with a population rate estimated at 30.9 million pounds. As a nonproducer of shellac, the United States imports 43

percent of its requirements from Thailand, 49 percent from India, and 8 percent from West Germany.

U.S. consumption, because of the increasing use of satisfactory substitutes, has declined steadily from 44.9 million pounds in 1955, and 32 million pounds in 1961, to approximately 20 million pounds in 1968.

As published in the Federal Register of October 1961, the long-range program for shellac began with offering annually for sale 2,175,000 pounds of the 10.6 million pounds of excess shellac authorized for disposal. The unsold quantity as of January 31, 1969, was 1,956,452 pounds.

When congressional approval for the additional 4.3 million pounds is granted, this excess will be considered for disposal together with the excess remaining available under the previously authorized program.

The subcommittee received detailed testimony from representatives of Government on the disposal action. There were no objections from industry representatives to this proposal.

Witnesses from the Office of Emergency Preparedness advised that on January 17, 1969, a new stockpile objective for shellac was approved. At that time, the conventional objective for this material was reduced from 8,300,000 pounds to 1 million pounds; thus making the existing nuclear objective, established in 1967, of 3,900,000 pounds, the controlling objective.

The major reason for this sharp decline in the objective has been the sizable reduction in the requirement. In 1964 the 3-year requirements were calculated at about 8,300,000 pounds, with no supply available under the rules and policies of the Office of Emergency Preparedness at that time.

The current review, conducted in 1969, showed the requirements for the emergency period had dropped to 3,432,000 pounds. Ample allowance was made for any contingency that might arise in an emergency through the establishment of the 3,900,000 pounds controlling objective.

Shellac is an organic material and tends to deteriorate in storage and therefore the condition of this commodity will affect the selling price when disposal action is taken.

All the testimony received by the subcommittee urged the immediate enactment by the Congress of legislation which would authorize the proposed disposal of shellac from the national stockpile.

The subcommittee was advised that the proposed disposal plan, concurred in by both Government and industry, represents an effort to achieve this disposal action with a minimum disruption of the market, and yet provide the Federal Government with a maximum return from the sale of the material.

The subcommittee and the full committee recommended immediate action on this bill, and I, therefore, respectfully urge the House to take favorable action on H.R. 15838.

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

AUTHORIZING DISPOSAL OF CASTOR OIL FROM NATIONAL STOCKPILE

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (H.R. 15832) to authorize the disposal or castor oil from the national stockpile, and ask for its immediate consideration.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 15832

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of approximately forty-six million pounds of castor oil now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h). Such disposition may be made without regard to the requirements of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided,* That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

SEC. 2. (a) Disposals of the material covered by this Act may be made only after publicly advertising for bids, except as provided in subsection (b) of this section or as otherwise authorized by law. All bids may be rejected when it is in the public interest to do so.

(b) The material covered by this Act may be disposed of without advertising for bids if—

(1) the material is to be transferred to an agency of the United States;

(2) the Administrator determines that methods of disposal other than by advertising are necessary to protect the United States against avoidable loss or to protect producers, processors, and consumers against avoidable disruption of their usual markets; or

(3) sales are to be made pursuant to requests received from other agencies of the United States in furtherance of authorized program objectives of such agencies.

With the following committee amendment:

On page 1, line 4, strike out "forty-six million", and insert in lieu thereof, "eighteen million five hundred thousand".

The committee amendment was agreed to.

Mr. PHILBIN. Mr. Speaker, H.R. 15832, as amended, would authorize the disposal of 18,500,000 pounds of castor oil from the national stockpile.

Castor oil is a viscous oil obtained from castor beans by cold pressing or by solvent extraction. The beans average 45 percent of their weight in oil. The oil is pale-yellowish or almost colorless, transparent, and has a mild odor and usually nauseating taste.

Castor oil is used in paints and varnish, linoleum, oilcloth, printing ink, soap, for petroleum demulsification, in lubricants and greases, hydraulic brake fluids, synthetic resins, textiles, and for many other uses. One of the most important uses is as a raw material for the manufacture of sebacic acid. Two important uses of the latter are in making nylon-type plastic for communication wire and in derivatives of sebacic acid which are used as a lubricant in turbine and jet engines. Sebacic acid also has essential civilian uses for nylon bristles, plasticizers, synthetic resins, and certain miscellaneous uses.

A very small part of the U.S. supply is from domestic grown castor beans; Brazil and India supply the major part of U.S. needs. Smaller quantities are obtained from a number of countries, including Haiti, Ecuador, Angola, Thailand, Iran, and others.

The total inventory of castor oil held by General Services Administration as of January 31, 1970, was approximately 68.5 million pounds. The present stockpile objective is 50 million pounds.

The average acquisition cost of castor oil in the national stockpile was 25 cents per pound. The current market value is about 14.5 cents per pound.

World production of castor oil in terms of oil equivalent reached a peak of 827 million pounds in 1964 but declined to 675 million pounds in 1967. In 1968, world production again increased to a record estimated 860 million pounds.

Brazil is the principal U.S. source of castor oil and the world's leading producer, increasing output from 342 million pounds in 1968 to 367 million pounds in 1969. In second place is India with 108 million pounds in 1968 and 112 million pounds in 1969. It appears from export data that China's production has expanded sharply and she is probably the third largest producer. The Soviet Union is the fourth largest producer with a level of about 70 million pounds.

U.S. consumption has been at the level of approximately 150 million pounds annually since 1965, reaching 153 million in 1969. However, imports dropped from 129 million pounds in 1965 to 97 million pounds in 1967, and were about 100 million pounds in 1969. This disparity between imports and demand has resulted in recent years in a high level of sales from the national stockpile.

The current market for castor oil is strong and historically the market varies greatly from year to year, reflecting the supplies received from major exporting countries. The combined annual rate of commercial offerings will be determined in the light of existing market conditions. Quantities of this material required for direct Government use will be over and above those involved in the commercial sales program.

Witnesses from both the Office of Emergency Preparedness and General Services Administration recommended that H.R. 15832 be amended to reflect the reduced amount of 18.5 million pounds. The bill, as introduced, authorizes the disposal of 46 million pounds of castor oil; however, in July 1969, the Office of Emergency Preparedness approved a new stockpile objective of 50 million pounds. This review was conducted subsequent to the time the General Services Administration proposal was submitted to the Congress.

All testimony received by the subcommittee favored the immediate enactment by the Congress of legislation which

would authorize the proposed disposal of castor oil from the national stockpile.

The subcommittee was advised that the proposed disposal plan, concurred in by both Government and industry, represents an effort to achieve this disposal action with a minimum disruption of the market, and yet provide the Federal Government with a maximum return from the sale of the material.

The subcommittee and the full committee recommended immediate action on this bill, as amended, and I, therefore, respectfully urge the House to take prompt, favorable action on H.R. 15832.

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

GENERAL LEAVE TO EXTEND

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the bills just passed.

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

There was no objection.

EXPANSION OF AGRICULTURAL EXPORTS

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 860 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 860

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 bill (H.R. 14169) to amend section 402 of the Agricultural Trade Development and Assistance Act of 1954, as amended, in order to remove certain restrictions against domestic wine under title I of such Act, and all points of order against said 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.

The SPEAKER. The gentleman from California (Mr. SISK) is recognized for 1 hour.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from California (Mr. SMITH) and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 860 provides an open rule with 1 hour of general debate for consideration of H.R. 14169 to amend section 402 of the Agricultural Trade Development and Assistance Act of 1954, as amended, in order to remove certain restrictions against domestic wine under title I of the act. The resolution also provides that all points of order are waived against the bill. The waiver was granted because the language in the bill involves the use of foreign currencies under the Public Law 480 program and permits their use for a new purpose.

The purpose of H.R. 14169 is to remove a restriction in present law which prevents the American wine industry from participating in export promotion activities under the Agricultural Trade Development and Assistance Act.

The present law specifically excludes all alcoholic beverages as "agricultural commodities" that are eligible for the benefits of the program. The Department of Agriculture has construed this provision as prohibiting the display or advertising of American wines at overseas trade fairs and market promotion activities sponsored by the Department.

It is the intent that the term "domestic wine" as used in the bill shall mean wine prepared from grapes and all other fruits, as well as from other agricultural or horticultural plants, such as berries and peaches. This would include sparkling burgundy, champagne, and brandy.

It is not anticipated that any material increase in Government costs will result from enactment of the bill.

Mr. Speaker, I urge the adoption of House Resolution 860 in order that H.R. 14169 may be considered.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I fully concur in the statements made by the distinguished gentleman from California (Mr. SISK) in his explanation of the rule and the bill (H.R. 14169) to amend section 402 of the Agricultural Trade Development and Assistance Act of 1954, as amended.

The purpose of H.R. 14169 is to remove a restriction in present law which prevents the American wine industry from participating in export promotion activities under the Agricultural Trade Development and Assistance Act of 1954, as amended—Public Law 83-480, as amended.

Section 402 of Public Law 480 specifically excludes all alcoholic beverages as "agricultural commodities" that are eligible for the benefits of the program.

H.R. 14169 would merely remove the restriction on foreign market promotion activities for domestic wine. Under the bill, wine as well as all other alcoholic beverages, would continue to be ineligible for title I concessional sales, either for dollars or for foreign currency, and for donation programs under title II of the act.

The committee feels that the expansion of all agricultural exports is clearly in the national interest. The committee does not anticipate any material increase in Government cost as a result of the enactment of this bill.

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

The previous question was ordered.

The SPEAKER pro tempore (Mr. GONZALEZ). The question is on the resolution.

The resolution was agreed to.

Mr. DE LA GARZA. 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. 14169) to amend section 402 of the Agricultural Trade Development and Assistance Act of 1954, as amended, in order to remove certain restrictions against domestic wine under title I of such act.

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. 14169, with Mr. BROOKS 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. DE LA GARZA) is recognized for 30 minutes and the gentleman from North Dakota (Mr. KLEPPE) is recognized for 30 minutes.

The Chair now recognizes the gentleman from Texas (Mr. DE LA GARZA).

Mr. DE LA GARZA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the purpose of H.R. 14169 is to remove a restriction in present law which prevents the American wine industry from participating in export promotion activities under the Agricultural Trade Development and Assistance Act of 1954, as amended—Public Law 83-480, as amended.

Section 402 of Public Law 480 specifically excludes all alcoholic beverages as "agricultural commodities" that are eligible for the benefits of the program. This provision has been construed by the U.S. Department of Agriculture not only to prohibit alcoholic beverages from being eligible for concessional sales and donations under the act, but also as prohibiting the display or advertising of American wines at overseas trade fairs and market promotion activities sponsored by the Department.

H.R. 14169 would merely remove the restriction on foreign market promotion activities for domestic wine. Under the bill, wine, as well as all other alcoholic beverages, would continue to be ineligible for title I concessional sales—either for dollars or for foreign currency—and for donation programs under title II of the act.

Mr. Chairman, the bill was approved unanimously by the committee.

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

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

Mr. Chairman, section 402 of the Agricultural Trade Development and Assistance Act of 1954, as amended—Public Law 83-480—provides that alcoholic beverages shall not be eligible for concessional sales or donation. The Department of Agriculture in its administration of this law has consistently taken the position that this prohibition also applies to the display or advertisement of American wine at overseas trade fairs and market promotion activities. This bill would, as a matter of law, change that interpretation.

As most of my colleagues know, various American agricultural products are exhibited at trade fairs. Booths manned by representatives of American firms seeking to obtain contracts for the export of their products are the heart of these shows, and it is not uncommon for samples of the food to be given to visitors. This practice allows the citizens of other countries to gain an insight into our culinary habits—if you will, a glance at a portion of our culture. The Department's prohibition against the display of wine leaves the visitor free to draw one of two erroneous conclusions—that the United States does not produce wine of which it is proud or that the consumption of wine is a very irregular event in American cuisine.

I believe that the need to correct the situation is patent and moreover that by allowing our American wine manufacturers the opportunity to seek contracts for the export of wine we can partially offset the negative balance of payments insofar as alcoholic beverages are concerned.

I think we should understand clearly that this bill applies only to certain wine-type beverages and not to all alcoholic beverages.

We should also bear in mind that the bill does not bring wine into the donation or concessional sales programs under Public Law 480. It only relates to the market promotion activities under the act.

Thus the bill is very narrow in its application. It applies only to the overseas market promotion of domestically produced wine.

In view of the foregoing, I urge the Members of the House to vote favorably upon the bill.

Mr. BURLISON of Missouri. Mr. Chairman, I am opposed to the passage of H.R. 14169. This bill removes the present restriction which prevents the American wine industry from participating in export promotion activities under the Agrculture Trade Development and Assistance Act of 1954. The present law specifically excludes all alcoholic beverages as "agricultural commodities" that are eligible for the benefits of the program.

My opposition to the proposed legislation is grounded upon a number of factors. In the first place, the entire consideration of the bill has been under a subterfuge. For instance, the title of the committee report, No. 91–565, is "Expansion of Agriculture Exports." It is apparent to me that wine is not an agricultural product but rather an alcoholic beverage. It is just as obvious that the purpose of the legislation is not "expansion of agricultural exports" so much as it is to put the U.S. Government in the liquor promotion business. This will be of particular benefit to the liquor industry in foreign trade fairs and expositions.

Perhaps the most disquieting aspect of the proposal is that it puts the proverbial "foot in the door." In the not-too-far-distant future we can expect provisions covering the full spectrum of alcoholic beverages and not limited to wine. Of even more ominous portent, however, is the likelihood of further amendment to permit alcoholic beverages to be eligible for concessional sales and donations under the act, Public Law 480. This legislation is clearly not in the best interest of our Nation.

Mr. DE LA GARZA. Mr. Chairman, I have no further requests for time.

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

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

H.R. 14169

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 402 of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1732), is amended by inserting after the first sentence thereof a new sentence as follows: "The foregoing proviso shall not be construed as prohibiting representatives of the domestic wine industry from participating in market development activities carried out with foreign currencies made available under title I of this Act which have as their purpose the expansion of export sales of United States agricultural commodities."

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. GONZALEZ) having resumed the chair, Mr. BROOKS, 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. 14169) to amend section 402 of the Agricultural Trade Development and Assistance Act of 1954, as amended, in order to remove certain restrictions against domestic wine under title I of such act, pursuant to House Resolution 860, he reported the bill back to the House.

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

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 pro tempore. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill H.R. 14169 which was just passed by the House.

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

There was no objection.

A SERIOUS BLOW FOR INDIVIDUAL LIBERTY

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

Mr. PODELL. Mr. Speaker, today individual and constitutional rights have been dealt a serious blow by the man sworn to protect and uphold these rights. Attorney General Mitchell in his announced crime program seems to have reversed one of the cornerstones of the American legal system—the idea that an individual is innocent until proven guilty. In Mr. Mitchell's proposed program, an individual suspect appears guilty until proven innocent.

The Attorney General has introduced a program requiring suspects in criminal cases to submit to fingerprinting, handwriting analysis, medical tests, and identification lineups prior to being charged. As the rationale behind such action, the Attorney General has invoked a "rule of reason." His program states:

> Action can be taken against an individual *reasonably* suspected of criminal activity—in cases where the police lack probable cause to make an arrest.

Mr. Speaker, "reasonable" and "probable" are two terms which, if placed in the wrong hands, can deny untold numbers their constitutional rights. Such terms seem to be attempts to place a dangerous amount of authority in the hands of Justice officials without proper checks on the exercise of that power. What is reasonable suspicion? What is a probable cause? I shudder to think of the consequences of the "injudicious" use of these terms for individual rights.

I recognize that the increasing crime rates in our cities are one of the major domestic problems confronting this Nation. I am a strong advocate of reducing this crime rate so that our citizens will not live in any fear or danger. Yet I recognize too that the rights of the individual have been the cornerstone of liberty in this country. These rights are finite, and serious inroads into their exercise are not easily recaptured. The crime rate in this country is high and must be reduced, but not at the expense of individual liberties.

ARMED ATTACKS ON AIRCRAFT

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

Mr. YATES. Mr. Speaker, I am introducing today a resolution which requests the President to call upon the international community to unite for the purpose of stopping armed attacks on aircraft and passengers engaged in international air travel. The resolution specifically directs the President to seek international arrangements and agreements with other nations desiring to foster international air service—including the use of an international tribunal with appropriate jurisdiction—for the purpose of finding ways and means to prohibit and punish armed attacks on aircraft and passengers engaged in international commerce. The resolution further requests him to seek international arrangements and agreements for the imposition of sanctions—including but not limited to suspension or repeal of air landing rights—against any nation which approves or condones such

attacks by sheltering or protecting individuals or organizations responsible for perpetrating such attacks.

Finally, the resolution requires of the President that he report back within 6 months from the day of enactment the results of his initiatives.

Mr. Speaker, it is essential that the civilized nations of the world bring an end to the vicious attacks which are jeopardizing air travel, attacks which are occurring with increasing frequency. Terrorist bands centered in Arab nations, asserting an alleged right to make war against Israel throughout the world apparently without regard to the consequences of their actions upon neutral nations or innocent bystanders, have used machineguns, hand grenades, and bombs to destroy passenger aircraft and to wound and kill passengers.

The most recent and heinous example was the destruction in midflight of a Swissair jetliner carrying 47 passengers to Israel. Five of those passengers were Americans, all of whom were innocent of any participation in the grim struggle between Israel and the Arab nations. They were not belligerents and they were totally unarmed. Yet, today they are dead, victims of a deliberate attack, responsibility for which was claimed by an Arab terrorist group and then later denied only when the enormous weight of the condemnation of the world settled upon them.

Their attempted and asserted blockade of airlines serving Israel calls to mind the statements of President Woodrow Wilson in 1917 at the time when Germany was sinking passenger vessels of neutral countries in an asserted blockade against England. President Wilson condemned such barbaric acts as "warfare against mankind."

He pointed out:

> International law had its origin in the attempt to set up some law which would be respected and observed upon the seas where no nation had right of dominion and where lay the free highways of the world. By painful stage after stage has that law been built up with meagre enough results, indeed, after all was accomplished that could be accomplished, but always with a clear view at least of what the heart and conscience of mankind demanded. This minimum of right the German government has swept aside under the plea of retaliation and necessity and because it had no weapons which it could use at sea except those which it is impossible to comply as it is employing them without throwing it to the winds all scruples of humanity or of respect for the understandings that were supposed to underlie the intercourse of the world. I am not now thinking of the loss of property involved, immense and serious as that is, but only of the wholesale and wanton destruction of the lives of noncombatants, men, women and children, engaged in pursuits which have always even in the darkest periods of modern history been deemed important and legitimate. Property can be paid for; the lives of peaceful and innocent people cannot be.

Mr. Speaker, the world is bound together by a network of open skyways. Freedom of the air is as much a cardinal principle of international law as freedom of the high seas, and violators of that principle must be condemned by every civilized nation which represents itself to abide by international law. The freedom of such skyways is threatened by terrorists, assassins and kidnapers.

The civilized world must make known to such criminals that their acts will be condemned and punished not only by the country where a plane may be attacked, but by every country, that every country will stand united with other nations in sustaining the sanctity of international law by condemning and punishing acts which place in jeopardy the lives of innocent people.

Similarly, Mr. Speaker, if an end is to be brought to such piratical attacks, nations which shelter and protect such criminals must know that they, too, will be the subject of condemnation by other nations and that sanctions may be imposed against them, sanctions which may include a boycott of their airports and the loss of landing rights for their air carriers in other nations.

Such a sanction would punish those who support this international criminality, rather than those who suffer its consequences. I well understand the seriousness of proposing international sanctions and it is a course that I do not take lightly, but something simply must be done to stem the tide of deliberate violence that has been harassing international air travel. It may be that at some point in civilization's evolution men will no longer resort to war to settle their differences. But until that day is reached our minimum responsibility as human beings is to wage war within a set of restraints that limits the suffering of innocents. The Geneva Convention stands as testimony to that responsibility and I offer this resolution today in that spirit.

Mr. Speaker, the resolution affirms two basic principles concerning the conduct of war. First, that the conflict must be confined to the territories of the belligerents; and, second, that civilians who are not in any way involved in the conflict must not be the target of armed attack.

I offer this resolution to sustain the validity of international law in the hope that it will in some way reestablish limits in which human beings will allow themselves to attack. To the extent that those limits are ignored, our claim to civilization is diluted and humanity is compromised.

TERRORISM AGAINST AIR CARRIERS

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

Mr. PUCINSKI. Mr. Speaker, I am very pleased to join my colleague, the gentleman from Illinois (Mr. YATES), in cosponsoring the resolution calling upon the international community to deal with the rising incidence of terrorism against aircraft carriers throughout the world. I congratulate the gentleman from Illinois (Mr. YATES) for his initiative in bringing this resolution to the House.

Mr. Speaker, I hope the appropriate committee of Congress, to which this resolution is referred, will take immediate action to hold hearings. Earlier, 62 of the Members of the House cosponsored a resolution calling for mandatory extradition between nations of airplane hijackers whenever they hijack commercial aircraft. Hijacking of commercial aircraft continues to be a part of this international terrorism.

It is further my hope, Mr. Speaker, that we can bring the other systems of transportation into this campaign against terrorism and hijacking of aircraft carriers. Most of this terrorism is being organized by terrorist organizations which get their training and funding from the Arab world, and apparently this is being done with their support, because no great outrage or criticism has been voiced against these attacks by any of those countries.

It seems to me the time has come when other means of travel, particularly the longshoremen and those engaged in the steamship and water freight industries ought to get together and help us in a combined effort to boycott those Arab nations which have failed to take any action to deal with this modern type of terrorism against passengers and crews of aircraft flying to the Middle East. Air travel is only a limited matter in most of these Arab countries, but if we can, indeed, get the longshoremen and the seafarers to join in international boycotts against goods coming out of or going into those countries that tolerate hijacking, perhaps then the economic impact would have some results in bringing stability to the whole world.

ECLIPSE OF THE SUN

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

Mr. MILLER of California. Mr. Speaker, on Saturday, March 7, several of my colleagues and I were privileged to witness one of the most spectacular events we will ever see. I refer to the total eclipse of the sun, which we viewed from Wallops Island, Va., a rocket-launching facility of the National Aeronautics and Space Administration.

Not many of the millions of other people who watched the eclipse had the good fortune we had—to experience the eeriness of total eclipse while watching and hearing 17 sounding rockets booming from their launch pads to investigate the phenomenon with their scientific instrument packages. It was a tremendous display. It is almost indescribable.

Of course, the scientific investigation of the eclipse was not confined just to Wallops Island, although its role was perhaps the most dramatic. Hundreds of other scientists along the eclipse path also conducted experiments. Several NASA satellites also made important observations as the moon's shadow raced up the eastern seaboard. These were the orbiting geophysical observatories—OGO's—the orbiting solar observatories—OSO's—the applications technology satellite—ATS—and Mariner 6, which is over 200,000,000 miles from

earth on its way around the sun after taking closeup pictures of Mars last summer.

The overall investigation of this rare event was in the hands of the National Science Foundation, with cooperation from other agencies—chiefly NASA. Dr. Albert Belon of the NSF was U.S. coordinator. Dr. Goetz Oertel was NASA coordinator. Both these gentlemen briefed us at Wallops, and we were further assisted in our understanding by Dr. Leo Goldberg, director of the Harvard College Observatory; Dr. Herbert Friedman, director of the Hulburt Center, Naval Research Laboratory; and Dr. Philip Handler, president of the National Academy of Sciences.

Mr. Speaker, as the shadow darkened and the temperature fell, as the peculiar dancing shadows played along the tree limbs, as the rockets blasted off, as the moon finally covered the solar disc, and the corona and the "beads" appeared, the crowd of viewers at Wallops was hushed and, I am certain, had feelings of great reverence and awe. For nearly a minute we were able to look directly toward the sun, for in totality nothing shows but the corona, the "beads," and the protuberance that gives a diamond-ring effect in appearance. And we saw Venus. At a signal we turned our eyes away, and the light began to increase and the temperature inched back upward. It was all over.

Mr. Speaker, I believe it is a lamentable fact that too many people too often overlook the scientific aspects of the space program and fail to give credit to the hard-working scientists who are finding out more and more about our universe. Saturday, March 7, was a great day for space science.

I cannot close without expressing thanks and paying tribute to Dr. Thomas O. Paine, NASA Administrator; Dr. John Naugle, NASA Associate Administrator for Space Science and Applications; Robert Krieger, Director of the Wallops Station; and, the whole team that bent their efforts to further man's understanding of this most significant event.

PRESIDENTIAL COMMISSION ON MARIHUANA

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

Mr. KLEPPE. Mr. Speaker, I have joined with a number of my colleagues in sponsoring legislation which would create a Presidential Commission on Marihuana.

It is nearly impossible for a Member of Congress, in this day and age of enlightenment, to have responsible data upon which to evaluate the widespread use of marihuana and its effects upon our young people who claim that it will not have any damaging physical or psychological effects.

The Bureau of Narcotics and Dangerous Drugs tells us that marihuana acts upon the brain and the nervous system affecting the user's emotion and senses in widely varying degrees, and that when large doses are used, vivid hallucinations occur which may cause panic or an inordinate fear of death with periods of paranoia.

Testimony before the House Select Committee on Crime pointed out that while marihuana is thought by many to be a narcotic, it is not. Marihuana users are often classed in the public mind along with addicts; but they are not addicts to marihuana, because it is not an addicting drug. In the words of Dr. Roger O. Egeberg, Assistant Secretary of Health and Scientific Affairs, Department of Health, Education, and Welfare:

> There is no scientific evidence to demonstrate that the use of marihuana in itself predisposes an individual to progress to "hard" drugs.

Dr. Egeberg pointed out, in his testimony, the very serious problem we are faced with—the fact that millions of our citizens, mainly young people, are "tampering with a drug whose long-term effects neither they nor anyone fully understand."

The legislation which I am cosponsoring would address itself to a solution of this problem. We are confronted with the criminal side effects by sheer ignorance about a drug which is already in the marketplace, without any form of control, without scientific supportive data, without Federal agency approval, and without even adequate supervision.

The Presidential Commission on Marihuana would fully investigate the problem of marihuana, and submit a report to the President and the Congress on its study and recommendations for proposed legislation. The Commission would investigate the following areas:

First, the extent of use of marihuana in the United States, the number of users, arrests, convictions, amounts of marihuana seized, type of user, and nature of use;

Second, an evaluation of the efficacy of existing marihuana laws;

Third, a study of the pharmacology of marihuana and its immediate and long-term physiological and psychological effects;

Fourth, the relationship of marihuana use to aggressive behavior and crime; and

Fifth, the relationship between marihuana and the use of other drugs.

Mr. Speaker, I urge early action on this legislation. In this day and age when so many of our young people use mind-expanding drugs out of curiosity or desire to solve personal problems, it is our duty as elected officials to investigate these drugs and determine the physical and psychological harm which our young people could inflict upon themselves.

At this point, I would like to bring to the attention of my colleagues an outstanding example of what concerned citizens can accomplish. The National Rural Antidrug Foundation, with headquarters in Minot, N. Dak., was organized by Sylvan Hubrig to help society combat a rapidly spreading problem. Concentrating on educational programs, Mr. Hubrig has expressed the organization's purpose is to acquaint the residents of rural America with the threat of drugs and narcotics in communities across the Nation.

With cooperation from all civic organizations, including the chamber of commerce, Mr. Hubrig's foundation has already received inquiries from other communities. The Minot Police Department has viewed the foundation as one of the best in the community, and report that illegal drug movement is down to a bare minimum.

The National Rural Antidrug Foundation began in Minot, with a mere handful of people, led by Sylvan Hubrig and others, and is indicative of how desperately the American people want to solve the drug problem.

Let us, as elected officials, deal quickly with this legislation creating a Presidential Commission on Marihuana so that our citizens will know that we stand behind their efforts. Let us provide them with the tools they need—responsible data—so that they, in their communities can effectively fight this pollution of so many young minds and bodies.

FREE WORLD SHIPPING TO NORTH VIETNAM

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

Mr. CHAMBERLAIN. Mr. Speaker, during the first 2 months of 1970, I am pleased to report, according to the Department of Defense, there has been a better than 50-percent reduction in the level of traffic of free world flag ships to North Vietnam.

This past February the number of such arrivals was six, five under the British flag and one under the registry of the Somali Republic. In January the total was four, two British flag, one Somali, and one Maltese. These combined 10 arrivals compare to 21 that steamed into North Vietnamese ports during January and February of 1969.

This is progress. It indicates that the decisively downward trend during 1969, when the level of this traffic dropped to 99 free world arrivals as opposed to 149 in 1968—will continue in 1970.

Still, so long as the Hanoi regime continues to send troops and supplies into South Vietnam; so long as Americans are putting their lives on the line; so long as North Vietnam finds it necessary to charter free world vessels to help maintain its war economy, we must not relax our efforts to deny the enemy this aid and comfort.

The importance of this trade is further underscored by the fact that last month, again, these cargoes included strategic goods. Exact information remains classified. However, the secret reports list one of the most essential ingredients for keeping a war machine well oiled.

I commend the administration for its efforts during the past year, and urge that every possible step be taken to end this immoral trade.

A table follows:

FREE WORLD-FLAG SHIP ARRIVALS IN NORTH VIETNAM

	United Kingdom	Cyprus	Italy	Singapore	Lebanon	Japan	Malta	Somali Republic	Kuwait	Total
Free World 1969:										
January	8	1						2		11
February	6	1		2		1				10
March	6							1		7
April	7			1		1				9
May	9	1					1	1		12
June	6	2		1				2		11
July	6							1		7
August	4	2								6
September	4	1		1						6
October	4	1				1				6
November	7									7
December	7									7
Total	74	9	0	5	0	3	1	7	0	99
Free World 1970:										
January	2						1	1		4
February	5							1		6

SOLVING THE RAILROAD CRISIS

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

Mr. DEVINE. Mr. Speaker, today I have introduced a measure relating to the current railroad crisis which still hangs over the head of the country and of Congress. It is the same resolution sent to us by the President last week which would ratify and make binding upon the parties the agreement reached by the railroads and the brotherhoods through their designated representatives. When time and the parliamentary situation in the other body made it apparent that a substantive solution to the crisis could not be effected soon enough to prevent closing down the industry. I reluctantly went along with the 37-day moratorium. It is the poorest answer possible and one which I do not intend to support again. We now have until April 10 to work up enough gumption and resolve to pass either a permanent change in the labor laws to take care of all future crises of this nature or to accept the President's suggestion for solving this one only.

At long last we have a logical and courageous proposal from a President of the United States in the fact of a crippling strike on the railroads of this Nation. President Nixon has again displayed his willingness to put the good of the country ahead of the selfish interests of a few hundred people who would tie up the economy of the entire country for the satisfaction of having accomplished it.

The issues in the present railway dispute have been well aired and need no long explanation. The sheet metal workers refused to agree to a settlement which was considered fair and equitable by their own leaders. They rejected the contract, on a minor point, which had been accepted by most unions previously. It has been estimated that the actual number of sheet metal workers who could be affected, though not harmed, by allowing emergency sheet metal work to be done by other crafts is a few hundred. The rejection of the contract under the circumstances made no sense. Another example of rule by minorities. Some 2,000 telling 600,000 they can not go to work. To an observer looking at the whole broad picture of labor negotiation it would be a cruel joke upon the public and upon the railroad workers who were willing to agree to a fair and equitable settlement arrived at after long and concerned bargaining by the leaders of the craft brotherhoods.

Members of Congress and many persons outside of Congress have beat their breasts and railed against a legislative action which writes a labor contract into law. This was to be expected. It is not a desirable thing. It is, however, just as satisfactory and under present circumstances far more satisfactory than building any cumbersome temporary machinery to get the same result. In that case we would try to pretend that we had not tampered with the bargaining process when in fact we have butchered it. Here we are recognized a fact of life. A fair settlement was reached, and no amount of thrashing around will produce a better one. Why spout platitudes and hide behind imaginary bushes to save face? We are not fooling anyone including ourselves if we pursue such a futile course.

If congressional ratification of a labor contract is a new departure in this field, so be it. No better course can possibly be arrived at. We have no procedures in the law at the present time for the prevention of national emergency strikes. The President has proposed legislation for this purpose and prompt passage is one path open to us. However action must be taken now. April 10 sounds far away as of this moment, but with other commitments and the pending recess the committee and the House have less than 3 working weeks to wrap it up.

It is my purpose here to direct the attention of the members, of the press and of the country to the fact that the President of the United States has proposed sensible solutions to this and the broader problem of national emergency work stoppages. Both are before the Congress and specifically before the Committee on Interstate and Foreign Commerce. There is no excuse to come upon the deadline and find ourselves without legislation. Many members, and I must say mostly they are members of the majority, cannot bring themselves to face up to the issues involved in this situation. I am ready and I feel certain that I can speak for the most of my minority colleagues and say that we are ready to bite this bullet and approve legislation to deal with the problem. If my friends of the majority cannot quite go along with a permanent solution at this time, we can accept the President's resolution aimed at the present crisis only. Or we are ready to hammer out legislation which will protect the public from the threat of future stoppages. I do not want us to stand here on or about April 10 and hear it said that because collective bargaining has not worked in the interim that we must again chicken out with a further delay.

I think it should be reported here that the press reported, after the passage of the 37-day resolution, that negotiators for both sides claimed that under the circumstances the President's solution would have been the better one. There is no disagreement between the representatives of labor and management on the proposition that a few weeks of wishful thinking and hoping for a miracle will relieve us of the necessity of acting in the interests of the country. It should also be noted that the issue involved in the sheet metal workers dispute is not one which can be wished away by some ad hoc board putting a penny back there and taking away a penny there. It is a yes or no issue which cannot be resolved in favor of the one union without upsetting a result agreed upon by the others. The answer is so simple and the suggestion of the President so sensible that it appeals to almost anyone who considers it and I feel safe in thinking that this includes the bulk of railway labor and its leaders.

My purpose here is to urge prompt and decisive action on the part of the Committee on Interstate and Foreign Commerce and the Congress. This is one ball we cannot pass back.

WE SHOULD RECOGNIZE RHODESIA

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

Mr. EDWARDS of Alabama. Mr. Speaker, the United States has taken a wrong turn indeed in cutting off the last diplomatic contacts with the now sovereign state of Rhodesia. In doing so, we will appear to be inconsistent in our foreign policy, forgetful of our own historical beginnings and remiss in our duties to work toward world peace and prosperity.

How can we on the one hand be engaged in talks aimed at establishing diplomatic relations with Communist China and on the other hand be cutting off all relations with a non-Communist country? China has expressed over and over again its desire to overcome the United States by force if necessary in its quest to rule the world. Whereas, little Rhodesia has been a friend and ally of ours during its affiliation with Great Britain; and has no current foreign policy inimical to our overall interests.

One is also reminded of our own initial fight for independence. At that time various domestic policies of this country ran contrary to Mother England, yet freedom was achieved and other countries opened diplomatic channels with the fledgling America.

But far more important, Mr. Speaker, in our quest for world peace, this country must keep every channel of communication open to every country. This is why we are engaged in the SALT talks with Russia, this is why we have entered into negotiations with Red China, this is why we are at the peace table in Paris. Although we may be opposed to the foreign and domestic policies of the countries with which we are negotiating, we are at least trying to find a common ground for world peace. To deny Rhodesia this avenue of communication is a step backward.

Mr. Speaker, I fully believe the time has come for the United States to stop meddling in the internal affairs of those nations that pose no direct threat to our national security or independence. In the case of Rhodesia, rather than closing a counsulate we should be opening an embassy. We are at the point in world affairs where dialog, not diatribe, is the key to future peace. I would hope the United States would lead the way.

PROPOSAL TO PAY TURKISH FARMERS SUBSIDIES NOT TO GROW POPPIES

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

Mr. HUNT. Mr. Speaker, from time to time we obtain some information through the news media that does not come to our attention otherwise.

Last week I picked up a paper and read an article entitled "Profit in Poppies," and I must say that I was amazed at the exposé it contained.

It would appear that someone now in our great society and in our Government is proposing that we subsidize the Turkish farmers not to grow poppies. It is a well-known fact that Turks produce 80 percent of the opium poppies which finds its way into other countries, where it is processed into heroin and is then smuggled into this country in great quantities.

But, Mr. Speaker, to begin to pay a subsidy to Turkish farmers under the foreign aid program is beyond my comprehension.

The Turks have always been considered our friends. I am quite sure they are our friends and will do a better job if we approach this matter on a more realistic basis rather than to buy off the Turkish farmers by subsidies, because if we do that we will only promote farmers in other countries to follow suit.

Mr. Speaker, we know that 15 percent of all opium today comes from Mexico and we know that another 5 percent comes from Thailand. So, if we subsidize the Turkish farmers not to grow the poppies, then we will have other people increase their production in Mexico and Thailand. Thus, pretty soon we will have a tremendous program of foreign subsidy, much greater than the magnitude that we have for our American farmers.

I would like to get down to this little basic fact.

What are we going to do, then? Are we going into the process of paying those who grow it for not growing it? Are we going to pay the people who are converting it into heroin not to process the drug? Are we going to pay the smugglers, and subsidize them not to smuggle it? Are we going to pay the Mafia and other syndicates in the world not to distribute it? Are we going to pay the people not to peddle it? Are we going to subsidize the people who take it, the addicts, not to use it?

There must be some way out of this crazy problem without subsidizing the entire world through this ridiculous project.

I have been assured, though, as of this morning, that, having come under attack, now, that the plan will be abandoned. I hope that the Members of the House will keep close watch on this boondoggle to make sure that we do not start into such a worldwide subsidy in conjunction with the ones we already have in U.S. agriculture.

ALL-AMERICA CITY

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

Mr. GETTYS. Mr. Speaker my hometown of Rock Hill, S.C., has been named an All-America City, a recognition of which I am understandably proud. I congratulate Mayor David Lyle and city council, civic and community organizations, and all the citizens of Rock Hill who are responsible for this fine achievement.

There follows excerpts from a presentation by my friend Robert R. Carpenter, a prominent Rock Hill lawyer, which played a part in the winning of this honor by Rock Hill:

ROCK HILL, S.C.

Rock Hill consists of some 37,000 fiercely independent individuals. Our City lies twenty-six (26) miles south of the major city of Charlotte, North Carolina. Our People are the legatees and devisees of all that is both good and bad of the Old South. Rock Hillians—traditionally skeptical of what we deem to be Federal interference—have put aside the passions of the past and have banded together to create a harmonious blend of federal, state, local and private effort in the building of a new community. . . Like all cities, Rock Hill has problems in abundance. Our achievement lies not in their solution—for that is yet to come—but in our approach to their solution—in the recognition by our people of their partnership with their government.

Three Urban Renewal projects comprising 598 acres are under way—and the face of our City is changing. Since 1967, 700 units of low-income housing have been built, are under construction or are under commitment to take care of displaced residents. A by-product of urban renewal is the formation of the Midtown Shopping Center Corporation comprised primarily of negro merchants displaced by urban renewal. The result will be a modern shopping center in the heart of the formerly blighted area, created by private capital. Rock Hill's new million dollar City Hall, built with money saved by the City over the years, lies on part of the renewed land and plans are in the works for a new Civic Center and central library.

Not without influential opposition did Rock Hill become the first Model City in our State. The application resulting from citizen demand was cussed and discussed, debated and denounced, but the will of the people prevailed. Now, friend and foe alike have banded together to make the project a success. Some 115 Block Clubs and 7 Neighborhood Associations spread across our community have far surpassed the aims of government planning and have moved into the area of practical living.

In America of the 1960's the racial problems stand as the major cause of anguish. Rock Hill has shared in the national pain. In the early part of this decade, we took a good look at ourselves and being practical people, we began to make changes. Rock Hill's schools are in full compliance with Federal requirements. Our industries and governmental departments, commissions and committees have been integrated. This is to be expected. Less expected is the increasing effort on the part of voluntary civic, action and service groups to seek minority participation. These include such diverse groups as the Chamber of Commerce, the Hospital Auxiliary, the P.T.A. Councils and the American Association of University Women. The Mayor's Community Relations Committee has quietly led us in the entire spectrum of community life and the art of living together in peace and understanding. Have we licked our racial problems? Of course not—but we are working on it and we are doing it together.

The Rock Hill Jaycees, with broad community support, recently established the Boys Home, which operates with the advice and assistance of the Family Court and law enforcement agencies. In the works is the Half-Way House, a pre-release center for men scheduled to be released from the State's penal system who, with our help, will be retrained for civilian life.

In addition to a 4 million dollar bond issue for school improvement, our people immediately thereafter approved issuance of 3¼ million dollars in general obligation bonds for additional parks and playgrounds, fire stations and the elimination of troublesome railroad grade crossings. Also since 1964, the voters of our area have authorized the sale of more than a million dollars in general obligation bonds to first create, and now expand, our Technical Education Center.

I would be remiss if I did not mention that Rock Hill was one of the first cities in the nation to adopt a Council-Manager form of government (1913). We were the first city under 50,000 in the United States to institute an Area Transportation Study. We have just exceeded our United Fund goal for the 18th consecutive year.

Our people created an orthopedic school for handicapped children, a Tri-County Mental Health Clinic with a full time psychiatrist, and a Sheltered Workshop for training the mentally and physically handicapped. We

have established a nationally known children's nature museum. A private garden donated to the City has received national recognition, and is the focal point of our annual Citywide Come-See-Me Festival. Our Law Enforcement Appreciation Day attracted national attention.

A South Carolinian has been defined as a man with fire in his eye, love in his heart and lead in his britches. In Rock Hill you will find South Carolinians who have gotten the lead out.

INTERNATIONAL DeMOLAY WEEK

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

Mr. HANNA. Mr. Speaker, I would like to introduce a resolution commending a notable organization of young men, the Order of DeMolay. The order does an excellent job of developing character in young people between the ages of 14 and 21, so that they may become tomorrow's better citizens and leaders. The order has 2,500 chapters throughout the world, and will be celebrating its 51st anniversary the week of March 15 through the 22.

The Order of DeMolay has an outstanding chapter in my own district, the La Mirada Chapter. This chapter builds character in its members through worthwhile programs of civic service, charitable projects, athletic competitions, and social activities. This chapter is also planning its own celebration of the DeMolay 51st anniversary.

I think it is most appropriate for the House of Representatives to recognize the caliber and achievements of the Order of DeMolay by proclaiming the week of March 15 through 22, 1970, as "International DeMolay Week," and I hereby submit the following resolution to that effect:

H. RES. 872

Resolved, That the Order of DeMolay deserves commendation as a character-building organization of young men fourteen to twenty-one years of age, and that the organization has carried out its laudable goals for fifty-one years through a variety of worthwhile programs.

Resolved, That the DeMolay members of the La Mirada Chapter who observe the week of March 15 to 22 as the "fifty-first anniversary commemoration of DeMolay," so as to exemplify to all citizens here and elsewhere their purpose and to show recognition to their millions of Senior DeMolays.

Resolved, That the House of Representatives proclaim the week of March 15 through 22 as "International DeMolay Week."

A LIMITED NATIONAL SERVICE PROPOSAL

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

Mr. BINGHAM. Mr. Speaker, I am today including in the RECORD a detailed summary of a national service plan to revise the draft. I placed a short summary of this plan and the draft of the legislation to carry it out in the RECORD on March 4, 1970—pages 5891 to 5896.

I will be holding a working meeting on Thursday, March 12, to discuss this concept. I then plan to revise the bill in light of the comments and suggestions I receive and circulate it for cosponsors. I hope that as many of my colleagues as possible will be able to attend and contribute to the development of this proposal to overhaul the draft.

The summary follows:

THE NATIONAL SERVICE ACT OF 1970: AN EXPLANATION AND COMMENTARY

(Prepared at the request of Congressman JONATHAN B. BINGHAM by Timothy W. Bingham, Yale Law School, 1970)

FOREWORD

The bill entitled the National Service Act of 1970 is the product of a Yale Law School seminar. The seminar was organized at the request of Congressman Jonathan Bingham to hammer out a bill providing a civilian alternative service to military service. The bill is a result of hundreds of man-hours, several drafts and extended debate.

Members of the seminar included: Woodson Besson, 1971; Timothy Bingham, 1970; Hamilton Fox, 1970; Peter Gregora, 1970; William Heckman, 1970; Donald Irwin, 1970; Allan Keiser, 1970; Klari Neuwelt, 1971; Irving Schloss, 1970; Richard Van Wagenen, 1970; Professor Daniel Freed; and Alfred Fitt, former Assistant Secretary of Defense for Manpower and Reserve Affairs. While all of these people helped in the drafting of the National Service Act of 1970 and contributed substantive ideas which have been incorporated into the act, a majority of the members of the seminar do not support the act in its entirety. A dissenting viewpoint, written by Richard Van Wagenen, is included as Section VI of this report. Responsibility for this commentary is mine.

This report outlines the proposals set forth in the bill and analyzes some of the more difficult policy questions which are reflected in it. In section III of this report, I have listed what we thought to be the crucial arguments for and against a volunteer army. At the outset of the seminar, we decided that a volunteer army was not desirable. Having read the Report of the President's Commission on an All-Volunteer Armed Force, I am still convinced that the arguments against a volunteer army outlined in Section III of this report strongly outweigh the positive gains of an all-volunteer force. The proposed act is a viable alternative for those who both wish to reform the present Selective Service Act and who do not think that an all-volunteer force is desirable or practical in the foreseeable future.

We hope that the National Service Act of 1970 and this commentary will contribute to an eclectic debate and consideration of the subject of civilian service.

I. OPERATION OF THE NATIONAL SERVICE ACT OF 1970

1. Premises

The National Service Act we are proposing is based on a series of seven premises:

1. We will have a military in the future, and

2. we will need some form of conscription to fill military manpower needs at least for the immediate future.

3. We wish to end those aspects of the present system which cause many young men to choose between draft evasion, a jail sentence, emmigration, or the spiritual agony of fighting what they consider to be an unjust war, and

4. we wish to end the economic and racial injustices in the present system.

5. We do not wish to have a volunteer army.

6. there are areas of socially valuable work to which the market economy and government programs presently supply inadequate amounts of manpower, and

7. there are young men of draftable age who have both the ability and the idealistic desire to serve in these areas.

2. Envisioned operation

Each male citizen of the United States will have to register with a local placement center of the National Service Agency at age seventeen. During the interval between seventeen and eighteen, the registrant will receive counselling from trained personnel at the placement center on the three options available to him. At age eighteen, he will choose one of these options: (1) enlistment in the military; (2) enrollment in the Civilian Service for a period of time "equivalent" to two years in the Armed Forces; or (3) the option to register for a military lottery similar to the one now in effect.

A registrant who elects civilian service will attempt to find a job with an employer who has previously "qualified" the job for participation in the Civilian Service Program. Local placement centers will maintain lists of qualified job categories as well as specific qualified jobs which exist throughout the nation. Each local placement center, therefore, will be able to direct interested registrants to civilian service job opportunities anywhere in the United States.

Jobs will qualify for participation in the Civilian Service system, if the Director and those to whom he delegates the task, find that the occupation fits within both standards outlined in the statute as well as standards promulgated by regulation. The statute specifices that suitable employers will include: (1) state, federal and local agencies; (2) public, private and parochial schools; (3) non-profit hospitals; (4) police; (5) penal and probation systems; (6) noncommercial organizations such as the Red Cross, whose principal purpose is social service; (7) VISTA; (8) Peace Corps; (9) Teacher Corps.

In order to qualify, employers will have to (a) meet requirements detailed by regulations promulgated by the Director, on the type of job and the amount of job training and supervision available; and (b) indicate to the extent possible, how they intend to insure that participation of Civilian Service registrants in the occupation will not interfere unreasonably with the regular labor force in that area. The Director will set up "reasonableness" guidelines for each qualified category of job detailing by how much existing hiring rates and wages may be allowed to change once Civilian Service workers are brought in.

Qualified employers will have to pay the "going rate" for the type of work that the registrant does. This salary, however, will be paid to the National Service Agency which, in turn, will return to the registrant an amount determined by the Director for "subsistence." This amount will vary depending on the cost of living in the area, and the number of dependents the registrant has to support. The difference between the subsistence allowance and the wages paid will go to the National Service Agency to offset the cost of administering the Civilian Service Program.

Registrants seeking jobs may be attractive to employers because of their youth (an asset especially in public school teaching). Most qualified job categories, such as elementary and high school teaching, will have clear manpower shortages. And many employers, such as police departments, will want to hire registrants in the hope that the registrants will then remain in police work.

The local placement center will provide to registrants who are employed in the geographical area, assistance in finding housing, recreation, and health care. Local government and community organizations will also be asked to take some responsibility for the welfare of Civilian Service workers in the area (e.g., housing in Y.M.C.A.'s or housing in local homes, police assistance in physical training, a lecture series, etc.)

A registrant unable to find a qualified job on his own initiative, will enter the National Service Corps. The Corps will directly operate federal programs in areas of social need such as reforestation and mass-produced housing for the poor. For example, the Corps might well operate an "environmental task force" as recommended recently by Secretary of the Interior Hickel (New York Times, March 6, 1970, 13:1). The Corps will also operate educational and training programs especially for registrants from deprived backgrounds. These programs will enable the registrant (a) to do useful and semi-skilled work for the remainder of his Civilian Service tour, and (b) to find skilled jobs following the completion of his service.

The enlistment and lottery options will be essentially unchanged from what they are now. Those who decide to take their chances with the lottery will undergo one year of liability. The lottery will proceed by the random selection of birthdays. Since the only deferments will be for high school, temporary physical reasons, and hardship, most of those chosen by the lottery will be inducted immediately. Those selected who turn out to have temporary physical deferments will have the deferment reviewed each year until they turn twenty-five.

Civilian Service is a voluntary choice of service which the nation honors as an *alternative* to military service or the lottery. If a registrant, therefore, is discharged from the Civilian Service "for cause" (after a full hearing and appeals), his name will be placed in the lottery next following the date of his discharge; he will be deemed to have waived the right to the alternative to the lottery.

The length of time registrants have to serve in Civilian Service, and the extra benefit of military service (e.g., higher salary, travel, G.I. Bill), will be valves to check and control the flow of men into the three options. If, for example, the Director concludes that not enough men are choosing the lottery option because the Civilian Service option is too attractive, the length of time required for Civilian Service will be increased by six months. After some testing, a desired balance between the three options will be achieved by manipulating the positive and negative incentives.

If war is declared by Congress, Civilian Service will no longer be available as an option. Upon a formal declaration of war, all new registrants will be placed in the lottery. As manpower demand increases, those who were in the lottery pool in previous years but were *not* selected, will also be placed into the new lottery pool.

When the National Service Act takes effect (which will be upon its passage), those with student deferments will be able to complete the existing school year before they are required to select one of the three options. Those with occupational deferments will be able to retain them as long as they remain employed in the job which qualified them for the deferment. If these occupationally deferred registrants then keep their deferable jobs until they have served a total of three years, they will be deemed to have completed a Civilian Service tour of duty and will be discharged from further obligations.

(NOTE.—The seminar finally decided against allowing college deferments after swinging back and forth several times on the issue (see Part III, #4, for an explanation of the arguments on both sides of the question of college deferments). It would not, however, be difficult to modify the proposed Act to allow college deferment in return for an extra year of service. Medical school deferments also could be added without disrupting the scheme of the Act. Without medical school deferments, the Armed Forces would be required to fund special medical school scholarships, increase the pay of military physicians greatly, and expand the use of civilian doctors in the Armed Force (see the President's Commission on an All-Volunteer Armed Force, chapter 8).)

II. SECTION-BY-SECTION EXPLANATION AND COMMENTARY

Section 1. *Short Title:* "The National Service Act of 1970".

Section 2. Policy and Intent of Congress: This section explains the seven premises in the National Service System explained above.

Section 3. *National Service Agency:* This section attempts to end the inefficiency and lack of uniformity caused by the decentralized, uncompensated and part-time local draft boards of the Selective Service System.

A National Service Agency will replace the Selective Service Systems (#3a). The Agency shall be headed by a Director and three Deputy Directors. All four appointed by the President with the advice and consent of the Senate and will serve at the *pleasure* of the President. The agency will have three functions:

(1) The supervision of the Civilian Service from locating jobs in the private economy which "qualify," to running the federally operated Civilian Service Corps;

(2) The operation of a yearly birthday lottery similar to the lottery in effect today, including calling for induction when their number comes due; and

(3) The operation of local placement centers where registrants will be able to receive counselling on the options available to them, and where all classifications will be handled according to national regulations promulgated by the Director under the Administrative Procedure Act, (#3b–3f).

The country will be divided by the Director into regions. Each region of the country will have a Regional Registration and placement Administrator who shall appoint full-time civilian boards, whose members shall be compensated and none of whose members shall be employees of the National Service Agency (in order to get unbiased decision-makers). The Boards, with the assistance of hearing examiners, shall handle all appeals of classifications, also according to uniform national regulations (§ 3g).

Section 4. *Selections of Qualified Occupations:* This section is designed to create an orderly and open method of performing the difficult task of choosing which jobs in the economy will "qualify" for participation in the Civilian Service Program.

First, the section sets admittedly vague statutory guide-lines to the jobs—the jobs must be "of substantial social benefit," constitutionally permissible, and must not undercut the job market in that area (§ 4a, b). Second, the guidelines are clarified by examples within the statute of both suitable occupational categories (for example, "jobs in non-profit hospitals") and non-suitable occupational categories (for example, "jobs with commercial organizations") (§ 4c).

Third, the section creates a four-stage procedure that the Director is required to follow to determine which occupational categories and which specific jobs within the categories fit within the statutes guide-lines: (1) the Director solicits information from an initial list of potentially qualified employers on how many jobs and what types of jobs the employers think should qualify. (4 f). (2) The Director holds hearings and publishes regulations on which occupational categories and which specific jobs qualify. (4d1, 4g) After objections are filed, the Director holds hearings on objections raised to the regulations (§§ 4d 2, 3 and 4 g). (4) Any party aggrieved by a final order of the Director can appeal to the nearest federal Court of Appeals for judicial review (4 e). Presumably, the great majority of jobs will not require this third stage.

Fourth, jobs which have "qualified" will be compiled by the Director and be made available to young men at the time they register (§ 4 h).

Because the Director is responsible for the entire process of job selection (although he will, of course, delegate most of this responsibility), both the definition of precise job categories and the application of these categories to specific jobs will be under one authority.

Section 5. *Registration:* All male citizens shall be required to register at age seventeen at which time they will get detailed information on the options available to them. Since registrants will not have to select among the options until age eighteen (§ 8a), they will have a year to make a reasoned decision. For most registrants, this year will coincide approximately with the last year of high school.

Section 6. *Exemptions and Deferments:* In this section, only those exemptions and deferments of the present systems which were thought necessary were retained.

(A) Four exemptions and deferments were eliminated:

1. Undergraduate College Deferments. (See discussion below, Part III 4).

2. Sole Surviving Son. This exemption, designed to prevent a family from losing its last son, is no longer necessary since nonmilitary civilian service is available as an option.

3. Ministers and ministerial students. If the purpose of this exemption is to insure a supply of men who will do socially valuable work, this purpose is met by allowing a socially oriented, civilian alternative to the military service. Furthermore, there is a fairly persuasive objection that this selective exemption involves an unconstitutional establishment of religion.

4. Occupational deferments. Civilian Service in itself is a system of occupational exemptions. Unlike occupational deferments, however, Civilian Service jobs will be (a) determined on an articulated basis instead of by regulation alone; (b) chosen at a national level instead of at the descretion of local boards, (c) devoid of the regional variances and uncertainties that have resulted in the past from allowing local boards to determine which occupations to defer; and (d) jobs of direct social usefulness including jobs with elementary schools but not including jobs with private, defense-related industries.

(B) Those exemptions which were retained in the Act include:

1. Persons serving in the Armed Forces, Reserves, ROTC, etc. (#6a1).

2. Persons found physically, mentally, or morally unfit as a permanent basis. (A less rigorous standard will be set for civilian service which few will fail to meet, e.g., the blind, mentally retarded, seriously incapacitated) (#6a2).

3. Residents who do not become citizens until 25. (It seems unfair to burden those who have not yet enjoyed the benefits of citizenship with the service obligation to the country. If national service is thought of as a prepayment for citizenship, service would only be required of those residents *intending* to become citizens. A determination of this intent would be complex and could be oppressive) [§ 6(a)(3)].

4. Persons conscientiously opposed to service in either a military or civilian capacity 6(a)4.

(C) The deferments retained include:

1. Persons satisfactorily enrolled in high school (§6b);

2. Persons found physically or phychologically unfit on a temporary basis (§ 6b2); and

3. Persons granted hardship deferments. The hardship deferment will be granted only after a showing that either (a) additional financial compensation or (b) work enabling

the registrant to reside at home, or (c) both (a) and (b) together are insufficient to provide for the registrant's dependents. (§ 6b3).

Section 7. *Classification; Right to Appeal Classifications:* All routine classifications will be made initially by local placement centers. All classifications, including conscientious objectors and hardship classifications will be appealable: (1) to a hearing examiner who will take evidence and make conclusions of fact and law (§ 76); (2) to the Regional Civilian Board, which will review the examiner's decision to determine if it is supported by "reliable and substantial evidence," and which at its discretion may hear further testimony (§§ 7c); (3) to the Director whose standard of review shall be the same as the Civilian Board (§ 7d); and finally (4) on judicial review to the nearest Federal District Court (§ 19).

Section 8. *Election of Service Option:* At age 18, the registrant must irrevocably choose one of the three options.

Section 9. *Length of Service:* This section creates a time differential between conscripted military service (up to 24 months), and Civilian Service (from 24 to 48 months). The exact differential will be modified to regulate the flow of manpower into the three options. If too many registrants are choosing Civilian Service, the time required for Civilian Service will be increased. The Civilian Service minimum of two years is the maximum for those conscripted into the military, and the Civilian Service maximum will be four years—serving longer than four years could work to great a hardship on registrants' lives—with varying lengths possible for different occupational categories.

Section 10. *Operation of the Military Lottery:* The same random birthday lottery that is in force today will be preserved. Unlike today, however, only those who elected to be exposed to the risks of the lottery will participate in it.

Section 11. *Civilian Service Jobs:* This section details the requirements of those who have elected the Civilian Service option. These registrants will be given six months to find a qualifying job, (§ 11a) and once hired must remain there for the required length of service (§ 11b). If unable to find a job, they will be placed in the Civilian Service Corps. (§ 11a3). Employers will retain the right to reject or dismiss registrants provided there is no discrimination on the basis of race or religion. (§ 11c) Registrants who are dismissed through no serious fault of their own will report to local placement centers where they will be able to choose a new job. (§ 11d)

Section 12. *Civilian Service Corps:* The Corps will train and employ in collective tasks those registrants unable to find a qualified job on their own. (§ 12a) In order to operate the Corps, the Director is authorized to request that private or public organizations assist the Corps in training registrants.

Sections 15–20. These sections provide: that there shall be no discrimination against or in favor of any registrant (§ 15); that whenever a registrant leaves or is removed from his employ, his employer must submit a report explaining the termination (§ 16); that a registrant who is removed from his job "for cause" (i.e., "highly unsatisfactory performance") may be dismissed from the Civilian Service after he has exhausted his appeal rights (§ 19); that a registrant so dismissed shall be deemed to have waived his Civilian Service option and shall be placed in the next military lottery (§ 18b); that those so placed in the lottery, who were dismissed after having completed at least half the time required in Civilian Service, will only be required to serve one additional year in the Armed Forces if selected by the lottery; and that all final decisions are subject to judicial review (§ 20).

Sections 22–26. *Repeals, Saving Clause, Severability, Appropriations and Effective Date:* These sections are self-explanatory.

III. THE MORE DIFFICULT POLICY QUESTIONS

The National Service Act of 1970 reflects the decisions to at least five difficult policy questions. Below is a quick outline of the arguments on either side of those issues.

1. *Volunteer (professional) army (?)*

An essential premise upon which the National Service Act stands is that a voluntary army is *not* desirable, at least not now. If one decides, on the other hand, that a voluntary army is desirable, then the debate on large scale civilian service ends right there. It would not be possible to enlist the low-cost services of thousands of young people for 2 to 4 years without offering the service as an alternative to conscription or the risk of conscription into the Armed Forces.

The arguments which militate *against* an all-volunteer army include:

1. A volunteer army would increase the threat of military intervention into the political process. If the present Armed Forces, most of the *officers* are short-termers, who become officers under the threat of the draft, and who remain essentially civilian at heart. In an army which has a draft, the non-career, draft-induced junior officers and the non-career enlisted men might well become "unstuck" from the chain of command if a military takeover were attempted. In a voluntary army, however, almost all the officers and enlisted men down the chain of command would be professional soldiers. The junior officers especially would be *more* likely to follow their superiors at a time of intervention because they would be more professional and career-minded. Even a slight increase in the chance of military intervention is a large risk for the United States because the stakes involved are so high.

2. An all-volunteer force could easily be composed disproportionately of Southern white officers (where the military tradition is the strongest) and of minority group enlisted men (who would be disproportionately attracted by the increase in wages at the low ranks). Racial troubles are already appearing with increasing frequency in the Armed Forces. Increased de facto segregation would increase the likelihood of racial trouble. Furthermore, as the recent Senate study pointed out:

"Staffing the military establishment is not a typical employment problem, because of the singular circumstance that fighting may be part of the job. If a volunteer force is to be maintained by increasing incentives only to a marginally sufficient level, it will tend to attract disproportionately those in civilian society who are most susceptible to marginal economic motivation from lack of opportunity as the result of prejudice, inadequate education, and so forth. This means that the obligation for the defense of the Nation will be largely imposed on those who have benefited least from its existence. In effect, therefore, an all volunteer force is likly to involve a pre-selection through the operation of economic and social factors which is just as discriminatory and probably less democratic than the present Selective Service System." [1]

3. An all-volunteer army by definition, requires that the government pay whatever is required to fill the manpower requirements. This is a costly and inflexible method of recruiting soldiers. When soldiers are needed most (time of a conflict), enlistments will go down because of the dangers. The fewer that enlist, the greater the danger per man. If Vitnam continued to require upwards of 400,000 men, even with the pay increases suggested by the Gates Commission, a sufficiently large number of men may not be attracted to meet the manpower needs. This, in turn, will require added pay increases.

4. In the past, whenever the United States has had an all volunteer force, the Army has been a relatively small standing army. In the Civil War, World War I, II, and the Korean War, when the Armed Forces approached the size of today's army, the United States had a draft in operation. An army of two to four million men is not a small standing army. Historical precedence, therefore, militates against the use of an all-volunteer force considering the size of today's Armed Forces.

5. The United States has one of the few governments which has not suffered from the loss of legitimacy which follows a direct military intervention. Since we must be "doing something right" (and no one knows quite what), we should not tamper with the balance we have achieved unless absolutely necessary.

Among the arguments in *favor* of the volunteer army, are: [2]

1. That with a volunteer army, there would not be the measure of direct governmental *coercion* that exists with conscription;

2. That the volunteer army, like every other occupation, would have to go to the *market place* to compete for the working force;

3. That the volunteer army would attract the same low income groups that end up in the military today but it would pay a more attractive "living" wage than is paid for the same "coerced" services today;

4. That the payment of higher wages to low income groups who enlisted in the volunteer army would effect a desirable distribution of income from the generally higher income groups that pay taxes.

5. And that since the senior officers who *control* the military will all be professional soldiers with or without a draft, an all professional army will *not* create any greater a political *threat* than exists today.

2. *Universal service (?)*

The proposed scheme allows each registrant three options at 18, one of which is subjection to the risk of the lottery. The system could be organized so that *all* young men would be required to serve and none would escape by means of a lucky draw in the lottery. This universal service scheme could be organized: (1) by placing all registrants in the Armed Forces, but creating military units which would do only civilian work; (2) by requiring every registrant to choose at some point between civilian or military service; (3) by arbitrarily determining by lottery which registrants serve in the Armed Forces and which in the Civilian Service; or (4) by some variation or combination of the above methods.

Arguments in *favor* of universal service, no matter how it is organized, include:

1. That the universality of service would emphasize that *all* men owe a duty of national service;

2. That with universal service, there would *not* exist the *inequalities* inherent in any system where some can avoid service (although there would still be inequalities in who got what types of jobs);

3. That universal service would create a huge pool of young men—4 million men

[1] A Study of the Selective Service System: Its Operation, Practices and Procedures, Submitted by the Subcommittee on Administrative Practice and Procedure to the Committee on the Judiciary of the Senate, 1970, p. 37.

[2] For a full discussion of the positive side of the volunteer army, see the President's Commission on an All-Volunteer Force, February 1970.

every two years—who would be available for civilian and/or military works. This pool, depending, of course, on whether registrants were given the option to choose military or civilian service, would obviate many uncertainties of manpower procurement.

The counter-arguments *against* universal service and in favor of the proposed scheme with the lottery as an escape option, include:

1. That with three options, each registrant has a larger choice and thereby perhaps a *less coerced* choice (the comparison of levels of coercion is subjective comparison and will, of course, vary with each registrant);

2. That the lottery option will attract a part of the non-motivated registrants whose main desire is to avoid any service—registrants who probably would be of little use to the Civilian Service—while the registrants who decided to undertake the added time requirements of Civilian Service, would, by a process of self-selection, tend to be more highly *motivated* and thereby more useful to Civilian Service;

3. That, as many registrants choose the lottery option, Civilian Service would be a more *manageable size*—somewhere in the order of 800,000 instead of 2 million—which would require less money and a smaller bureaucracy to operate than a Universal Service system would require.

4. That, as the Civilian Service would involve a slightly less coerced form of service than universal service, there would be less possibility of a constitutional threat under the 13th Amendment prohibition against "involuntary servitude."

3. Organization of the Civilian Service (?)

(A) Civilian Service could be organized in any number of ways:

(a) It could be operated as a *military* or *quasi-military* organization, such as the Army Corps of Engineers or the C.C.C. (b) It could be organized entirely under a *centralized civilian* bureaucracy with the major focus on collective work projects. (c) It could be organized entirely in a *decentralized* fashion so that only those who could find "qualifying" occupations would be deemed in the Civilian Service. Or (d) it could be organized, as the National Service Act of 1970 *is* organized, so that the Civilian Service Agency would serve both the *decentralized* clearinghouse function of "qualifying" jobs in the market that are socially useful to which registrants can apply, *and* the *centralized* function (of the Corps) of organizing collective work efforts across the country for those who can not find outside jobs.

(B) As a centralized, quasi-military organization, the Corps will have the *advantages* of:

(1) Being able to utilize military organizational experience (retired army personnel) and existing military facilities (old army barrack, old army bases);

(2) Being able to focus large amounts of manpower on aspects of problems which existing institutions, both private and public have not reached, such as conservation efforts, neighborhood safety patrols, drug addict rehabilitation centers, and massive housing projects for the poor.

Disadvantages of such collective efforts, however, will include:

(1) A possible dissatisfaction resulting from the discipline and regimentation among the eighteen-year old registrants of today;

(2) The difficulty of defining the legal status of the civilian registrants within the program and of maintaining necesary discipline;

(3) The difficulty of giving individualized training to each registrant.

(C) The combined clearinghouse and back-up employer structure of the National Service Act of 1970 was adopted because we felt that:

(1) Initially, it relies upon the preferences of registrants and the demands of "qualified" employers, both public and private, to match needs with skills;

(2) It focuses federal money and training on those registrants who, by the self-selecting process of not being able to land a job, need the attention the most;

(3) It requires a *smaller bureaucracy* than would a Civilian Service system that trained and directed the work of all Civilian Service registrants itself.

(4) It would be *easier* to *start* than would a massive bureaucracy, and easier to experiment with.

4. College Deferments (?)

Of all the issues, perhaps the most difficult to resolve is whether or not to allow college deferments. On the one hand, registrants who are college graduates will be more useful than 18 year olds: after a college education, they will be more highly trained, will qualify for a wider range of jobs (teachers, social workers, and program organizers), and will integrate more easily into the economy. On the other hand, allowing college deferments *benefits* the *advantaged* registrants who are able to go to college and thereby: (1) get a better civilian service job upon graduation; and (2) select their time of exposure to the lottery when perhaps the risks are lowest. (This second advantage would be especially valuable to a registrant if by gauging his year of liability to the lottery, a registrant could minimize his chances of having to serve in an actual conflict. Furthermore, allowing college deferments would create administrative complexities and concomitantly administrative loop-holes.

Luckily, this issue of college deferments can be resolved either way without seriously affecting the National Service Act of 1970. We ultimately decided to eliminate college deferments because we felt that, on balance, equity outweighed practicality on this issue.

5. Who Should Pay the Registrants Who Work in Civilian Service Jobs?

Under the proposed plan, private employers will pay to the government the "going rate" for the Civilian Service registrants whom he employes. The government in turn will return to the registrant a "subsistence" allowance, and will retain the difference between this allowance and the wages paid by the employer, in order to offset the cost of the Civilian Service program. The Civilian Service program will thereby be self-supporting to some extent. Of course, if the "going rate" is below subsistence level, the government will supplement the pay of the registrants.

As an alternative, however, it would be possible to have the government pay the subsistence allowance out of its own funds, thereby subsidizing the Civilian Service labor. This so-called "government pay" scheme would have the great *advantage of*, in effect, supplying *free* labor to socially valuable institutions which cannot afford to improve their deficient services (i.e., city schools, mental hospitals, drug rehabilitation units).

Unfortunately, however, the "government-pay" scheme has four serious *drawbacks* which require some detail to explain:

1. *Disruptive Effects on the Labor Structure.* Under the "government-pay" plan, the government would be effectively subsidizing up to 2 million jobs. This subsidy could well disrupt the labor structure in significant ways. Employer institutions, presumably economically rational, might not follow the desired pattern of utilizing the cost-free labor to improve services without increasing costs. Instead of improving services, the institutions might start utilizing the subsidized labor to lower costs by replacing existing and potential, regularly-paid employees with the cost-free registrants.

Whether this displacement occurred or not, existing and developing unions in hospitals, for example, might find that their bargaining position with their employer was undercut by an annual supply of costless labor available to the employer-institution.

2. *Larger Federal Bureaucracy.* In order for the "government-pay" plan to work without an *undue* amount of labor disruption, the Civilian Service would have to employ bureaucrats (a) to select and help employers create job slots which interfered as little as possible with the existing labor structure, (b) to negotiate with employing institutions and unions over jobs which would be the least disruptive, (c) to evaluate the effects over time of the subsidized jobs and (d) to check up on the fairness and effectiveness of the people doing the checking.

3. *The Costs to the Government.* Under the "government-pay" plan, the government would have to pay: (a) the costs of administering the selection, training, and placement of volunteers; (b) the costs of maintaining the "check-up" bureaucracy; and (c) the subsistence wages of up to two million volunteers. The subsistence pay alone could conceivably run from $3 to $6 billion—$3,000 per year times one to two million volunteers. To this must be added the various opportunity costs and loss in taxes.

4. *Back-Door Subsidy.* Many feel that federal subsidies, if they exist at all, should only involve the allocating of money or credit to benefiting institutions, to use, within limits, as they see fit. Those who feel this way will object to the "government-pay" scheme which, in effect, is a subsidy resulting indirectly and perhaps inefficiently from a scheme to reform the military draft. The proposed scheme includes no backdoor subsidies.

Under the present plan (1) institutional employers will have to pay the "going rate" for civilian service workers and, therefore, however economically rational, will not have cost incentives to replace existing employees; (2) since the government will not need to worry about the disruptive effects of Civilian Service jobs, a large part of the evaluative and check-up bureaucracy will no longer be needed; (3) a large part of the Civilian Service program may well pay for itself [the difference between the going wage and the subsistence allowance which accrues to the National Service Agency may cover the costs of administering the non-federal part of the programs. If, however, large numbers of volunteers cannot find qualified jobs and have to fall back on the government as "employer of the last resort," the costs will, of course, start to climb.]

6. Government interference with more lives (?)

Two dissenters of the group which drafted the National Service Act wrote:

"The bill brings some measure of direct government coercion into *more* lines than does the present system. While it provides a theoretically free choice between civilian and military service . . . it does not allow any escape from making the choice. It replaces today's occupational deferments with a standardized system of service in what amounts to a decentralized civilian army. If one of the major faults of the Selective Service System is "channelling," this criticism is stronger against the National Service system proposed in the bill." (Draft Statement of Dissent on National Service Act.)

One counter-argument to this criticism is that while the National Service Act of 1970 does affect *more* lives, the amount of coercion and spiritual agony of those affected will be *less* per person than with the present system. Every registrant will be faced with a difficult choice to make at age 18, but no registrant will be forced to go to jail or to Canada in order to flee military duty.

A second counter-argument is that since under the proposed act every registrant *is* affected, there is not the inequality that exists today of some being required to serve in the most dangerous capacity while others are able to avoid any involvement with national service in any form.

IV. PROBLEM AREAS REQUIRING FURTHER RESEARCH

1. The difficulty of defining appropriate jobs

The following job categories seem obvious candidates for Civilian Service:

(A) Reforestation under state and federal forest services to end the 10 year backlog in areas where logging and natural disaster have destroyed the old forests;

(B) Inspection under federal, state, or local governments of sources of air and water *pollution* to enforce pollution standards;

(C) Para-professional *teaching* and teacher assistance at elementary and high school levels; staffing special educational programs; counselling the disadvantages, the drug addicted students, and the drop-outs;

(D) Police work, as regularly trained police officers, para-police extras, full-time neighborhood safety patrols in high density, urban areas (after an eight week training program on self-defense and the handling of minor criminal problems);

(E) Probation and Prison work, as aides to professionals in juvenile correctional institutions; vocational work in prisons;

(F) VISTA;

(G) Peace Corps;

(H) Hospital work, after six months training in state mental hospitals, long-term care facilities, and private, non-profit hospitals;

(I) Staffing assistance for otherwise understaffed state, federal and local governmental agencies.

The task of defining (a) exactly what civilian service registrants will do within their job categories, (b) how many registrants can be usefully employed in each category, and (c) what the effect the civilian service jobs will be on existing labor structures, must be performed before the National Service scheme can function properly.

Answering these questions is an extremely difficult task which requires consultation with potential employers and labor unions in the industry, and further requires the gathering of statistics many of which are not now available.

2. The danger of expanding the military exception to the 13th amendment

Traditionally, the military has been the one massive exception to the 13th Amendment's prohibition against "slavery" and "involuntary servitude". A Civilian Service which offers itself as an alternative to military service involves a certain degree of indirect coercion. The services that registrants perform in the Civilian Service will not be entirely voluntary. The more directly the coercion is applied and the less the service resembles the recognized duty of defense of the nation in time of emergency, the closer the Civilian Service comes to involving an unconstitutional degree of "involuntary servitude".

In the past, the constitutional prohibition against "involuntary servitude" has only been applied to situations where private individuals have compelled service from other individuals. The prohibition has never prevented legislative demands of service to the state. The 13th Amendment has never been held to prevent the government from conscripting men to military service. Court cases have consistently upheld civilian service as an alternative to military service for conscientious objectors. And in 1916, the Supreme Court in *Butler* v. *Perry* 240 U.S. 328 (1916) upheld a Florida statute which required all able-bodied men to work on roads and bridges six days per year on the grounds that the service was a matter of ancient usage.

The proposed Act organizes the Civilian Service in such a way as to minimize the existence of "involuntary servitude." Civilian service is offered as one of three options rather than being a directly coerced service. The option is essentially a conditional, occupational *exemption* from either military duty or the risk of the lottery. Civilian Service registrants do not face jail if they leave their work, but rather lose their conditional exemption from the lottery. All of these factors together, make the danger of a successful 13th Amendment challenge quite slight.

Even though it is unlikely that a court would declare the Civilian Service unconstitutional, it is important that a series of Constitution-related questions be answered before the Civilian Service is implemented:

(1) Do we want to allow the military exception to the 13th Amendment to be expanded to civilian jobs? What kinds of jobs?

(2) Are the civilian jobs of sufficient national importance to analogize a semi-coerced civilian service in areas of social need to military service in defense of the country? Is the "war on poverty" analogous enough to a shooting war to require semi-coerced service?

(3) How can we make civilian service effective while cutting down on the "involuntary" aspects of it?

(4) If we allow the civilian service as an exception to the 13th Amendment, what time limitations and work limitations should we put on this type of semi-coerced, civilian work for the future? Are we creating a dangerous precedent for the future?[3]

3. Does the lottery involve a self-destruct mechanism for the entire scheme?

The lottery option of the National Service Act will most likely function best when the military manpower demands are neither too great nor too weak. For example, a lottery which takes one man in twenty will probably make the three-option system work optimally.

In times of *great* military need, unless there is a wave of patriotic enthusiasm, there might well be a rush to the Civilian Service. As fewer registrants chose the lottery, the risks of choosing the lottery would become greater, and fewer in time would opt for the lottery. Soon the lottery would involve a 100% risk of selection. If the military was then *not* getting enough people to fill their manpower needs, the system would start to break down.

In times of very *low* military need (where almost all military manpower needs were taken up by volunteers), the risk of the lottery, perhaps down to 1 in 100, would be so low that only the very motivated would opt for Civilian Service. Possibly if the number of registrants choosing Civilian Service dropped off suddenly, it could lead to damaging shortages in areas of social need which had begun to rely on the services of Civilian Service registrants at a time when more registrants were opting for Civilian Service.

To cover the danger of the military not getting sufficient manpower, the National Service Act provides that if war is declared by Congress, the Civilian Service shall no longer be offered as an option. Instead, all those who do not enlist will have their names placed in the lottery. The second danger (of a sudden drop in Civilian Service optionees) is side-stepped by the presumption that changes in lottery risks will change slowly enough to enable institutions utilizing Civilian Service registrants to adjust to the changes in the flow of manpower.

The two dangers and the attempted solutions, however, require further analysis.

V. INTERIM RECOMMENDATION

As an interim measure, while the National Service Act is under consideration, the author of this report recommends that a "National Commission to Study a Civilian Service Alternative" be organized, either as a legislative or an executive commission, to answer, among other matters, the problems and questions outlined in this section. An accurate prediction of how successful a Civilian Service would be, cannot be made until more detailed research is made, especially on the types of jobs that would lend themselves to Civilian Service.

VI. STATEMENT OF DISSENT

(NOTE.—Prepared by Richard Van Wagenen on behalf of the members of the Seminar who at the end of the Seminar voted against the National Service Act of 1970.)

The amount of labor—as a group, in subcommittees, and individually—which was required to produce such an unsatisfactory answer to the Vietnam-or-jail dilemma as the National Service Act should indicate the enormous difficulty of real reform of the draft. The proposed bill appears to illustrate the many disadvantages that must be accepted in exchange for the advantage of a certain "choice" for those conscientiously opposed to a war like that in Vietnam. It is the product of a certain historical moment which may already have passed—the tremendous pressure put on American institutions and consciences by the undeclared war in Vietnam and its demands for manpower—and its relevance to or usefulness in the future is most doubtful.

In the final session of the group which drafted the proposed bill, seven of the ten people present decided that they did not personally support the legislation the group had developed. Some of the points made in opposition are stated below, along with arguments not advanced at that session:

1. Coercion

The bill brings some measure of direct government coercion into more lives than does the present Selective Service System. Whether it establishes involuntary servitude prohibited by the Thirteenth Amendment is uncertain; suffice it to note that there is a substantial possibility of unconstitutionality. But apart from the requirements of the Constitution, the enactment of this bill will introduce into the lives of far more young men than are now inducted into military or alternative service the requirement of several years of forced service in what the government decides is the national interest. That a choice may be made whether this service is to be military or civilian, that a choice may exist among military options and civilian jobs, even that there is a lottery mechanism which will allow some to take the option of leaving their fate to chance, are merely "softening" features of a system that is basically coercive. The military draft, at least in time of war, has consistently been upheld by the courts as justifiable coercion; it would be a major and unhealthy innovation to extend this principle to civilian service as well. While the present Selective Service System forces men to register, keep their draft boards informed of their status, apply for classifications, and otherwise comply with administrative formalities, it does not force virtually all of them, as the proposed system does, actually to serve.

And, while the proposed system provides a theoretically free choice between forms of service and even a lottery (whose meaning will vary greatly with the odds of being se-

[3] The author of this report is presently researching these 13th Amendment questions with Professor Charles Black of the Yale Law School; a report will be available by June 1970.

lected in it), it allows no avoidance of the choice. It replaces today's occupational deferments with a standarized system of service in what amounts to a decentralized civilian army. If one of the major complaints against the Selective Service is its effect of "channeling," this criticism is far stronger against the proposal.

Coercion may be justified by real military need, and an important criticism of Selective Service is that it is oriented in favor of white middle-class youth who are abler to get educational or occupational deferments than lower-income groups or racial minorities. The argument here is that military service is at least the responsibility of every segment of society and that the government's use of military power should be the direct concern (via the draft) of every group in society. Selective Service does a poor job of giving every family such a stake in the military; the propsed system, by providing an automatic civilian alternative except in times of real emergency, would do a worse job.

2. Social needs

The proposal is animated in part by a desire to meet social needs by providing civilian manpower for socially useful work. Another way to describe this is that it holds out the promise of "cheap" methods of dealing with social problems by the use of massive amounts of relatively unskilled labor. There is an accompanying temptation to use such labor instead of other methods, such as direct subsidies or structural reforms, in dealing with poverty, inadequate health care, poor education, inadequate protection of society against crime, the spoilage of the environment, and other serious problems. Take, for example, education—the proposal would make available a large number of teachers' aides, who would be employed when better solutions might require more teachers, better textbooks, longer sessions, or something else. By institutionalizing the automatic "solution-by-manpower," the proposal would lessen the flexibility of government and the private sector in finding other, perhaps better, solutions.

3. New agency

The proposal creates an entirely new and very large administrative agency, operating throughout the country, having a major impact on every community and nearly every family, and accountable neither to local government nor to the national electorate. Its impact would be more heavily felt than that of the Selective Service System because it would work uniformly and inescapably on each male citizen at specified times. The sheer power of the propcsed National Service Agency, as exercised directly over virtually every family in the nation, is not exceeded by that of any presently existing public agency. Apart from the problem of individual coercion, the very establishment of such an agency should be undertaken only when the necessity for it is clear. This is by no means the case here.

4. Lottery

Two major objections to the proposed lottery may be advanced. The first applies as well to the present Selective Service lottery—that it is an evasion by the government of its responsibility to the people it is telling to become soldiers and fight. When a man is drafted he should be given a better explanation of why he and not someone else may die than simply that his number came up in a lottery. Society has a responsibility to find and use rational criteria which can be defended on their own merits in making this kind of demand of some citizens if it does not make the demand of all.

The second objection to the lottery applies only to the one proposed in this bill—that it will function as a self-destruct mechanism for the whole system whenever the pressure for military manpower becomes too strong (wartime) or too weak (pre-Vietnam peacetime). In times of full mobilization and great military need (absent, as seems likely, a wave of patriotic enthusiasm such as this country has not seen since 1917), there would be a rush to the civilian service option, almost no one would choose the lottery, and the system would have to be abandoned if the war were to be fought. On the other hand, in times of tranquillity when the military force was very small, the risks of the lottery would be minimized and very few people would choose civilian service. This could lead to a damaging shortage of workers in areas where the "solution-by-manpower" had become institutionalized.

It may be said that the Selective Service System, with its occupational deferments, presents a similar danger. But the existence of relatively few occupational deferments "in the national interest" for relatively few well-educated men is quite different from a system in which theoretically anyone can choose to avoid military service by taking up useful civilian work. It is conceivable, though the point should not be stretched, that the proposed system would bring pressure on the government to maintain a Vietnam-like foreign position so that the pressure would remain to go into useful and approved civilian jobs. Thus a scheme which is a product of our frustration and tension over Vietnam could become a means of encouraging future Vietnams with less frustration and tension.

THE BASIC DOCTRINE OF JUSTICE MUST INCLUDE FAIRPLAY

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

Mr. KEE. Mr. Speaker, all the world knows that the United Mine Workers have recently experienced a most vigorous campaign for the presidency, the results have shown that the incumbent president, Mr. W. A. "Tony" Boyle won this election by approximately a 2-to-1 majority.

Subsequently, we were all shocked and grieved to learn of the murder of Mr. Joseph Alexander "Jock" Yablonski, the unsuccessful candidate for the presidency of the United Mine Workers of America, his wife, and his daughter, who were shot to death in their respective bedrooms in their Clarksville, Pa., home. It is alarming that in America such a tragedy should occur and we are all deeply grieved.

In this connection, Mr. Yablonski had every right to announce his candidacy for the presidency of the United Mine Workers of America and it was expected that both the late Mr. Yablonski and Mr. Boyle would vigorously put forth their reasons for seeking this post of such responsibility to our brave and dedicated men who are engaged in the mining of coal which is by far the most dangerous of any occupation in the United States.

In my opinion, I strongly feel that the election should properly have been conducted by members of the United Mine Workers of America, since it is an insult for outsiders to interfere with an internal union affair.

I have full and complete confidence that through the due process of law, those responsible for this disgraceful American tragedy will be clearly identified and prosecuted to the full extent of the law. The sooner that all of the facts are developed, the sooner the culprits will be brought before the bar of justice where they will have to answer for their disservice to the innocent, as well as to answer for their despicable deeds.

Mr. Speaker, in America it is essential that we have fairplay in accordance with the wisdom of our Founding Fathers.

While it is not my purpose to say anything that would detract from the character of the late Mr. Yablonski, I am concerned that efforts have been made to reflect upon the integrity of Mr. Boyle and in some vague way indicate that Mr. Boyle was involved in the execution of the Yablonskis. Such irresponsible allegations can only reflect upon all of organized labor. Therefore, Mr. Speaker, I insert at this point in the RECORD an article entitled "Equal Time for Tony Boyle," which appeared in the February 1970 issue of American Labor, the magazine of labor news:

EQUAL TIME FOR TONY BOYLE

Twelve bullets fired by three nobodies in Clarksville, Pennsylvania, on New Year's Eve last, killed not only the intended victims but—in the explosive aftermath—ended up wounding not only UMW's president W. A. (Tony) Boyle but injuring every leader in organized labor as well.

ALM carried the bare details of the story last month:

Joseph Alexander (Jock) Yablonski, unsuccessful candidate for the presidency of the Mine Workers, was found—with his wife and daughter—shot to death in their respective bedrooms in their Clarksville home on January 5. According to the local police who announced the murder, the trio had been dead since New Year's Eve. In the initial recap of the events that led to the discovery, it was Yablonski's son, Kenneth, who—unable to reach his father—had come to the family home to stumble upon the shocking tragedy.

The medical examination revealed that the assassins, apparently entering through the back door, had put five bullets into the 59-year-old Yablonski's head; an equal number into the body of his wife, Margaret, 57, and two into the brain of their only daughter, Charlotte, 25.

Nobody knew how many hands were involved in the slaughter but—with a dozen bullets accounted for—the assumption was that it had to be more than one.

The initial reaction of the coroner to this bloody and apparently senseless mass execution was that it "was the work of a maniac."

The reactions of the two remaining Yablonski brothers and of Joseph L. Rauh, the attorney of the slain labor leader were a lot more accusatory and succinct:

In their opinion, the evil genius behind the massacre was the UMW and—by extension of this reasoning—the UMW President, Tony Boyle.

Said Kenneth Yablonski bitterly of the murder, "there's a definite connection" between his father's death and an attack made on him during the campaign in Springfield, Illinois, where he was allegedly knocked out by a karate chop.

The second son, Joseph Jr., (known as Chip) was even more vitriolic. "You guys can't believe how rotten this union was."

Asked if he felt the UMW was involved in the murders, he replied:

"I'm convinced of it."

Washington attorney Joseph L. Rauh, echoed "Chip's" opinion. To a direct question on whether he believed the murder was union inspired, his answer was:

"I'm sure."

INDICTMENT BY HEADLINES

Though there was not a shred of evidence to back up any of these contentions (and there are still none as of this writing) the irresponsible and damaging statements of these three men (all of whom practice law and each of whom would have screamed "foul" if this sort of treatment were accorded one of their own clients) made page one copy all over the nation.

Boyle was indicted by invective even before the fourth estate took the opportunity to question him . . . weeks before the police announced a suspect . . . and 24 days before the FBI got a federal injunction in Cleveland, Ohio, covering three seedy individuals who are as unlikely a trio of professional killers as anything dreamed up in the worst type of casting in a Hollywood B movie.

And on who was behind it all: if there was a pay-off for the gruesome work of this sadistic triumverate, his name—as of press time—has not been divulged.

The event that triggered the search and the ultimate capture of the suspects by the FBI indicates not only the inexperience and immaturity of the trigger men involved, but the cupidity of the person who paid off as well.

One of the gang—James C. Phillips—reputedly backed out of the deal before its consummation and ratted on his co-conspirators. His reason, as he is alleged to have stated subsequently, was that he "hoped to collect the $50,000 reward" offered by the Mine Workers for information leading to the capture and conviction of the Yablonski murderers . . . which, reward incidentally, was offered immediately following the murders.

Said a spokesman for the UMW concerning this episode:

"Whoever did hire them—if they *were* hired (the price was reported to be approximately $4,000) sure didn't get a bargain even at this bargain basement price. Whether these fellows are guilty or not is for a jury to decide, but in choosing these men . . . if they did it . . . who ever paid the bill had even less sense than the killers."

ALL LABOR IS INDICTED

Shattering as the incident was to the reputation of Boyle, his was not the only name tarnished by this incident.

On January 12—better than two weeks before the capture of the present suspects—The New York Post saw fit to use the Yablonski killings as a smear engulfing the entire labor movement as well. Said the Post in an editorial:

"Now a week has passed since the discovery of the slain bodies of Jock Yablonski and his wife and daughter. The case remains unsolved and many questions are unanswered about the diligence with which the government will pursue issues of corruption and oppression within the UMW union that Yablonski challenged during his gallant, short-lived rebellion. But one thing is mournfully clear: the leaders of labor have lapsed into shameful silence.

"No major labor leader has uttered a word of public tribute to Yablonski's crusade or an expression of anguish over his death. No dignitary was present at his funeral or even sent a message for the occasion . . . the true discredit to labor stems from the failure of its leaders to exhibit any humane reactions to the death of this dedicated man."

Labor's immediate reaction to this editorial indictment was one of stunned disbelief.

"This type of reporting," said one official on the AFL–CIO Executive Council, "was—in its own way—perhaps as vicious and unconscionable as the murders themselves. Labor doesn't deserve such calumny."

"If ever I saw 'slanted reporting'," said another, "this is it! The Post did not choose to include in its editorial that the Yablonski family had made itself crystal clear it did not—*did not*—wish to have any union leaders present; that it wanted nothing from them but distance. The guy who wrote the editorial knew that as well as we did.

"Nor did it bother to report that those who might have wanted to go, stayed away out of respect for the wishes of the family. They felt it would be unseemingly to come to the church. And—from the looks of it now—just to have charges of 'hypocrisy' hurled at them."

As for the "gallant rebellion" as the newspaper defined Yablonski's efforts to overturn Boyle, a third labor leader stated caustically,

"That was just too much for my stomach. Yablonski was a Boyle lieutenant and before him—a Lewis lieutenant for over a quarter of a century. If all that dirt was going on, he saw it, he lived it and he knew everything that was happening. Suddenly—at 59—after he's fired from his job—he gets religion! I knew the man for many years—and the robes of a fighting monk just don't fit him at all."

GOVERNMENT SMEARED TOO

If the Post attacked only labor, Life Magazine broadened the scope to include two Departments of the Government as well.

Said the magazine in an article called "On The Yablonski Murders" written by Joe McGinniss:

"I sat in the office of one of the Secretary of Labor's assistants on the morning Oct. 27," (the words are attributed to Mike Trobavitch, Yablonski's campaign manager), "and I told him—*I told him*—that if they didn't do something to keep the election fair, that either Congressman Hechler [Kenneth Hechler, D.—W. V.] or Jock Yablonski was going to get killed.

"He was listening to me with a pad in front of him and he didn't write down a goddamned thing."

Thus—with the unverified statement of a man speaking of another man who was never named—and unable even to rebut the allegation—was the entire Labor Department put under a cloud.

"I don't know what happened," said a spokesman for the Labor Department questioned by ALM. "To begin with, we can't step in and hold up or oversee an election just on one man's word. And certainly Trobavitch could hardly be considered 'an impartial observer.' But if all he told us was that somebody might get killed—just what the hell was there to write? Would you call that evidence?"

As for the Justice Department, the McGinniss article summed up that agency's disinterest with a quote from Dr. Hawey Wells (whose wife is the daughter of Rep. Harley Staggers of West Virginia). How this relationship made Dr. Wells an authority on the operations of the Mine Workers is not stated. Said Dr. Wells:

"We went to the Justice Department too. All we wanted them to do was to announce that they were sending in observers. Hell, they didn't even have to *do* it. Just announcing it would have helped. John Mitchell didn't even return our calls."

If ALM reads this paragraph correctly Dr. Wells "visit" to the Justice Department was apparently not "in person" but via the telephone. Apparently he did not use the good offices of his father-in-law to help him attain an audience with Mr. Mitchell or, having assayed this route, was turned down.

Whatever the true accounting, Mr. Mitchell's failure to return a call—if he was ever even advised of it—somehow—in Mr. McGinniss' opinion—has been translated into a sellout.

"McGinniss didn't do his homework," was the reaction of a Washington labor reporter. "The Miners Committee for Boyle had offered to have the election monitored by a Fair Elections Committee made up of two people from Yablonski's camp, two from Boyle's plus an impartial chairman."

This offer was flatly rejected by Rauh, according to the UMW, "because acceptance would have deprived Yablonski of his major propaganda weapon."

ON YABLONSKI HIMSELF

Who was this "dedicated man" who had led this short-lived "gallant rebellion?" What made him tick?

The son of a coal miner whose own father had died after a long illness due to an accident on the job, Yablonski had spent all of his adult life as a member of the UMW rising to become a member of the Executive Board at the age of 31.

As Executive Board member and as President of District 5—a post he had held since 1955, his income had grown to a respectable $40,000 a year. As one of the most powerful leaders in the union, he was sitting on top of the world when—suddenly—in 1966, the boom was lowered. He was relieved from his post "because he had not properly enforced the union contract."

Very little was recorded publicly concerning this dismissal. Union affairs rarely make news unless a strike is involved, some major accident or—as in Yablonski's case—a murder.

The Mine Workers were loathe to open up the issue at this point. "He's dead now," said one. "Why talk about it. But let me tell you this: he was happy where he was and with things as they were until he suddenly announced his candidacy in May of 1969. And even as little as a few weeks before he announced his candidacy, he was singing the praises of Boyle."

"CLEVER" BUSINESS MAN

Some chapters in Yablonski's life, however, have been recorded and make for interesting reading. There are reports from Washington County, Pa., that make him out to be "quite a real estate operator," for openers.

In one transaction he is stated to have purchased land from the Washington County Commissioners for $1,257.50 "in a private tax sale on March 4, 1943." At the time the property was sold to Yablonski, the County had a back tax claim against it for $6,053.51.

Subsequently, Yablonski "sold a part of this land to the East Bethlehem, Pa., School District." The price was $13,772.

A deed filed in the Washington County, Pa., Courthouse shows that Republic Steel Corporation paid Yablonski $1,000 for "certain operating rights" on another part of this same property. Whatever these "operating rights" were, they were purchased for ten years (from 1956 through 1966) and were in force during the time Yablonski—as President of District 5—was responsible for enforcing the UMW contract with the Republic Steel mines in the district.

This may be one of the "why talk about it" items nobody wanted to talk about.

In another real estate deal Yablonski again demonstrated his uncanny ability to snag a bargain when (in 1951) he bought a 12-acre piece of property (again for delinquent taxes) in the Borough of Centerville at a total cost of $74.50—about $6.00 an acre. He sold the property three years later for better than $5,500.

Yablonski's brother Edward also seems to have inherited some of the family talent for turning over a dollar. He was a checkweighman before Jock Yablonski rose to his high position in the UMW.

Organizing a company that sells water for residential and commercial purposes in Washington County, Pa., the record shows that Consolidated Coal "transferred valuable rights to Edward Yablonski for the sum of one dollar." It shows further, according to the UMW, that similar rights were obtained from Jones & Laughlin Steel Co. for $50.00,

and that rights were obtained "at bargain prices" from U.S. Steel, W. J. Rainey, Inc., Luzerne Land Co., Allison Land Co., and Puritan Land Co.

Jock Yablonski had been a member of the Executive Board of the "corrupt" (his word for it *after* he'd announced his candidacy) Mine Workers since 1942—a rather long stay, on the face of it, for an individual the New York Post sobbingly labeled "a dedicated man."

This "dedicated man" also served a term for robbery in his youth and—if that were forgiveable as a deviation during his early years, he was later found guilty in the courts of non-support of his child in the middle Thirties.

RAUH

Why Joe Rauh chose to throw in with Yablonski is the unanswered, yet fascinating question. ALM knows little about Rauh and has less desire to diminish him by the type of innuendo that Rauh, himself, so ably used in his battles with Boyle. But the more one delves into the odd relationship between this attorney and his late client, the more puzzling certain things become.

Rauh could not help but know that the individual he was so avidly sponsoring had a plethora of skeletons in his closet. The facts quoted above are all a matter of public record. And the word around is that "only the surface may have been scratched."

In the face of this solid (not inferential) evidence, if a clean-up of the UMW were in order, could Yablonski—in the sense of the scriptures—really cast the first stone? On the basis of his own history and record, was he the beacon to whom the miners could look? Did Rauh honestly feel that the New Yablonski, the belated saint who had shed himself of sin, was the best man qualified for the job?

What was in it for him if Yablonski had defeated Boyle or was he motivated purely by a burning sense of ideology?

Unanswered, too, is yet another question: what motivated Yablonski? Why—after 28 years of silence and acquiescence to all the "evils" that he claims he saw, did he suddenly become the voice of righteousness? Was it truly contrition or the move of frustration and/or ambition? If it was the former—who financed the change of character? If the latter—what did Yablonski promise in return? At issue here is not the tarnishing of a dead man's character but a need to get at the truth.

Even the highly publicized, Springfield, Illinois, karate chop demands clarification. Nobody saw it delivered. "And Jock—by his own admission didn't seek immediate medical treatment after he came to," said a UMW official. "He took a plane home, and then announced he'd been knocked out cold."

Was he truly hit or was this another invention designed to make headlines?

ON HEADLINE GRABBING

As a man who, in the Madison Avenue vernacular, has the ability to "grab space", Rauh's attainments in this area border on genius. One wonders at times whether this may not have been the underlying campaign strategy of the Washington attorney to begin with. Without Rauh, Yablonski's campaign would have been nowhere as newsworthy as it was; without Yablonski, Rauh would not have had the vehicle he needed to make front page copy almost as often as he chose.

His underlying theme was simplicity itself: "if we win, it's a miracle; if we lose, it's a fraud." Boyle was done in either way. Whatever he said put him—at best—on the defensive.

As one example: the day *before* the nominations petitions were to be totaled, Rauh called a press conference and charged (24 hours ahead of countdown) that Yablonski would be counted out. Claiming 85 petitions signed—much more than the 50 required to be placed on the ballot—he stated, in effect, that the fight had already been lost.

If the petitions had been less than 50, he had already said, "I told you so." If there were more, the implications was that he had forced Boyle's hand, via publicity, to release an honest count.

When the count was tallied, the record showed that Yablonski had received even more than Rauh had claimed for him (96) all of which were recorded in accordance with the union's constitutional requirements. This tally was *not* publicized and Rauh had won the first go-round hands down.

Shortly after that—using the same ploy once more—Rauh claimed that even though Yablonski was now on the ballot, he would not get an honest count in the election. Thus—was the propaganda continued and stage immediately set for a subsequent recount and an appeal.

On the eve of the election—in another brilliant public relations stroke—Rauh himself, a long-time and dedicated member of the "liberal" establishment, persuaded the American Civil Liberties Union to request its members to be poll watchers for Yablonski. He had (as noted previously) tossed aside Boyle's suggestion of monitoring the count via a Fair Elections Committee.

Once more he had tarred Boyle in advance—with the brush of deceit.

On Election Day (Dec. 9, 1969) the Yablonski forces announced that they had assembled 2,500 poll watchers. When it was all over and Boyle had won by a two-to-one majority, Rauh was ready with his cry of "foul," listing some 80 to 100 irregularities in his complaint to the Labor Department.

In its answer—for the record—the Labor Department formally notified both Yablonski and Rauh on Dec. 24 that "there was not enough evidence" to warrant impounding the ballots. From Rauh's cries of anguish, the inference might almost be made that Boyle had bought not only the election, but the entire Labor Department as well.

Under mounting pressure from many sources, including a prompt invitation from the UMW, the Labor Department is now looking more deeply into the matter and Boyle is cooperating every step of the way.

WHAT NEXT?

What turn the murder investigations will take is (as of press time) anyone's guess. Perhaps it will all be solved and some of the theorizing will have been little but exercise. But the betting is as of now—that no road will lead to Boyle.

As the noted labor columnist Victor Riesel pointed out: "It's outrageous for anyone to charge that the United Mine Workers leaders were involved in the execution of the Yablonskis . . . Jock Yablonski lost. The record shows that inside labor, losers fade away . . . Who feared Jock Yablonski . . . who would gain from his killing? Certainly not Tony Boyle or the UMW . . ."

Some observers believe the answers to the killings may come from a more thorough probing of Yablonski's outside affairs.

The considered estimates of authorities is that the slain labor leader spent at least $125,000 in the campaign's final months alone. Others say this is "conservative."

The UMW has stated that he had a private airplane at his disposal at all times. He maintained a number of headquarters in various coal regions; he paid for staff and campaign workers. The bill for his various court proceedings must have run into a lot of dollars. Then there was money for printing, mass media, phone bills and—one presumes—Joe Rauh.

It's a valid field of inquiry then—where did Yablonski's money come from? Was it his own? Did he get it from independent miners? Did he borrow it somewhere—and if so—from whom and under what terms? And where does Rauh fit into all of this—if he does?

SOME CONJECTURES

The more labor leaders discuss these perplexing questions, the more reasonable conjectures appear. If one can go by consensus in such matters, the majority opinion seems to be that none of the suspects involved were "hit men" for the Mafia.

"They're just too unprofessional," said one.

"Few syndicate boys rat and ever live to see a courtroom," offered a second.

As for the written contracts the suspects are supposed to have signed, no one would buy that concept of doing business with the Mafia at all.

If the Mafia is to be excluded then, who . . . what type of individual has to take its place? Some ideas are offered below by respondents, in no specific order:

"The contract is a fairy tale—unless whoever he was is a psycho."

"If they *signed* a contract, as was claimed why can't they identify the *signer?* Was he wearing a mask?

"A contract implies a signature. What about the signature? And where did the *signing* take place. Can't the police work from there?

"If you toss out insanity, there are only two reasons why a man gets killed—revenge or money. But why the wife and daughter?

All questions. No answers.

ON BOYLE HIMSELF

Coming to W. A. (Tony) Boyle personally, most labor leaders agree that he has his share of enemies. But—in all fairness—a good many feel the same way about themselves. It's a tough business, running a labor union, and it takes a lot of toughness to survive.

Whatever his personal endearing or unendearing qualities, however, Boyle—the labor leader—during the six years he has served as president of the UMW, has made solid advances for the miners. And that—when all is done—is the name of the game.

Boyle is responsible for negotiating the largest pension increase in UMW history. He is responsible for gaining the biggest boost in vacation pay, the first graduated vacation plan, the first paid holidays for mine workers, the first national seniority clause and the biggest wage hikes in the miners' annals as well. If he hasn't accomplished all that his enemies say he should have accomplished . . . who has? Weighing one against the other, his accomplishments *for the miners* are a pretty impressive statement.

If he has a better than average share of working ego—as is claimed—perhaps, on the record, he has earned a bit of it.

But like him or not, like his policies or not, like the way he runs his union or not, labor has rallied to the defense of Tony Boyle not because of his position as a labor leader but because he represents a symbol. And that symbol is called "justice."

As a man and a citizen of these United States, Tony Boyle—the symbol—deserves the same fair and impartial treatment as that accorded to any other man. To date, this has been shamefully not forthcoming. Even the alleged killers have been given a far fairer play.

Without a shred of evidence against him, the UMW president has been the victim of some of the sorriest yellow journalism of our times. If there are charges to be made against the UMW leadership—they should be made openly, with solid facts behind them for all to see.

But until there is concrete evidence that definitely ties Boyle in with the Yablonski murders, Labor believes that the basic doc-

trine of justice must include fair play, and that the time is long past due to say "enough."

MEXICAN HAYRIDE—STATE DEPARTMENT STYLE

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

Mr. DENT. Mr. Speaker, again I take the floor to discuss the impending crisis in our trade policies as they affect our employment in both the production of goods and the rendering of services.

For many years the textile, glass, and coal industries have led the fight for a reasonable approach to the demand for all-out free trade between nations.

In the early days, proponents of free trade used our own free trade—iron barrier conditions between the States. Many argued that this free trade between States was the real basis for our phenomenal growth both industrially and agriculturally.

This could have been true since we have a common money, common laws on labor and industry, common courts, and above all a set of laws that are at least a retraint on monopoly, marketing, price fixing, profiteering, franchising, and other protectionist statutes such as antitrust or cartel-type agreements that eliminate competition.

Much water has flowed over the dam since the free trade movement became this country's stated goal in international relations.

While we can point to figures with pride in our years of world supremacy in trade we are now much like the old fighter who has had many winning bouts but ends up punch drunk and unable to comprehend that he is living in the past.

He jumps every time a bell rings and the "friendly" people around him applaud while he goes on shadowboxing.

We, too, as a nation appear to be punch drunk on trade, we jump to attend every conference, we get applauded but come away with agreements that create greater losses in jobs, industry, services, and growth for our future needs.

The time finally must come when we must stop kidding ourselves and our trading partners.

First of all, Mr. Speaker, there is no free trade policy between our 50 States. We have restrictions on imports from other States; in fact, we restrict interstate trade in many instances while we allow foreign imports to flow from State to State with no barriers on the roadway.

A simple illustration is the case of cigarettes and liquor.

Most States allow a tourist coming back to the United States to bring back a carton of cigarettes and a gallon of liquor—reduced to a quart by President Kennedy from some areas—but will confiscate your car, put you in jail, and assess a stiff fine if you get caught bringing these items in from other States.

Try to get around paying sales taxes for items purchased in one State and transported into another.

Up until recently, Americans could not receive relief or welfare unless they lived in a State for a specified period of time.

Our system worked because we had both the free movement of goods and the free movement of people. There are many restrictions today on both.

The glass industry is no exception; all labor intensified industries are vulnerable and will, if not already hit, be hit by imports.

It cannot be otherwise. We promote foreign products as the official position of our State Department. Never in the history of the world have so few taken so much from so many in the name of peace, friendship, and misguided ideas of the U.S. economy.

Ask the 50,000 workers somewhere, in some home who are unemployed because 50,000 Mexicans were removed from the unemployment rolls by our State Department promotion to move industries from this side of the Rio Grande to the other side.

Let us take a look at the facts:

Just 3 years ago the State Department and Mexican officials worked out a hush-hush agreement, known only in the area of the activity for a long time. It would not have succeeded if labor had knowledge prior to the settlement of a sizable number of industries in the so-called Pronef territory.

This agreement called for U.S. concessions to U.S. manufacturers and processors allowing the exporting from the United States of components to a 12-mile-wide strip the entire length of the Rio Grande and including all of Baja California for assembly and final manufacturing free of tariff restitutions, with certain tax allowances given by the Mexicans.

The Journal of Commerce calls this "the biggest bargain ever negotiated between the two countries."

Let us examine this bargain and then decide who got the "Mexican hayride."

We lost 150 U.S. plants now situated in Mexico.

We created 50,000 Mexican jobs.

We lost 50,000 U.S. jobs.

We must export all products from Mexico.

No products produced in Pronef can be shipped into other sections of Mexico tax or tariff free.

Our country charges a specially designed border tax upon added value, based upon low-waged Mexican workers added value.

Millions of U.S. dollars flow into Mexico because of added curiosity and tourism.

For awhile Mexican labor crossed over into the United States to spend 40 to 60 percent of their earnings because of the lack of facilities and goods in Pronef. This is fast disappearing and even U.S. service industries are following the U.S. golden eagle across the river.

Soon the area will be completely supplied with all its needs to keep every U.S. dollar that skips across the river.

The electronic, garment and clothing, textile industries, and food processors are the vanguard of passengers on the "Mexican hayride."

Thanks to our State Department and mistaken U.S. border city officials, there will be plenty of room for many more of our light industries.

We know that the agriculture workers in the Rio Grande Valley have felt the sting of unemployment because of the "green card" imported workers who work for much less. This is true in the grape vineyards of California and is the main reason for the disastrous long strike in the grape areas.

My committee has been authorized to make a study for Pronef. We will do so. What we report may or may not change the course laid out by the State Department.

Whatever else it may do, one thing is sure, we will bring back a factual report and let Congress make the decisions.

I said before that the warning of President Roosevelt has been completely ignored. He admonished against "tying U.S. trade to the will of the whisp of foreign diplomacy."

We have to learn the hard way. We are not satisfied with the lessons of history.

Foreign imports force automation in the industrial complex before the need for products can supply the market with consumption. Imports reduce and lower the quality of U.S. products. The foreign producer can produce a better product with a much lower cost. We cannot compete on products requiring the same man-hours for production. We are therefore forced to increase production and this requires more automation with a greater loss of quality.

This is proven by the almost complete take-over of the U.S. transistor market by Japan. This is true of upright pianos, a relatively new victim to our free trade policy. In 1900, we imported 4,200 pianos, Japan then jumped into the U.S. dumping market and in 1969 we imported 29,000 pianos—equal to our entire consumption. Japan exported 94 percent of this total to the United States. Recently the President gave a 2-percent increase in tariff to the piano industry, as well as a promise of financial aid—out of the taxpayer's pocket—to both labor and industry.

In my humble opinion, this award was a concession to political power, not economic reasoning. It cannot be anything else; it will not have the piano industry that must pay at least the minimum wage of $1.60 an hour for 40 hours and $2.40 for all over 40 hours as against Japanese wages ranging from 18 to 63 cents an hour and no overtime pay. In the same breath, the President denied tariff relief to the flat glass industry, but did promise to pay the workers for not producing glass, and damages to the industry no longer able to produce glass in competition with Belgium, Russia, and others.

Mr. Speaker, I was young in politics when President Roosevelt was raked over the coals by the critics because he paid American farmers for not growing crops and for what was called "plowing under pigs."

What is the difference between that and paying both industry and labor for not producing goods that have a market and are consumer goods that we must have to exist. No other nation will allow

this to happen, nor should they. Every nation must look unto itself for its welfare, just as all human beings must. A helping hand is one thing, to help a man help himself is one thing, but to starve your family so a neighbor may feed his family is not the way of life for either nation or human.

To share is one thing, to give what you have in excess is one thing, but to take away a man's opportunity to the self respect of a job; to give him relief without working is a most serious and dangerous thing to do.

I believe every industry, every service, every product, must be considered as an individual case or problem in international trade.

The rules must not allow the employment of one worker at the expense of the unemployment of another. Dollar balances of trade do not measure the true values of a trade policy. The only thing that counts is whether or not a nation can afford to use trade as a tool of diplomacy without regard to the exact sciences of the economics of employment and consumption, taxation, and services.

Nothing takes the place of a job, from the bottom to the top rung of the ladder, than we climb in our few years on earth. We created departments of Government so that each in its sphere of actuality and interest would promote the well being of our Nation.

The Labor Department, Commerce, HEW, Defense, State, and the many commissions and bureaus of Government are supposed to make decisions in the areas designated by the Congress or the Constitution.

What is happening is another picture. The State Department completely and without interference has taken over the Commerce Department functions on international trade, it sets tariffs, gives quotas, bankrupts one industry and makes others prosperous, takes a steelworker's job so that a cottonworker can work. The State Department runs our wars, our money policies, and in fact pulls most of the strings that makes the puppets move and perform.

Let us look at the recent action by the State Department in demanding that the Metro Authority in the District of Columbia get rid of its buy American policy. I quote from the Washington Post:

STATE DEPARTMENT HITS METRO ON BUYING

(By Jack Eisen)

Washington's Metro subway system, already caught in a crossfire of federal policies on freeways and racial hiring practices, was plunged yesterday into a new controversy involving U.S. foreign economic policy.

The State Department asked the directors of the Washington Metropolitan Area Transit Authority to drop the agency's "buy American" policy and base its millions of dollars of purchases "on purely commercial considerations."

Domestic purchasing restrictions, wrote Philip H. Tresize, assistant secretary for economic affairs, would "seriously handicap our efforts to eliminate trade barriers to American exports."

He asserted that measures such as that adopted by the Metro board in 1968 are often cited during international negotiations as "indicative of a return to protectionism on the part of the United States."

"This would be particularly true in the case of (Metro)," Tresize declared, "since its location in the nation's capital would attract special attention."

While letters from Tresize and a subordinate were being distributed, the board members had before them a recommendation from Metro's general manager urging that the present domestic buying restriction be retained.

* * * * *

Up to now, Metro construction contracts have provided that American materials must be used unless foreign-made items could be bought for 15 per cent less.

* * * * *

"Such a (6 per cent) differential," Graham wrote, "will give a competitive advantage to domestic suppliers but should not eliminate foreign competition in most situations."

The State Department letters and Graham's recommendation touched off a short but sharp debate, ending with a decision to vote on the issue next month.

Director Herbert E. Harris II, a Democratic Fairfax County supervisor to whom one of the State Department letters was addressed, said he agreed firmly with President Nixon that trade barriers should be dropped.

"I'd like to get the cheapest price I can wherever I can get it," observed Alexandria City Councilman Nicholas A. Colasanto, an alternate director.

* * * * *

George Washington, the Father of our Country, counseled against foreign entanglements. This meant above all, to keep from becoming dependent upon other nations for anything we could produce for ourselves. Is it not strange that on the eve of his birthday, a Department of State official dealt the taxpayer of America a crowning insult. I refer, Mr. Speaker, to the article, appearing in the Washington Post, Friday, February 21, which reports Assistant Secretary of State for Economic Affairs, Philip H. Tresize, as saying that the Washington Metro subway systems' buy-America policy would seriously handicap the Department of State's effort to eliminate trade barriers to American exports. He also asserted that measures such as those adopted by the Metro board are often cited during international negotiations as "indicative of a return to protectionism on the part of the United States." And, further, Mr. Tresize states that since the Metro is located in the Nation's Capital a buy-America policy would attract special attention. Mr. Speaker, I asked that the entire article from the Washington Post be published in the CONGRESSIONAL RECORD so that the taxpayers of America will know that there is now a new and concerted effort on the part of certain officials of the State Department to spend their money outside the United States.

At a time, Mr. Speaker, when this administration is leading the Nation into increasing unemployment, economic hardship for the business community, and added tax burdens for the citizens, I am appalled that there is a State Department official who is so naive as to believe that American exports are dependent upon the elimination of a buy-America policy.

It is also worth noting that the Washington Metro subway system is currently involved in negotiations to insure democratic employment practices for minority groups. I would like to know how the State Department proposes to insure that when the taxpayers' dollar is spent abroad that fair and equitable employment policies will be followed and that the rights of minority groups will be met.

Mr. Speaker, I suggest that Mr. Tresize and the Department of State could best serve this Nation by collecting some of the millions of dollars which they have too often half-wittedly squandered throughout the world.

We are just starting upon a program of cleaning up our environment. This will cost billions of dollars. If we do not challenge the State Department's policies on foreign purchases, let us forget the U.S. industries engaged in producing the equipment for purifying our air and water, our streams and cities.

At this time I want to announce that next week I again intend to air figures, some old, some new, on the impact of imports on our welfare.

ANALYSIS OF S. 30, THE ORGANIZED CRIME CONTROL ACT

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

Mr. POFF. Mr. Speaker, the Chamber of Commerce of the United States has long been a respected leader among business groups. It has also now taken a place in the forefront of private associations aiding Government efforts against organized crime.

Last year the national chamber published its "Deskbook on Organized Crime," a concise, well-documented, thorough, and practical summary of the threat posed by organized crime and the ways in which private citizens can respond to it.

Then, on November 13, 1969, the executive board of the national chamber expressed the chamber's support for the general thrust of S. 30, the "Organized Crime Control Act of 1969," and endorsed a number of specific legislative proposals found in the bill—see the CONGRESSIONAL RECORD, volume 115, part 27, page 36217. As Members know, after a full year of study and consideration, S. 30 subsequently passed the Senate by a vote of 73 to 1, and it is presently pending in the House Judiciary Committee.

Mr. Speaker, the national chamber has now elaborated upon its endorsement of the act by publishing two most instructive reports concerning S. 30—Legislative Department, Chamber of Commerce of United States, "Here's the Issue—Organized Crime Control," February 27, 1970, volume 9, No. 3; Chamber of Commerce of United States, "Congressional Action Special Report—Organized Crime Control," February 27, 1970.

The reports summarize the background of the measure, describe its major provisions and their various applications. They are thoughtful and accurate analyses of S. 30, and they should be of value

both to local chapters and members of the chamber of commerce as well as to other citizens and Members of Congress interested in improving our means for dealing with organized crime.

A particularly excellent feature of one of the reports—"Congressional Action Special Report—Organized Crime Control"—is its inclusion of several specific hypothetical examples, which aid the reader in understanding concretely the provisions of S. 30 and their value in specific law enforcement situations.

One such example clarifies the precise effect title VII of the act would have in barring untenable objections that evidence is "fruit of a poisoned tree" and in restricting defendants' access to irrelevant confidential Government files. The example reads as follows:

Jones is a major interstate bookie. The FBI wants to get evidence not only against Jones, but against the New York office where he and other major bookies "lay off" their bets. Therefore, in 1970 and again in 1974, the FBI taps Jones' telephone under court order, for one day each time. All the agents hear is Mrs. Jones gossiping with a friend about allegations that a Mrs. Brown is carrying on an extramarital romance. Each time Mr. Jones' telephone is tapped, he is given notice of that fact afterward, as required by law, but he is not told the gossip that was overheard.

In 1977, Jones, driving while drunk, accidentally kills a pedestrian. Charged with manslaughter, he moves to suppress all evidence against him, claiming that it was derived from the wiretaps. The judge finds that the court orders for the wiretaps were defective. Under present law, Jones could inspect the transcripts for each wiretap.

If Title VII of S. 30 is enacted, (1) motion to suppress evidence based on the 1970 wiretap is foreclosed completely, since a 1970 tap could not possibly have produced evidence of a car accident which did not occur until 7 years later; (2) the judge will examine the transcript of the 1974 tap in his chambers, will find it clearly irrelevant to the manslaughter charge, and will deny the motion to suppress. Thus, Mrs. Brown's reputation will have been protected from the disclosure of malicious gossip, and the court will have avoided needless delay of the manslaughter case.

Before the chamber published that example, authorities as prestigious as New York Mayor John Lindsay—Washington Post, Sunday, February 22, 1970, page D4, column 1; Tom Wicker, New York Times, Sunday, February 1, 1970, page 12E, column 5, the editors of the Washington Post, Friday, January 30, 1970, page A18, column 1, and the American Civil Liberties Union—statement placed in the CONGRESSIONAL RECORD at page 852 and following, of January 22, 1970, had made statements completely misinterpreting the provisions of title VII. They apparently had thought those provisions limited the fourth amendment's protection from unreasonable searches and seizures, by letting the police use illegal evidence after holding it for 5 years. Actually, a careful reading of those provisions shows they do not permit that, and the chamber has performed a real service for the public by demonstrating the title's real meaning in a concrete situation. While the affirmative need for title VII's enactment is more fully treated in the Senate Judiciary Committee report on S. 30—pages 62 to 69—the national chamber's hypothetical example is most useful in dispelling the exaggerated and inaccurate fears that title VII would impair individual rights.

Another aspect of the two reports is of special interest in light of the fascinating remarks on organized crime infiltration of race tracks and track concessions delivered last Wednesday by my distinguished colleague from Arizona (Mr. STEIGER) in the CONGRESSIONAL RECORD at page 5887 of March 4, 1970, the chamber reports explain and illustrate the provisions of title IX of S. 30, which would supply vital legal tools to do exactly what my colleague suggested be done when Mafia members have taken over racing or other business: "get them out." I congratulate the chamber on the public service they have performed by publishing these reports.

The chamber reports also remind the reader that control over S. 30, and responsibility for its future passage, now rest squarely in the House of Representatives and our Judiciary Committee. I hope that Members will discharge that responsibility by supporting the swift consideration, reporting, and passage of this much-needed legislation.

In order that Members and readers of the RECORD may see an example of the fine work of the chamber on organized crime, I would like to include pertinent portions of one of the recent reports in my remarks. The report follows:

[From Here's the Issue, Feb. 27, 1970]

ORGANIZED CRIME CONTROL

A major anti-crime bill is now pending in Congress.

"The Organized Crime Control Act" (S. 30, McClellan, D-Ark.) was passed by the Senate, 73-1, on January 23.

* * * * *

In large measure, organized crime is flourishing because its members can be too seldom brought to justice.

The problem posed is extremely difficult. How do you close "legal loopholes" through which organized crime leaders are escaping without jeopardizing the rights of all people in our society?

That is the problem with which the Senate Judiciary Committee's Subcommittee on Criminal Laws and Procedures, chaired by Sen. McClellan (D-Ark.) wrestled for almost a year.

The bill that was produced and passed by the Senate now incorporates the best recommendations of numerous organizations and specialists in law enforcement.

On the floor of the Senate, Senate Minority Leader Hugh Scott (R-Pa.) said:

The Constitution requires that we consider individual liberties as well as the common good of society. S. 30 strikes the appropriate balance. S. 30 would help clear America of organized crime.

But there are those who say that the bill goes too far. They talk of undermining individual liberties.

* * * * *

MAJOR PROVISIONS

Half of the 10 Titles in the bill deal with the knotty problems relating to the testimony and appearances of witnesses; one, with the use of wiretaps, one is designed to hit organized gambling; one deals with the infiltration of racketeers into legitimate businesses, and one, with the sentencing of habitual offenders. Title I permits the setting up of special grand juries and enlarges their powers.

New Powers for Special Grand Juries

Organized crime investigators and prosecutors have found that there is no means of gathering and using evidence in organized crime cases as effective as a grand jury, with its powers to summons witnesses and documentary evidence, to compel the giving of evidence in appropriate cases, and to return indictments.

The President's Crime Commission, accordingly, recommended that laws governing the operations of investigative grand juries be amended, so as to authorize impaneling investigative grand juries for extended periods of time. It would give these special grand juries substantial independence from the prosecutor and the court in organized crime cases, and empower them to file reports or presentments.

These recommendations have been incorporated in the bill.

The questions that have been raised concern largely the last point—the authority to issue reports on cases of governmental misconduct, on governmental misconduct, or on organized crime conditions.

Both the Administration and the Senate Judiciary Committee, however, have concluded that this power is constitutional, and a challenge to that conclusion was rejected on the Senate floor, 59-13.

Witnesses and testimony

Titles II through VI deal with witnesses and testimony.

Immunity. "Taking the Fifth Amendment" has passed into the language. Under present law, a witness who refuses to testify on the grounds that it might incriminate him can often be given immunity and then be required to testify. One trouble is that when that happens he can no longer be prosecuted—even if the Government has completely separate evidence of his complicity.

Under the proposed bill, the witness would still be protected from prosecution on the basis of his testimony, but he would not be given a complete "immunity bath." He could be tried on the basis of completely independent evidence.

Title II unifies and expands existing law dealing with the granting of immunity from self-incrimination to witnesses in legislative, administrative, and court proceedings. The granting of immunity in court and legislative proceedings is made subject to court review, and notice to the Attorney General is required prior to granting it in administrative proceedings.

Critics of Title II have pointed out that a witness who is compelled to testify under an immunity grant is exposed to public knowledge and disapproval of his acts. Anglo-Saxon law, however, has long held that each citizen owes a duty to society to testify in the aid of justice.

Recalcitrant Witnesses. Title III is designed to deal with the witness who could not be incriminated by his testimony—or who has been given immunity—and yet refuses to give evidence, perhaps out of a desire to shield his friends or criminal accomplices.

It authorizes that such a recalcitrant witness in grand jury or court proceedings be confined without bail until he complies with the order of the court to testify. When he testifies, he is promptly released.

Federal law already covers witnesses who flee from a State to avoid testifying in State criminal proceedings. This Title further extends that statute to those who flee to avoid giving testimony before State investigative commissions—such as happened in New Jersey recently.

In view of the major contribution to public knowledge of organized crime conditions which such commissions have made in several

states, the readiness of organized crime suspects to operate and to travel interstate, and the difficulties that State borders sometime pose, this provision should substantially assist the effort against organized crime.

Perjury. Existing rules make it difficult to obtain convictions in perjury cases. They require two witnesses or corroboration, limit reliance on circumstantial evidence, and prevent juries from inferring that one of two contradictory statements is false.

Title IV creates a new perjury provision for court and grand jury proceedings, and is advocated by those who point out that even though testimony can be obtained from the threat of contempt proceedings or a grant of immunity, the authorities can obtain truthful testimony only if the law punishing perjury can be enforced effectively.

Some people charge that Title IV will make it too easy to obtain perjury convictions, but its supporters point out that the Title retains the requirement that the Government prove an intentional and material falsehood beyond a reasonable doubt—so the perjury proof requirements will be as difficult to meet as the requirements in other criminal cases.

How it would help

Here is a case illustration of how these new provisions would help in the battle against organized crime.

An undercover narcotics agent engages in a series of dealings with a large local wholesaler of heroin to get his confidence. Then he arranges to buy ¼ kilo of heroin from him for $6,000. The day before the sale is to occur, other agents follow the wholesaler to New York and back. They believe he is buying the dope from Mafia members there, but cannot prove it so they cannot arrest him with his suppliers and the heroin.

The next day, when the wholesaler and the undercover agent complete the sale, the agents seize the heroin and money and arrest the wholesaler.

The wholesaler can be convicted under present law, on the basis of the seized drug and the testimony of the undercover agent. But there is no way to get at the Mafia suppliers as long as the wholesaler claims the Fifth amendment.

Once S. 30 is enacted into law, the wholesaler can be called before a special grand jury and given immunity from use of his testimony against him. But the immunity will not prevent him from being convicted on the basis of the independent evidence—the seized drug and the agent's testimony.

If the wholesaler refuses to talk, he could be sent to jail for civil contempt until he would talk—perhaps for as long as three years. If he were to lie about his New York transaction, he might be convicted of perjury.

Thus, S. 30 will give him a strong incentive to tell the truth, and his truthful testimony will help lead to his New York suppliers and their conviction.

Witness Protection. Titles V and VI are designed to protect witnesses and to remove the chief incentive that the mob has in harming them.

The President's Crime Commission found that organized crime leaders employ violence against witnesses for two purposes: "to destroy the particular prosecution at hand and to deter others from cooperating with police agencies."

The U.S. Attorney General testified in 1965 that even after cases had been developed, it was necessary to forgo prosecution hundreds of times because key witnesses would not testify for fear of being murdered. Indeed, he testified, the Department of Justice lost more than 25 informants in this way between 1961 and 1965.

It was in this context, therefore, that the President's Crime Commission concluded:

The Federal Government should establish residential facilities for the protection of witnesses desiring such assistance during the pendency of organized crime litigation.

After trial, the witness should be permitted to remain at the facility as long as he needs to be protected. Title V implements these recommendations, and has faced no significant opposition.

The primary purpose of Title VI is to remove the chief incentive the mob has in preventing witnesses from testifying, either through murder, assault, intimidation, bribes, or other factors. It may also be used by witnesses being held in protective custody to make their release feasible.

It would achieve this objective by expanding the defendant's existing right, on court order, to take depositions to preserve testimony of his own witnesses, and extending that right to the Government, subject to constitutional guarantees of counsel and cross-examination, where the taking of a deposition is in the interest of justice.

Obviously, a deposition serves a useful purpose if it preserves the testimony of a witness in a form which is admissible at trial—if for some reason his testimony becomes otherwise unavailable.

Frank S. Hogan, the highly respected district attorney of New York, for example, told the Subcommittee that under the deposition system, the "testimony of one Pete LaTempa who died on January 12, 1945, while in jail, would have been available in 1946 at the trial of Vito Genovese and four co-defendants for the crime of murder and would have thus precluded the direction of an acquittal by the Court. . . . If power to take depositions had been as broad as that which would be authorized in the public interest by the proposed amendment, the outcome of the Genovese case might have been different."

PROTECTION OF IRRELEVANT WIRETAPS

Title VII overrules a Supreme Court Decision, *Alderman v. United States, 394 U.S. 165 (1965)*. That case held that a Federal criminal defendant who claims that the evidence against him was derived indirectly from information shown to have been obtained by the government in violation of his rights must be allowed to examine all the illegally obtained information, even if it is obviously irrelevant to the prosecution and its disclosure will harm innocent persons and the public interest.

This requirement of automatic disclosure has permitted defendants, especially organized crime leaders which the government "bugged" from 1961 to 1965, unduly to delay and confuse their prosecutions with unlimited hearings and appeals of tenuous motions to suppress evidence.

It has, in addition, provided Mafia members with confidential information for which their only use is to bribe or threaten witnesses, destroy evidence, uncover secret agents, and otherwise ruin prosecutive efforts. And it has resulted in several massive public revelations of malicious and false private gossip that has harmed individual reputations.

Title VII replaces the existing flat rule with two provisions which assure a defendant's access to confidential files for which he has a legitimate use, but not to other files.

First, it forecloses such a claim entirely, where the violation of the defendant's rights, such as an illegal wiretap, took place more than five years before his crime. This provision is based on Justice Department experience that a tap cannot possibly lead to evidence of a crime not even committed until more than five years after the date of the alleged illegal surveillance.

For claims not foreclosed by the five-year period, the Title requires a judge to screen confidential government files, reveal them to the defendant only if they may be relevant and disclosure is in the interest of justice, and prevent public access to them if it is not in the interest of justice.

ATTACK ON SYNDICATED GAMBLING

Title VIII was initiated by the Nixon Administration and is designed to strike at organized gambling.

It makes it a Federal crime to operate a gambling business which (1) violates State law; (2) involves five or more persons, and (3) operates over 30 days or has gross revenue of $2,000 in one day.

It also makes it a Federal crime to obstruct enforcement of State law against such a business.

Non-profit, tax-exempt games of chance are exempted.

A commission is also set up to study national policy on gambling.

In his special message on organized crime, the President pointed out that the Administration had concluded that the major "thrust of its concerted anti-organized crime effort should be directed against gambling activities," because "gambling income is the lifeline of organized crime. If we can cut it or constrict it, we will be striking close to its heart."

Although most Americans may believe that gambling is the "least reprehensible of all the activities of organized crime," he noted, it provides "the bulk of the revenues that eventually go into usurious loans, bribes of police and local officials, 'campaign contributions' to politicians, the wholesale narcotics traffic, the infiltration of legitimate businesses, and to pay for the large stables of lawyers and accountants and assorted professional men who are in the hire of organized crime."

The President also indicated that one purpose of the proposals is to help root out cases of bribery and corruption of local law enforcement officials. He said:

For most large-scale illegal gambling enterprises to continue operations over any extended period of time, the cooperation of corrupt police or local officials is necessary. This bribery and corruption of Government closest to the people is a deprival of one of a citizen's most basic rights.

INFILTRATION OF LEGITIMATE BUSINESS

Here is an example of a problem:

A Mafia boss accepts all the shares in a juke box corporation in payment for an illegal gambling debt. Then he expands the number of cafes in which his machines are placed by having the cafe owners threatened and beaten. Soon, he dominates the music machine business in his city, has ruined his competitors, and raises the share of the machine income which he demands that the cafes pay him.

Under present law, the government may be able to obtain a criminal conviction, imprisonment and fine.

The trouble is that while the Mafia boss serves his prison term, other members of the syndicate run the business for him, and upon his release he resumes his brutal and monopolistic methods.

Title IX is designed not only to curb infiltration of legitimate business, but to provide better remedies when it happens.

The Title thus contains a three-fold standard: (1) making it unlawful for a person to use income from his "racketeering activity" to acquire an interest in or establish an enterprise engaged in interstate commerce; (2) prohibiting the acquisition of any enterprise engaged in interstate commerce through a pattern of "racketeering activity"; and (3) proscribing the operation of any enterprise engaged in interstate commerce through a pattern of "racketeering activity."

"Racketeering activity" is defined in terms of specific State and Federal statutes now characteristically violated by members of organized crime. The offenses include murder,

kidnapping, gambling, arson, robbery, bribery, extortion, dealing in narcotic drugs, counterfeiting, embezzlement, fraud, and white slave traffic.

A fine of $25,000 or imprisonment for not more than 20 years is provided for violation.

In addition, provision is made for the criminal forfeiture of the convicted person's interest in the enterprise. District courts are authorized to prevent and restrain by civil process violations of the standards by, among other things, (1) the issuance of orders of divestment; (2) prohibitions of business activity; and (3) orders of dissolution or reorganizations.

Thus, in the illustration used above, a criminal prosecution of the Mafia boss could also result in forfeiture to the government of his interest in the business, or a civil proceeding that could result in an order that he divest himself of the business and refrain from re-entering that line directly or indirectly. In either case, the court could supervise the sale of the business to see that it wound up in clean hands. A legitimate industry could be returned to lawful operation in a free enterprise system.

Closely paralleling its takeover of legitimate businesses, organized crime has moved into legitimate unions.

Control of labor supply through control of unions can prevent the unionization of some industries or can guarantee "sweetheart" contracts in others. It provides the opportunity for theft from union funds, extortion through the threat of economic pressure, and the profit to be gained from the manipulation of welfare and pension funds and insurance contracts.

The American Bar Association has concluded:

"Organized crime . . . is a major threat to the proper functioning of the American economic system, which is grounded in freedom of decision. When organized crime moves into a business, it customarily brings all the techniques of violence and intimidation which it used in its illegal businesses. The effect of competitive or monopoly power attained this way is even more unwholesome than other monopolies, because its position does not rest on economic superiority."

Title IX provides the means not only to punish racketeers who abuse interstate commerce, but to remove their disruptive influence upon it and to prevent their re-entry.

SPECIAL OFFENDER SENTENCING

Title X is designed mainly to ensure that organized criminals and other convicts presenting special dangers to society can and do receive prison terms that are long enough to ensure that they do not promptly renew their criminal careers. Rackets prosecutors have long known from experience that syndicate leaders seldom face or receive long terms—a fact supported by statistical evidence.

The bill provides for increased sentencing (up to 30 years) for dangerous adult special offenders, defined to include (1) a three-time felony offender who was previously incarcerated; (2) an offender whose felony was a part of a pattern of criminal conduct which constituted a substantial source of his income and in which he manifested special skill or expertise; and (3) an offender whose felony offense was in furtherance of a conspiracy with three or more persons to engage in a pattern of criminal conduct in which he would occupy a management level position or employ bribery or force.

The concept of authorizing increased prison terms for special offenders has come to be widely accepted. Constitutional objections have been voiced to these standards and procedures for special sentencing, but definitions and procedural guarantees have been placed in the Title which are designed to prevent constitutional difficulties, and which are generally parallel to those proposed by the professional and official bodies that have endorsed the concept.

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. Based on 5 year average from 1962 to 1967, the United States produced 31.4 percent of the total world production of primary magnesium. The Soviet Union was second producing 25.7 percent.

MEXICAN AMERICANS PROTEST 1970 CENSUS

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

Mr. TUNNEY. Mr. Speaker, on March 28, 1970, the Bureau of the Census will conduct the Nineteenth Decennial Census of the United States.

Under article 1, section II, paragraph III of the U.S. Constitution it is required that a census be taken of all persons, conducted every 10 years. It has been alleged that in the census of 1960, the Bureau of the Census admitted that they did in fact commit a 3 percent error, amounting to a miscount of 5,700,000 persons or more, and that this percentage of peoples, mainly in the minorities, were not apportioned funds in accordance with a correct population tabulation in any given poverty area, and were not provided the services that these communities were entitled to.

The Spanish-speaking communities in the United States are now contending that a large number of Spanish-speaking persons will not be included in the census of 1970.

They are further alleging that although the Bureau of the Census claims it is hiring bilingual census takers, in fact, it is not doing so. This is a violation of an agreement the Bureau of the Census made with the Chinese community in San Francisco in the northern district Federal court in San Francisco during February 1970. There is not at this time any Spanish-speaking, culturally associated person in the majority of the offices now being set up by the Bureau of the Census.

In accordance with the fifth amendment of the U.S. Constitution, all persons in the United States are entitled to due process and equal protection. The Bureau of the Census is conducting the census of the Spanish-speaking communities in the State of New York and the Commonwealth of Puerto Rico in Spanish, therefore, all Spanish-surnamed persons in the United States are entitled to like treatment.

Due to the lateness of correcting the 80 percent questionnaire, spokesmen for the Spanish-surnamed communities state that the Census Bureau can amend item four—race or color—to have households indicate under "other" that they are from a Spanish surnamed family, and further indicate their respective ethnic background; that is Mexican, Mexican American, Hispano, and so forth.

Bilingual census workers should be hired immediately to insure that bilingual census takers who are oriented to the Spanish speaking culturally as well as in language are used in the taking of the census of 1970.

Bilingual census employees should be hired by the Bureau of the Census on a permanent basis to send information and statistics which are related and relevant to the Spanish-speaking communities of the United States and its territories.

It has come to my attention that a large number of Spanish-speaking organizations, including the Mexican American Political Association, the Spanish Speaking Community Center in Hayward, Calif., the United Latins for Justice, the League of United Latin American Citizens, the G.I. Forum of the United States, the Community Service Organizations and many others from the Spanish-surnamed communities are greatly alarmed at the census as it is now being taken.

Based on past experience from previous censuses as taken in the United States, no less than 3 percent and possibly as high as 30 percent of the Spanish-surnamed peoples were missing from censuses that were taken. These errors are being perpetrated and fostered by the Bureau of the Census and should be corrected immediately.

I am placing in the CONGRESSIONAL RECORD some further information on the census and the Mexican American:

CALIFORNIA STATE SENATE RESOLUTION BY SENATORS SHERMAN AND PETRIS

Relative to Recognition of Mexican-Americans

Whereas, the 1970 United States decennial census is about to take place; and

Whereas, the Mexican-American citizens constitute the largest racial minority in the United States; and

Whereas, the census question on race does not include the derivation of "Mexican-American" or "Spanish, or any Latin derivation but does list the designations of white, Negro or black, Japanese, Chinese, Hawaiian, Puerto Rican, and others; and

Whereas, the census forms are already printed in Spanish to be used in the State of New York and the Commonwealth of Puerto Rico and other territories, and, therefore, the States such as California, and the southwest areas of the United States and other communities with large Spanish speaking populations, could use these forms without excessive additional cost; and

Whereas, large numbers of persons of Mexican-American ancestry and Spanish speaking people will not be accounted for properly unless the Census Bureau hires people at all levels, including the management level, who are bilingual in English and Spanish; and

Whereas, there are many such qualified persons ready and available; and

Whereas, an accurate count of the populace is vital to the political and economic life

of our country and our State, and this requisite necessarily includes an accurate count of all segments of our society; now, therefore, be it resolved by the Senate of the State of California:

(1) To print additional census questionnaires in the Spanish language and the use of such forms in the areas of California, the Southwest United States, and other geographic areas of the United States where there are substantial numbers of Spanish speaking people.

(2) To hire persons at all levels of the Census Bureau, including the management level, who are bilingual in English and Spanish and to seek the aid of Spanish speaking organizations to fill these positions.

(3) Since it is impossible because of time to reprint the questionnaires, but to avoid obvious confusion, instructions should be given in the Spanish language to Mexican-Americans to answer the question of race as "other" and to fill in the blank as "Mexican-American."

(4) That the additional designation of Mexican-American should be programed into the computer so that an accurate count may be made of the Mexican-American population; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the Census Bureau of the United States.

Whereas Mexican-American constitute the second largest minority in the United States and a substantial portion of the population of the South Western United States.

Whereas an accurate count of this group is of utmost importance in determining the financial, social, and political status of the Mexican-American and the assistance needed to resolve their manifold problems.

Whereas the 1970 census as presently constituted does not provide for a separate count of the Mexican-American in the mail out census form that will reach 80% of the households thus depriving the government, the Mexican-American community and other interested groups of vital information vitally necessary to adequately assist many Mexican-Americans who desperately need aid to be able to enjoy the rights and privileges guaranteed by our constitution and the democratic spirit of our Founding Fathers.

Therefore be it resolved that the American G.I. Forum National Board of Director duly convened in Omaha, Nebraska February 28th go on record supporting the legal action initiated by the Oakland G.I. Forum and the Spanish-Speaking Community Center against the Bureau of the Census to force their Bureau to include the Mexican-American as a separate entity and further support their action in trying to bring about on equitable and accurate enumeration.

This resolution was duly passed at Omaha, Nebraska Board of Directors meeting Saturday February 28, 1970.

Respectfully submitted.

MANUEL F. ALVARADO,
American G.I. Forum Oakland Chapter.

[U.S. District Court for the Northern District of California, Southern Division]

COMPLAINT (CIVIL RIGHTS)

(Original filed February 26, 1970, clerk, U.S. District Court, San Francisco.)

(Augustin L. Prieto, Alfonso Fernandez, and Maria Trinidad Hurtado, on their own behalf and on behalf of all those similarly situated, Plaintiffs, v. *Maurice Stans, Secretary of the U.S. Department of Commerce; George H. Brown, Director of the U.S. Bureau of the Census, and Richard J. Mullikan, area D director of northern California and northern Nevada for the U.S. Bureau of the Census, Defendants.)*

FIRST CAUSE OF ACTION

I

This is an action for mandamus, injunctive and declaratory relief to prevent defendants from carrying out their plan to deprive plaintiffs and all others similarly situated of their constitutional and statutory rights to be included and accurately represented in the 1970 federal Census, Jurisdiction is conferred upon this court by 28 U.S.C. S1331, 28 U.S.C. S1337, 28 U.S.C. S1343(4), 28 U.S.C. S1346, 28 U.S.C. S1361, 28 U.S.C. S2201, and 5 U.S.C. S702. Venue is properly in this Court pursuant to 28 U.S.C. S1391(e).

II

1. Defendant Maurice Stans, as Secretary of the U.S. Department of Commerce, is responsible for the administration and operation of the U.S. Bureau of the Census (hereinafter referred to as "Census Bureau").

2. Defendant George H. Brown, as Director of the Census Bureau, has been delegated by defendant Stans to direct the operation of the Census Bureau. As such, defendant Brown is directly responsible for the Census Bureau programs.

3. Defendant Richard J. Mullikan, as Area Director of Northern California and Northern Nevada for the Census Bureau, is directly responsible for the administration and operation of all Census Bureau programs in Northern California.

III

This is a proper class action under Rule 23 of the Federal Rules of Civil Procedure. Plaintiffs bring this action on behalf of themselves and all other residents of the United States and the State of California who are immigrants or descendants of immigrants from Mexico, impoverished, can neither read nor write English, and are aggrieved by defendants action in discriminating against and excluding them from the 1970 Census. The class is so numerous that joinder of all members is impracticable; there are questions of law and fact common to the class; the claims of the plaintiffs are typical of the claims of all members of the class; and plaintiffs will fairly and adequately represent the claims of all members of the class. Defendants have acted on grounds generally applicable to the class thereby making appropriate final injunctive relief and corresponding declaratory relief with respect to the class as a whole.

IV

Under Article I, Section 2, Paragraph 3, of the United States Constitution, defendants are required to take the Census of the United States in 1970, and are required to include plaintiffs and all others similarly situated in the 1970 Census.

V

Millions of Persons who reside in the United States will receive Census questionnaires and will be included in the taking of the 1970 U.S. Census.

VI

Plaintiff Prieto is a resident of the United States and the State of California. He is a descendant of immigrants from Mexico, impoverished, and can neither read nor write English. He resides in an area designated by the Census Bureau as a "metropolitan urban area".

VII

Plaintiff Prieto and all others similarly situated will receive no Census questionnaire since, as more fully described in the Affidavit attached hereto as Exhibit "A", they live in apartments or rooms which are not on any list of mailing addresses. In addition they will not respond to any follow-up procedure unless approached by persons who speak Spanish and are of descent similar to plaintiffs.

VIII

Defendants are deliberately refusing to employ persons who have no car or no telephone. This practice excludes a high percentage of persons who could locate and count plaintiff Prieto and all others similarly situated.

IX

As a consequence of the allegations in paragraphs VI–VIII supra, plaintiff Prieto and the class he represents will not be included in the taking of the 1970 Census.

X

The action of the defendants in including millions of persons in the taking of the 1970 Census and excluding and omitting plaintiff Prieto and the class he represents constitutes an invidious discrimination against plaintiffs and denies to the plaintiffs the equal protection of the laws in violation of the Due Process Clause of the Fifth Amendment to the Constitution of the United States.

XI

Article I, Section 2 Paragraph 3 of the United States Constitution provides that representatives to the U.S. House of Representatives shall be apportioned among the states on the basis of population as determined by the decennial census.

XII

Since plaintiff Prieto and all others similarly situated will not be included in the 1970 Census, they will not be included in determining the apportionment of representatives to the U.S. House of Reprsentatives and consequently will be underrepresented in the United States Congress.

XIII

Defendants are receiving Federal financial assistance to take the 1970 U.S. Census. Since plaintiff Prieto and all others similarly situated will not be included in the taking of the 1970 Census because of their race, color, and/or national origin, defendants are acting in direct violation of 42 U.S.C. S2000(D) which prohibits discrimination or exclusion from participation in Federal programs on the ground of race, color, or national origin.

XIV

The statistics which will be obtained by the Census Bureau as a result of the 1970 Census will be released to various federal, state, and local governmental agencies and will be used by such agencies for the next 10 years as the basis for allocating funds for voter registration, community action programs, manpower training, employment assistance, Model Cities programs, and dozens of other programs designed to help poor and minority groups. In addition, the Census Bureau will release statistics gained from the 1970 Census to private individuals and foundations who will use these statistics for the next 10 years, as the basis for their grants and donations to assist poor and minority groups. Since plaintiff Prieto and all others similarly situated will not be included in the 1970 Census, they will be deprived of valuable grants, donations, and governmental programs solely on the basis of their race, color, and/or national origin. This deprivation is in direct violation of the Due Process Clause of the Fifth Amendment to the Constitution of the United States and of 42 U.S.C. S2000(d).

XV

Plaintiff Prieto and all others similarly situated will suffer irreparable injury if defendants are allowed to proceed with the 1970 Census as planned. As demonstrated in paragraphs XI, XII and XIV, *supra*, plaintiffs will be deprived of valuable rights and the deprivation will last at least until the 1980 Census. Plaintiffs are unable to ascertain

the amount of money which they will suffer if defendants are allowed to proceed as planned; no adequate remedy at law is available to plaintiffs; and no previous application for the relief sought herein has been made to this or to any other court.

SECOND CAUSE OF ACTION

I

Plaintiffs reallege and incorporate by reference as if fully set forth herein paragraphs I–V of the First Cause of Action.

II

Plaintiffs Prieto, Fernandez and Hurtado are residents of the United States and of the State of California. They are immigrants, or descendants of immigrants from Mexico. They are impoverished and are entitled to benefits under various governmental programs designed to assist poor and minority groups. They cannot read, write or speak English, but can read, write and speak Spanish.

III

Defendants intend to conduct the 1970 Census by mailing questionnaires to a list of households which presumably will include the households in which plaintiffs reside. Three Types of questionnaires will be used, and the Census Bureau intends that every household in the United States will receive one questionnaire. Questionnaire #1, attached hereto as Exhibit "D" will be sent to 80% of the households; Questionnaire #2, attached hereto as Exhibit "E" will be sent to 5% of the households; and Questionnaire 3, attached hereto as Exhibit "F", will be sent to 15% of the households. The selection of which household receives which on the Census Bureau list will receive Questionnaire #2, every 5th household will receive Questionnaire #3, and the remaining households will receive Questionnaire #1.

IV

The members of Seven minority groups will be specifically counted on an individual basis by the Census Bureau. Question #4, which appears on all 3 questionnaires, specifically asks if the individual is white, Negro or Black, Indian (American), Japanese, Chinese, Filipino, Hawaiian, or Korean. This individual count will produce a much more accurate count of members of the ethnic group than the estimate which defendants will use to determine the number of members in plaintiffs' ethnic group.

V

The Census Bureau will instruct plaintiffs and the class they represent to check the box marked "white" in response to question #4. Thus the responses to question #4 will provide no statistics on the ethnic group to which plaintiffs belong.

VI

No other question on Questionnaire #1 provide statistics on the ethnic group to which plaintiffs belong.

VII

Question #13(b), which appears only on Questionnaire #2 asks:

Is this person's origin or descent (Circle appropriate line):

Mexican
Puerto Rican
Cuban
Central or South American
Other Spanish
No, none of these

VIII

Plaintiffs and the class they represent consider their origin or descent to be Mexican-American rather than Mexican. Consequently plaintiffs and the group they represent will check "No, none of these."

IX

No question on any of the three questionnaires, other than question 4 and #13(b) will provide statistics on the ethnic group to which plaintiffs belong. Consequently, question #13(b) is the only census question relating to plaintiff's ethnic group.

X

The Census Bureau intends to estimate the number of persons in plaintiffs' ethnic group by use of a statistical formula based on the results from Question #13(b) which will be answered by only 5% of the households in the United States. This estimate will be inaccurate and will substantially underestimate the number of persons in plaintiffs' ethnic group.

XI

Defendants may use, as they have in the past, a count of "Spanish surnames" as shown on the census questionnaires as an additional method to determine the number of persons in the ethnic group to which plaintiffs belong. As demonstrated by Exhibit "G" attached hereto, this method is grossly inaccurate.

XII

Defendants intended to use the results of the responses to Question #13(b), and the "Spanish surname" method, to prepare an estimate of the number of persons in the ethnic group to which plaintiffs belong. Since seven minority groups will be individually counted (some are larger than plaintiffs' group, some are smaller) this action by defendants constitutes an invidious and arbitrary discrimination against plaintiffs and the class they represent and constitutes a denial of equal protection of the laws guaranteed to plaintiffs by the Due Process clause of the Fifth Amendment to the Constitution of the United States.

XIII

Defendants are receiving Federal financial assistance to take the 1970 Census. Since plaintiffs' ethnic background will not be directly determined, but only estimated, and underestimated, because of their race, color, and/or national origin, defendants are acting in direct violation of 42 U.S.C. § 2000(d) which prohibits discrimination or exclusion from participation in Federal programs on the ground of race, color, or national origin.

XIV

The statistics which will be obtained by the Census Bureau as a result of the 1970 Census will be released to various Federal, state, and local governmental agencies and will be used by such agencies for the next ten years as the basis for allocating funds for voter registration, community action programs, manpower training, employment assistance, Model Cities programs, and dozens of other programs designed to help poor and minority groups. In addition, the Census Bureau will release statistics gained from the 1970 Census to private individuals and foundations who will use these statistics for the next 10 years as the basis for their grants and donations to assist poor and minority groups. Since the ethnic background of plaintiffs and the class they represent will not be directly counted but only estimated while the ethnic backgrounds of other minority groups will be directly counted, plaintiffs and the class they represent will be deprived of valuable grants, donations, and governmental programs solely on the basis of their race, color, and/or national origin. This deprivation is in direct violation of the Due Process clause of the Fifth Amendment to the United States and of 42 U.S.C. § 2000(d).

XV

Plaintiffs and the class they represent will suffer irreparable injury if defendants are allowed to proceed with the 1970 Census as planned. As demonstrated in paragraphs X–XIV, *supra*, plaintiffs will be deprived of valuable rights and the deprivation will last at least until the 1980 Census. Plaintiffs are unable to ascertain the amount of money damages which they will suffer if defendants are allowed to proceed as planned; no adequate remedy at law is available to plaintiffs; and no previous application for the relief sought herein has been made to this or to any other court.

THIRD CAUSE OF ACTION

I

Plaintiffs reallege and incorporate by reference as if fully set forth herein paragraphs I–XV of the Second Cause of Action.

II

The 1970 Census will gather information on housing, employment, education, and income. This information will be inaccurately reported for the ethnic group to which plaintiffs belong because of the inaccurate methods being used by defendants to ascertain the number of persons in the ethnic group to which plaintiffs belong.

III

Since seven ethnic groups will have accurate information relating to housing, employment, education, and income of the members of their ethnic group, the denial of such information to plaintiffs solely on the basis of their race, color, and/or national origin is a violation of 42 U.S.C. § 2000(d) (Discrimination in Federal programs) and the Due Process clause of the Fifth Amendment to the Constitution of the United States.

FOURTH CAUSE OF ACTION

I

Plaintiffs reallege and incorporate by reference as if fully set forth herein paragraphs I–V of the First Cause of Action.

II

Plaintiffs and the class they represent are unable to read, write, or speak the English language; they are able to read and speak the Spanish language.

III

Plaintiffs and the class they represent will receive a 1970 Census questionnaire printed in English. They will be unable to complete this questionnaire; plaintiffs would be able to complete the questionnaire if it were printed in Spanish.

IV

In order to complete the Census questionnaire, plaintiffs will be required to use an interpreter.

V

The 1970 United States Census will include Puetro Rico, a United States possession. Residents of Puerto Rico will have an option of receiving a Census questionnaire printed in English or in Spanish.

VI

Thousands of residents of Puerto Rico who do not speak or read English will receive a 1970 Census questionnaire printed in Spanish and will be able to complete the questionnaire without assistance.

VII

Plaintiffs differ from the residents of Puerto Rico described in paragraphs V only in place of residence, yet plaintiffs are unable to obtain the 1970 Census questionnaire in Spanish.

VIII

As a consequence of the discrimination described in paragraphs V–VI above, plaintiffs will be forced to use an interpreter to complete the Census questionnaire; the use of an interpreter constitutes an invasion of plaintiffs' privacy and introduces an added possiblity of incorrect data reporting.

IX

Place of residence is not rational basis for refusing to give plaintiffs a Census questionnaire printed in Spanish and is a denial to plaintiffs of the equal protection of the laws as guaranteed by the Due Process clause of

the Fifth Amendment to the Constitution of the United States.

Wherefore plaintiffs pray, on behalf of themselves and on behalf of all members of the class they represent, that this court:

1. Determine this to be a valid class action pursuant to Rule 23 of the Federal Rules of Civil Procedure.

2. Issue preliminary and permanent injunctions enjoining defendants from conducting the 1970 Census as presently planned or in any manner which will exclude plaintiffs and the class they represent from participating in the 1970 Census or which will discriminate against plaintiffs and class solely on the basis of race, color, and/or national origin.

3. Issue a Writ of Mandamus compelling defendants to include the following procedures in the taking of the 1970 Census:

(a) Personal visits by census enumerators to each head of household in the ethnic group to which plaintiffs belong.

(b) Require that census enumerators visiting households in the ethnic group to which plaintiffs belong, be member of that same ethnic group and speak Spanish.

(c) Require that census enumerators who visit households of the ethnic group to which plaintiffs belong ask whether the household prefers to answer the census questionnaire in English or Spanish; and if the response is "Spanish," then require the census enumerator to provide a census questionnaire printed in Spanish.

(d) Include in Question 4, the category "Mexican-American, Mexican, or Chicano."

4. In the alternative to paragraphs 2 and 3 that Writ of Mandamus issue compelling defendants to conduct a special census which will include the safeguards prayed for in paragraphs 2 and 3 of this prayer.

5. Issue preliminary and permanent injunctions enjoining defendants from releasing any statistics gathered from the 1970 Census unless and until plaintiffs and the class they represent are included in such the proper ethnic group, namely "Mexican-American, Mexican, or Chicano," either by revising the 1970 Census or by conducting a special census.

6. Order such other and further relief as the court deem proper and just.

Dated: February 25, 1970.

LEGAL AID SOCIETY OF ALAMEDA COUNTY,
LOREN MITCHELL,
Attorney for Plaintiffs.

MARYVILLE, MO.: THE ALL AMERICA CITY

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

Mr. HULL. Mr. Speaker, the dramatic record of the community of Maryville, Mo., in my congressional district as one of our Nation's most dynamic and progressive rural municipalities has been recognized by Look magazine when that publication awarded Maryville the title of All America City.

Look magazine cited Maryville for "the vigorous action of its citizens in bringing about major improvements in their city, and thus setting an example of good citizenship to the Nation."

The All America Cities Awards are cosponsored by the National Municipal League and Look magazine. Eleven communities in the United States are annually selected for the honor by a jury of distinguished citizens and experts on government impaneled by the league. The All America Cities program is in its 22d year.

Maryville, the county seat of Nodaway County in the Sixth Congressional District, was honored for various innovative approaches to problems which plague many communities in rural America.

Mr. Speaker, under leave to extend my remarks in the RECORD, I include an article from Look magazine announcing the selection of Maryville as an All America City:

MARYVILLE, MO.: A "SHOW ME" FARM TOWN WARMS UP TO PROGRESS

The remedies for civic distress bringing Maryville All America recognition ths year are not very different from those of other small towns, but progress here has roused opposition that would have delighted de Tocqueville. In fact, when Dean Maiben, Maryvill's city manager since 1967, was in Philadelphia helping to present the town's case before the National Municipal League jury, almost 900 citizens back home were signing a petition to get rid of him. Reason: The city council had passed his "modern" plan to hire a public-safety director and combine the police and fire departments, and thus avoid higher insurance rates. This upset the proud, tradition-bound volunteer firemen and, along with another council action consolidating street and water divisions, provoked a disgruntled citizen effort to jam on the brakes. The protest failed. John Beeks, the Northwest Missouri State College professor who heads the Maryville Betterment Committee, smiles and says: "We have our 'pool hall' opposition here—a mixture of apathy and carping that naturally goes with talk of change and higher taxes. As we get results, the objectors grow fewer." Another advocate of change and reform is somewhat less charitable, confiding to Look: "I'd hate to think what this town would be like if certain members of the Establishment hadn't died."

A typical dispute in Maryville's tug-of-war for progress is whether to raze the old Nodaway County Courthouse. The hope is to keep customers from fleeing to outlying shopping centers by developing the square for downtown parking and commercial use. The old say no; most younger citizens, yes.

What Maryville proves is that democracy can't work in a vacuum. Take a 120-year-old farm center in the northwest corner of the "Show Me" state. Keep farm income high but cut the number of people who benefit, and increase the number of people on fixed incomes and in substandard housing. Double the enrollment of the local college from 2,500 to 5,000. Throw in the need for 2,000 jobs and vocational training, and you have Maryville (pop. 11,000) in the late 1960's. Mayor Harold Van Sickle, manager of a firm billed as "the world's largest producer of lightning rods," likes Maryville so much he refused a higher paying job in St. Louis. But he is candid about where the action has originated: "So much has been done by people who've adopted Maryville. At one luncheon for a new plant manager, only five natives showed up."

Maryville today has a full calendar of activities that indirectly springs from citizen participation in a 1966 hospital fund drive. Over 1,800 donors gave $450,000, and a new sense of community pride was born. Voluntary street improvements, a workable program for Federal housing and a bond issue for new water and sewage systems soon followed. While other school districts nearby were rejecting new tax levies, Maryville citizens passed a $440,000 bond issue in 1969, obtaining matching state funds for an area vocational program. When the college was caught short of money for two high-rise dormitories, a local bank purchased $600,000 worth of notes at six percent. The 300-member Nodaway Arts Council involves students and townsfolk in projects ranging from group guitar lessons to a high school film workshop.

How does the "opposition" feel about the bustle? Gerald Foster, a hardware dealer whose grandfather served on the city council before him, is cheerful about being in the minority on some issues: "If nobody disagreed, it wouldn't be democracy."

REPRESENTATIVE ASHLEY ADDRESSES NATIONAL HOUSING CONFERENCE HERE

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

Mr. GONZALEZ. Mr. Speaker, last night I was privileged to attend the National Housing Conference held here in Washington, D.C., as an annual event and which throughout the years has been the occasion of enlightening and productive get-togethers by people intimately involved with the basic problems of housing Americans.

Last night I was privileged to listen to my distinguished colleague from Ohio, the Honorable THOMAS LUDLOW ASHLEY, as he addressed the gathering as the principal speaker. Those of us who have had the privilege to serve with "LUD" ASHLEY on the Banking and Currency Committee and in particular on the Subcommittee on Housing have learned to admire and respect the tremendous integrity and ability of "LUD" ASHLEY. The remarks made by Representative ASHLEY were not only appropriate but contained significant statistics and information that I believe we should share with every Member of this House. I therefore include in the RECORD at this point the remarks of Representative ASHLEY:

REMARKS OF HON. THOMAS LUDLOW ASHLEY, MEMBER OF CONGRESS TO THE NATIONAL HOUSING CONFERENCE, WASHINGTON, D.C., MARCH 9, 1970

At a press conference last month, two prominent Republicans, Milton Eisenhower and John Gardner, commented on the inadequacy of President Nixon's new budget by saying: "It is not enough to smile bravely and tighten the belts of the poor."

I think this observation might serve as the text for the first part of my talk this evening which concerns itself with some aspects of the housing crisis about which very little is being said.

We hear a good deal about the general dimensions of the current cutback in housing: that decent shelter is the scarcest since 1950, that new home payments are taking the largest portion of the average paycheck since the depression, that housing starts in the first half of this year will be the lowest since the period following World War II and will continue to drop, that the nation's vacancy rate, now 2.4%, is expected to dip to a 20 year low of 1.6%. Administration spokesmen readily admit that we are confronted with a national emergency in housing but I sometimes wonder if their public statements don't admit the obvious while remaining deliberately silent on the not so obvious.

Secretary Romney, for example, acknowledges that housing is the first victim of a tight money policy and he furnishes the mathematical proof: Net new residential

mortgage lending from all purley private sources dropped from an annual rate of $17.5 billion in the last half of 1968 to a rate of only $5.8 billion in the final quarter of last year, accounting for a decline in conventional housing starts of some 44% during 1969, a decline which would have been much worse had it not been for the massive infusion of Federal funds through Fannie Mae and the Home Loan Bank Board.

While it is generally understood and admitted that the operation of market forces during a credit crunch shortchanges the housing industry generally, very little is said about what happens to housing for low and moderate income families in particular.

It's not a pretty picture, to say the least.

Last year there was a total of 1.9 million new housing starts, which included about 180,000 federally assisted units (65,000 of public housing and 115,000 under other HUD and Farmers Home Administration programs), and there were 400,000 mobile homes built and sold. The remaining 1.3 million units were conventional starts having a median price of about $27,000—which is within the reach of fewer than two out of every ten American families.

Pursuing this further, we find that of the total mortgage credit available last year, more than half was allocated to the fewer than 20% of American families having the highest incomes and that virtually no credit whatever was available for two-thirds of our families—numbering some 30 million—having an income of $10,000 or less.

Obviously this maldistribution of mortgage funds is the result of reliance on market forces which respond not to need but solely to ability to pay through the nose.

In my view, this malallocation of credit, which relegates the poor of America to a few thousand units of public housing or to the trailer camp, is the most serious and certainly the most scandalous evidence of a general breakdown in our housing delivery system.

The Administration's response to this situation is illuminating. I recently received a letter from Secretary Romney in which he said: "The tight conditions in the mortgage market and the slump in housing production have led to a sharp increase in recent weeks in the calls for the Government to do something to ease the situation. The more I talk with people about their specific proposals, however, the more I have been impressed with the lack of awareness of how much the Government already is doing." He went on to cite support of the mortgage market by the Federal National Mortgage Association (FNMA) and the Federal Home Loan Bank Board at a level of more than $12 billion a year, and he went on to say that "the steps taken so far are significant, and are a strong testament to the high priority attached to housing, by both the Administration and the Congress."

What Mr. Romney blithely overlooks is that Federal support of the mortgage market at the rate of $12 billion a year offers a unique opportunity to allocate housing funds on the basis of need, and that failure to do so has been largely responsible for the maldistribution of credit which favors the affluent and excludes the less affluent. Also illuminating are the repeated suggestions from the Administration that the responsibility for bringing inflation under control is largely one that falls on the public sector, and only to a considerably lesser extent on the private.

States and local governments are directed by the White House to cut back 75% on Federally assisted public improvements, but no such forebearance is asked of our private sector. In fact, quite the contrary. To finance the unchecked growth of big industry, the money center banks continue to undercut Federal Reserve policy by going to the Euromarket for high cost dollars and by issuing high yield commercial paper.

The result, as I have indicated, is that financing has been available for shopping centers but not for housing; for color television sets but not for sewage treatment facilities.

I agree with the Administration that the exercise of monetary and fiscal restraint are essential to combat inflation but it seems to me we should have learned that other weapons are needed in a more balanced attack on this problem. At the very least, wage-price guidelines should be reinstituted and at least minimum credit controls imposed to effectuate the reordering of our national priorities that we hear so much about.

The present alternative, as pointed out by Messrs. Gardner and Eisenhower, is "to smile bravely and tighten the belts of the poor."

With specific reference to the need to supply a steady flow of housing for low and moderate income families, I think there are several additional points to be made. First is that fewer and fewer American families can afford market housing because the components of the cost of shelter—land, labor, materials and high interest rates—have gone up much more rapidly than the increase in family incomes—and the gap continues to widen. What this means, of course, is that Federal policy is confronted with a choice. We can either allow the combination of mortgage market forces and limited Federal appropriations to limit the production of moderate cost housing until such time as the gap between market housing and average family income is reduced, on the one hand, or we can provide the increased Federal assistance needed to bridge this gap during the intervening period.

Inasmuch as high interest rates—by far the most important component in high cost housing today and the main reason for the widening gap—are the result of deliberate governmental policy, it seems to me that the choice between these alternatives is clear.

Unfortunately, the Administration seems to take a different view. In his recent testimony before our Committee, Secretary Romney said that low and moderate income families is not the area where the shortage of production is occurring.

"I want to stress that point," he said. "It is not the low and moderate income production that is down. That is up. It is the conventional housing that is down . . . in the past subsidized housing starts have represented less than 7% of the annual volume of all starts. Last year they were up to 15%."

According to tables supplied me by HUD on February 3 of this year, total public housing starts in 1968 numbered 59,200 as against 65,500 in 1969. And in 1968 the number of other HUD supported housing units which included only 100 units of 235 and 236 housing, totaled 68,400, as against 93,700 in 1969. What should be clear to Mr. Romney, since these are his own figures, is that HUD assisted housing increased only 25% from 1968 to 1969, a year during which many millions of moderate income families were being completely priced out of the private market.

A second point is that the goal set forth in the Housing Act of 1968 for 26 million new housing units in the next 10 years is widely recognized as having been understated. Most apparent, for the reasons I have just touched on, is that the ratio of 20 million unassisted units as against only 6 million assisted units has completely lost any validity it may have had.

This leads to a third observation, which is that we totally lack any reliable, up-to-date means of accurately assessing our housing needs.

If there is any doubt about this, let me refer to a colloquy that took place when Secretary Romney appeared before the House Banking Committee two weeks ago:

"Mr. ASHLEY. Do we have any idea what today's housing needs are?

"Secretary ROMNEY. Well, look, you had a Douglas Commission that was financed for some time, and you had a Kaiser Commission that was financed for some time, and they made the latest studies and they said they couldn't disagree with the 26 million figure.

"Now, I happen to think the 26 million figure understates it, doesn't overstate it.

"Mr. ASHLEY. That is for the next 10 years. I wonder what our backlog is today? . . . it should be possible, one would suppose, that the Department of Housing and Urban Development would be able to determine what our current housing needs are. If not, how in the name of the Good Lord are we going to be able to assess what our mortgage credit needs are, which is the purpose of this hearing?

"Secretary ROMNEY. What do you want us to do, go out and canvass every family in the United States and find out what their needs are? Is that what you are talking about, in detail——

"Mr. ASHLEY. Is that what you did when you manufactured automobiles?

"Secretary ROMNEY. No, and I didn't try to get at figures like you are trying to get at. I had general ideas and I had my estimates and these estimates are just as good as we had for automobiles, and nobody got down to the little picayune fine points you are trying to get at."

And then a few moments later:

"Mr. ASHLEY. You haven't given me any figures on what our housing needs are today.

"Secretary ROMNEY. I told you that the housing needs of this country are 26 million or more, and that 6 million of them are in the lower income as between now and between 1978."

Now that is what we are working towards on the basis of needs over a 10 year period, as based on the best figures we have got.

Now, if you want to know exactly what the needs are today, then we are going to have to go out and make some surveys that haven't been made.

The point, of course, is that it's impossible for public policy to be responsive to national need if there is neither the means nor the inclination of assessing the dimensions of that need.

A final point I would like to stress tonight is the need for a national urban growth policy.

Today's urban crisis, in my view, is essentially the product of the unplanned patterns that our urban growth has taken, particularly in recent decades. A pronounced shift in the location of urban growth has taken place, and the concomitant process of industrial and commercial decentralization has had a transforming impact on the distribution of opportunities and rewards within urban areas.

Between 1950 and 1966, for example, the population of the nation's central cities increased by 7.5 million people. During the same period, the population of their suburban rings increased by 36.5 million people, so that by 1966, more Americans lived outside, in our suburban configurations, than inside central cities.

The nation's suburbs are also where 80% of the new jobs have been created during the past two decades, with central cities failing to win a significant share of new urban employment and in many cases experiencing a new outflow of jobs.

We know, too, that this decentralization has not been uniform. It is the white population that has benefited from the availability of jobs and housing opportunities, with the result that by 1966 only 42% of urban whites lived in central cities, as against 82% of all urban non-whites.

Still more significant, as an indication of recent demographic trends, is the fact that

between 1960 and 1966, 100% of the urban white population gain of 10.1 million took place in the suburbs, while 90% of the nonwhite population gain of 2.7 million during the same period took place in central cities.

Clearly these remarkable population shifts have resulted in unbalanced population distribution in our metropolitan areas and offers one reason for the maldistribution of mortgage credit mentioned earlier.

If we are to accommodate America's urban growth in this last generation of the century, we must mount a three-pronged attack. First, we must allow existing cities to rebuild and reorganize so that, at the very minimum, they are livable. Second, we must rationalize suburban growth through community planning and design. Third, we must build new cities and strengthen smaller communities having demonstrated growth potential.

The need for these strategies is clear but in the absence of a coherent, comprehensive growth policy, the only apparent alternative is to proceed—as indeed we are—on the basis of uncertain and usually faulty assumptions, inadequate planning, and a spectrum of overlapping and often conflicting programs which together do little more than assure perpetuation of past growth patterns which have spawned the very problems we're now trying to solve.

Happily, there is reason for at least limited optimism. In his State of the Union Message, the President called for a national urban growth policy and I expect the Congress to respond. For the past 3 months a bill has been in the drafting process which I hope to introduce to establish a policy framework for a coherent, planned growth process designed to assure a wide range of participation, public as well as private, in new community development.

Primary responsibility for establishing a national urban growth policy perforce must rest with the Federal government. The actual mechanisms, however, must come from the States for implementation of such a policy.

As an alternative to private development, we certainly should be able to establish public development corporations with the power of eminent domain which will be able to acquire raw land, put in the infra-structure and prepare a development plan for a satellite or new suburban community, a free standing new town, or a new-town-in-town. Such a development corporation should be able to sell or lease the land to private developers who would agree to develop in accordance with the plan. This will have the benefit of providing builders with sites at nonspeculative prices with the assurance that development will be taking place on the basis of comprehensive planning and improved land use.

In short, the emphasis—as Bill Slayton has pointed out—should be on public determination of where growth should take place and the use of public instruments to encourage such development. This approach will offer the availability of housing for all income groups and, in my view, is absolutely essential if we are to break the present patterns of economic and racial segregation.

In my view, it is only through the development of an evolving national growth strategy that a living environment of quality can be achieved for ourselves and future generations that are to follow. It not only deserves but requires our total commitment.

INSURANCE AGAINST INSURANCE COMPANIES

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

Mr. PODELL. Mr. Speaker, I am proud to have introduced the Federal Guarantee Corporation Act during the last session of Congress. If passed, its provisions would go far toward eliminating some of the abuses suffered by the purchaser of insurance. The bill provides for the creation of a fund to reimburse the policyholders whose insurance companies have become insolvent.

The creation of such a Guarantee Corporation would be an important first step toward protecting the purchaser. Yet, in recent months, other problems with insurance have come to my attention, and I would like to share my ideas with you.

How many times have individual policyholders called up their insurance companies to report a claim, only to be told they are "not covered" for the loss or the injury? The individual who has been paying high insurance premiums for years suddenly finds himself without the proper insurance to cover his particular claim.

As provided in the Bill of Rights, the individual accused of a crime is told of his rights. He is told that he does not have to testify against himself; he is informed of his right to legal counsel.

The consumer has no comparable rights. He is often informed of his rights after he has been wronged. After being charged what the market will bear in premiums, he then does not receive the services for which he thought he was paying.

Insurance policies are usually couched in language to confound and confuse the policyholder. Obscurity and small print reach new heights—or depths—in many contracts. Insurance companies seem to speak in a secret language known only to those who are a member of the fraternity. The consumer finds himself alone when it is time to challenge these companies. Is there any insurance to cover insurance company abuses?

If an individual's safe is robbed and he has an insurance policy covering burglary, why is it only after he is robbed that he is told he lacks safe insurance?

If a thief enters, hides in a home, and then breaks out after committing a crime, what should the policyholder do after being told he is covered for breaking in—but not for breaking out—and has no claim?

If one is "in good hands" when one does not have a claim, why must the "squeeze" be put on when the individual has a claim?

I am calling for a new policy by insurance companies, and if necessary, legislation by the Congress. I am asking for a policy of letting the purchaser of insurance know what he is covered for, when he first buys his policy.

I am requesting that the purchaser of insurance be informed of his rights under a particular policy—which contingencies are covered and which are not. The purchaser could not then claim he was unaware of the limits of his policy, and the insurance company could not spring the "not covered" excuse.

Let us, once and for all, put an end to the need to insure the individual against the insurance company.

ROGERS SAYS U.N. TAX ON UNITED STATES IS PREPOSTEROUS

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

Mr. ROGERS of Florida. Mr. Speaker, at a time when all Americans are concerned over the rising cost of living and taxes, I find it astounding that we are now hearing about an international tax proposed by the United Nations.

Although the United Nations has done little to fulfill its original concept as a world peacemaker, it now has suggested that it should start collecting taxes from individual nation-states.

I find it hard to believe that such a proposal could be made and the idea of the United Nations taxing Americans for television sets and boats is preposterous.

I include in the RECORD at this time a column by William A. Mullen, editor of the Pompano Beach Sun-Sentinel, who states the situation very well. I certainly agree with Mr. Mullen that the whole idea is ridiculous.

The column follows:

U.N. GLOBAL SALES TAX AIMS AT U.S. WALLETS

(By William A. Mullen)

Perhaps it is par for the course, but the United Nations has under consideration the most ridiculous proposition yet since its inception in 1945, ostensibly to preserve the peace of the world.

Doing anything but keeping the world in peaceful harmony, the U.N. now thinks about a means of soaking the rich to support the poor.

All hell can be breaking loose in the Middle East; the war in Southeast Asia may be spreading to Laos, perhaps from there to Thailand; civilized nations such as Rhodesia and South Africa may be condemned for doing what they think is necessary for their preservation, and the war in Vietnam may go on and on because Hanoi and the Viet Cong are busier with propaganda than peace in Paris, but the United Nations is preoccupied with a plan.

What the U.N. has in mind, conveniently overlooking its responsibilities as intervenor for world peace, is a plan to redistribute a goodly chunk of the world's wealth, taking from the prospering nations to give to the indolent or the insouciant.

The scheme is a proposed global sales tax on "luxury" items, such as automobiles, airplanes, dishwashers, TV sets, washing machines, refrigerators, pleasure boats, and so on.

Monies derived from these tax sources would be channeled through the U.N. to any agency approved by the General Assembly and designated by the tax collecting nation.

Making the recommendation is the Preparatory Committee for Development Planning, which sees the global sales tax as a "world solidarity contribution" that would involve the common man everywhere in "endeavors to solve the formidable problems faced by the poor and handicapped nations."

As usually is the case with plans to redistribute the wealth, the U.N. group blithely ignores realities, such as if underdeveloped nations are granted generous handouts to improve their standard of living, they are going to be less and less concerned with self progress, as long as the money rolls in.

Worse still, are the hard realities of the redistribution proposition.

For one, the nature of the items to be

taxed at their purchase price indicates that the proposed levy would be directed mainly at the United States, which already pays some 40 per cent of financing that international debating society otherwise known as the United Nations.

In automobiles, for example, the U.S. outproduces Japan and West Germany, its closest rivals, by some five to one, and at that, a large percentage of the Japanese and German sales are within the U.S. So that means on this product alone, the U.S. would be paying the lion's share of a global sales tax.

And who else comes even close to the U.S. on dishwashers, washing machines, air conditioners, private planes, TV sets, pleasure boats, etc.?

Surely the Soviet Union and the remainder of the Communist bloc would pay one-hundredth of the percentage that would be drained from Americans through a sales tax on purchases on which federal excise and local sales taxes already would have been paid.

This gross unfairness is one aspect.

The other is the incursion of taxing authority sought by the U.N. proposition, one-sided as it is. If the U.N. can palm off a global sales tax to redistribute as it see fit, then it can go on to a per capita tax, and income tax, or any other form of impost that could contribute toward bleeding our economy and hastening the bankruptcy the envious and the inefficient nations so anxiously await.

The U.N. may assume for itself the authorities to propose and to dispose, but the United States must insist upon its prerogative to oppose. Otherwise, what our future might be, we can only suppose.

ROGERS POINTS TO BACKSLIDE IN HEALTH SERVICES

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

Mr. ROGERS of Florida. Mr. Speaker, there has been much talk in the medical and health communities about the crisis that now exists in America concerning health and health services.

It is becoming more and more evident that something drastic and innovative must be done to stop this Nation's backslide into second-rate health service for its citizens.

There has been great concern among many that socialized medicine will be the end result unless something is done very quickly. This will require a joint effort on the part of Government and from the private sector.

Dr. H. Phillip Hampton of Tampa, Fla., recently spoke on the issue of the health crisis and I include his comments in the RECORD at this time.

I would particularly like to point to the section of the speech in which Dr. Hampton talks of the creation of an American medical communications and electronics network to utilize the capabilities of technology and computers in helping meet our manpower shortage. At the same time such a network would spread medical knowledge over a greater range and allow us to better utilize what information we have on individual patients.

Dr. Hampton warns that if the private sector does not act soon, we will see the Federal Government become more and more involved in health care to the point of a national medical program. I share Dr. Hampton's concern and would ask that my colleagues give this fine speech their consideration.

The address referred to follows:

PEER UTILIZATION REVIEW AND THE CRISIS IN HEALTH CARE

(By H. Phillip Hampton, M.D., Tampa, Fla.)

During 1970, Congress will be considering recommendations of the Health Cost Effectiveness proposals for changes in Titles XVIII and XIX of the Social Security Law (Medicare-Medicaid) in an attempt to solve some of the problems which the President has called a "Crisis in Health Care."

The rapidly mounting problems in the financing, delivery and utilization of medical care require prompt and effective action by the medical profession to find logical ways of solving them if we are to avoid more government control.

The financial aspects of the health care crisis are presented in the following three charts (not reproduced in the RECORD):

Chart I—since 1950 national personal health care expenditures have increased from $11.1 billion in 1950 to $49.8 billion in 1968 averaging increases of over five billion dollars annually since 1965. The color sectioned bars indicate the amount of funds from the four sources—private postpayment, private prepayment, public and philanthropy.

Chart II—since 1950 the three major methods of financing health care have demonstrated distinct trends characterized by a steady decline in private post-payment (out of pocket), an appreciable gain in private prepayment (health insurance) to 1965 and then a relative decrease as public expenditures (tax funds) rapidly increased.

Chart III—in fiscal year 1970 it is estimated the national personal health care expenditures will be $63.7 billion with 40% from public (tax) sources, approaching a $10 billion dollar increase over the previous year.

Government agency supervision and auditing are required for public expenditures and detailed guidelines for state agency utilization review of all elements of health care have been prepared by the Department of Health, Education and Welfare. If present financing trends continue, a tax supported government supervised health care delivery system inevitably will result within the decade of the 70's and physicians will be providing medical care under strict government control. This is the *danger* of the Crisis in Health Care.

The *question* of the crisis: Are the rapidly increasing expenditures for personal health care generated by the demand for modern health services, providing for the delivery of medical care to the entire population with the efficiency needed to achieve maximum effectiveness?

The *opportunity* of the health care crisis is to apply available knowledge and technology to improve the management and delivery of modern health care in the private sector.

In our society and form of government, personal services are more appropriately and efficiently delivered by the private sector. The method of financing most compatible with the private health care delivery system is a combination of voluntary health insurance and private postpayment.

After three years of study the American Medical Association Board of Trustees Committee on Health Care Financing concluded that in order for voluntary health insurance to finance tomorrow's health expenditures to the maximum of its ability we must develop:

1. Improved methods of financing prepayment (tax credits).

2. More efficient administration (community service agents).

3. More effective utilization (peer utilization review).

Improved methods of financing prepayment voluntary health insurance will require congressional action such as the tax credit proposal of the American Medical Association now under consideration by the Congress. But more efficient administration of health insurance and more effective utilization requires cooperative action by the medical profession and health insurors.

The obligation for organized medicine to supervise effectively the quality, adequate delivery and efficient utilization of medical care is readily apparent. The health care crisis has emphasized the urgent need for positive demonstration of methods by which these responsibilities can be fulfilled before there can be serious consideration of tax credits to aid in financing health insurance or indeed for voluntary health insurance to survive.

Therefore, it is action in this area now that will influence subsequent congressional legislation concerning the financing and delivery of health care and determine whether it will be public or private.

As a demonstration of positive action the Florida Medical Foundation has undertaken a project to create a model of a "Fourth Party" to aid the first, second and third parties (patient, physician and financing agent) in achieving the best possible medical care with the knowledge and resources available and promote methods to improve efficient delivery of health care.

An immediate objective of the fourth party must be the application of modern computer technology in transmitting and analysing the details of patient-physician encounters.

The multiple current efforts in this field should be coordinated and improved if this technology is to be used to full advantage in the near future. Therefore, as one element of the fourth party, we have created an American Medical Communications and Electronics Network, a non-profit corporation, to marshall the best in computer capabilities and develop programs to serve the patient, physician, and third party payers by means of community service agents under the guidance of state and county medical associations.

AMCEN would lease communication and electronic facilities and promote the development of programs to be made available through community service agents cooperating with medical associations to aid the physician in his medical practice.

Physicians would transimt the details of his patient encounters daily to the community service agents (CSA) who would provide by means of electronic data processing, current reports for the third party payer enabling proper payment to the patient or physician as indicated.

In addition the physician would receive a daily detailed account of his practice and periodic accumulated summaries. The patient would receive statements concerning his health care and aid in deriving the benefits of his health insurance.

AMCEN trained representatives would aid medical associations in developing services to physicians designed to improve the efficiency of his medical practice management and delivery through the use of modern communication and electronic technology.

AMCEN would develop agreements between medical associations and appropriate private organizations to create a network of communications and electronic services best designed to serve the physician in the delivery of health care.

Technical aid to medical associations would be provided in their performance of peer utilization review. Additional modules of service to the private physician in group or solo practice could be added to the electronic communications network as new techniques and systems are developed.

The assistance and executive action of an organization such as AMCEN is urgently needed in order for medical associations to

accomplish the task of monitoring and improving the availability of health care that will be required if the delivery of health care services is to remain in the private sector.

I believe we still have time to demonstrate methods by which the private medical sector can provide for the health care of the entire population better than any government supervised tax supported medical program. I am convinced that the service of a conscientious well-trained private physician is the best buy on the market but to survive the environment of today he must maximize his time and efforts in order to fulfill the responsibility of making adequate health care available to all who need it.

INFLATION IS THE ISSUE

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

Mr. FINDLEY. Mr. Speaker, it is my privilege to meet several times a year with representatives of the various farm organizations.

Last week it was my privilege to meet with a group of 13 farmers from my district who were representing the views of the Farm Bureau. We talked about the full range of farm problems for more than 2 hours over lunch with particular emphasis on the need for a new farm program. Just before the meeting adjourned, a 30-year-old farmer from Hancock County, Ill., asked to speak.

I was so impressed by the statement he made and how precisely he identified the real issue we should all keep uppermost in our minds, that I made note of his statement following the meeting.

The young man—Don Rings, Burnside, Ill.—has been a farmer since he was 21. He reflected in his statement the positive and farsighted thinking that many farmers feel.

His statement sums up the greatest domestic issue of today, inflation. At the same time it shows that many people recognize that the entire answer to the problem cannot be found in the Federal Government. Don Rings recognizes that as individual citizens we all have a part to play in curbing inflation, in tightening our belts and doing our share to help return our Nation to a sound fiscal position.

Here is Mr. Rings' straight-from-the-heart statement:

STATEMENT OF DON RINGS, BURNSIDE, ILL.

A young Hancock County farmer in Washington recently said, "We're here to talk about farm legislation and how we can get the changes we want made, but we've got all kinds of problems we could talk about. We've already mentioned school milk, and ACP payments, and feed grains program payments, but there's something much more important to me than these. We can talk about these and we should, but I've got two young boys at home, age 5 and 7, that cause me to be concerned about something else much more important—it's inflation.

When I look at what's happened since I started farming nine years ago and see what's going on in the country, I look to the future for my two boys and it scares me to think of what they face. I don't know what kind of a chance they have in doing anything—going to school, getting a job, starting to farm or buy a home—if this inflation continues.

We talk about government spending for things that aren't needed and we need to take a closer look at ourselves. We *could* sell our milk if the school milk program was stopped if we wanted to. Many miles of terraces would *still* be built and we'd *buy* lime for our farms if the ACP payments were cut out. I think all of us would. We're as guilty of contributing to inflation as anyone and it's time we realize this. I know I sure do when I think of the future for my boys. That's the most important issue—what are we going to leave for our kids to live with and what chance will they have to make a go of it if we let this inflation continue."

TRUTH IN LENDING

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

Mr. FINDLEY. Mr. Speaker, agriculture has made tremendous strides in productivity over the years, and today the total assets of farming exceed $300 billion. This is more than 2½ times the combined assets of the 10 largest U.S. corporations.

Like any other business, commercial farms need large sums of credit at times to continue the efficient operation. The Truth-in-Lending Act, which was intended to deal with household and personal loans, unwisely now includes agriculture in its provisions. This is causing delay and burdensome detail for farmers as they seek credit for their operations.

Farmers are businessmen and they therefore should be entitled to business exemption from the law. The act fails to make a distinction between farmers as heads of households and farmers as heads of businesses. This discrimination ought to be removed so farmers can receive similar credit considerations as businessmen in town.

I am introducing today a bill to eliminate this discrepancy from the truth-in-lending law and to exclude from the law loans for agricultural purposes. Loans for farm business uses are made on a very personal nature with the farmer sitting down with his lending agent representative and discussing his need for credit and his plans to use it.

While my bill will place farmers in the same situation as nonfarmer businessmen regarding this legislation, it should be made clear that loans which my bill seeks to remove from the provisions of the law are only those for carrying on the business of farming and ranching. There is no intention on my part to remove from the act loans by farmers obtained for personal, household, or family purposes.

KEEP THE CONSULATE IN RHODESIA

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

Mr. FINDLEY. Mr. Speaker, today I have asked Secretary of State Rogers to reconsider the decision of the administration under which the consulate in Rhodesia has been closed.

While the desire of our Government to cooperate in policies affecting Great Britain is understandable and commendable, the Rhodesian decision, on balance, strikes me as against the interests of the United States.

Consular services are a convenience to U.S. citizens in Rhodesia, including many missionaries. Just yesterday I received a letter from a Methodist bishop, citing from his personal firsthand experience the value to Methodist missionaries in Rhodesia of the consulate and urging that it be kept open.

Closing the consulate certainly will have no measurable impact on the economy of that country or the stability of its Government.

Our Government of course does not wish, in any sense, to give endorsement or encouragement to apartheid. Certainly, I do not. Such is entirely repugnant to our traditions and ideals. But diplomatic relations, particularly, at the consular level, cannot reasonably be construed as complimentary.

It was a British Prime Minister, Winston Churchill, who once argued that diplomatic relations do not confer a compliment but instead secure a convenience. Furthermore, it is a widely accepted principle that consular relations do not imply diplomatic recognition.

It is incongruous that our Government should sever all communications with a friendly nation which has an elected government at a time when we swiftly accord recognition to regimes which win power entirely by intrigue and when we seek—wisely, I think—to establish regular diplomatic communication with Communist China.

THE HOUSING INDUSTRY IS IN A DEPRESSION

(Mr. McCORMACK (at the request of Mr. ALBERT) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. McCORMACK. Mr. Speaker, the housing industry is in a depression. This has been conceded by Paul McCracken, Chairman of the President's Council of Economic Advisers. During the past year, housing starts have plummeted by some 40 percent. No relief is in sight for the months ahead. Quite to the contrary, new building permits in January declined 23 percent from the previous month, the sharpest drop on record. Housing analysts agree that this permits report points to a further worsening of housing construction in the future.

The seriousness of the plight in which the homebuilding industry finds itself cannot be overemphasized. The impact of new residential construction is a major force in and spreads throughout the entire American economic structure. Each new home built provides about 2 man-years of employment, half offsite, half onsite. Last year, housing provided approximately 3 million jobs. In addition, what the economists call the multiplier effect of such expenditures is also enormous. For example, it has been calculated that the multiplier effect of construction activity as it spreads through the economy in economic terms is about double the direct dollar expenditures. The thousands of products used in new dwellings come from every area of the country and affect virtually every industry.

The difference between the 1,878,000 annual rate of housing starts in January

of 1969 and the 1,166,000 annual rate for January 1970 means the loss of $8.5 billion in direct construction expenditures. It also means the loss of 1.5 million man-years of work, half of it on-site and half of it in materials production. This loss of some 700,000 houses, by way of example, means the loss of a market for 890,000 bathtubs, 511,000 furnaces, 224,000 garbage disposal units, 7 million kitchen cabinets, 8.4 million doors, 1.4 million tons of steel, and 66 billion pounds of cement.

Every reliable economic indicator now gives evidence that the country is slipping into an economic recession. We are thus witnessing an unfortunate replay of what happened to this Nation's economy during the 1950's. In 1957 the Republican administration, as has been the case during the past year, pursued economic policies which crippled the housing industry. The sickness in housing then spread like a virus through the entire economy. The result was the 1958 recession when unemployment reached 7 percent, our highest post-World War II level. So great was the economic slump that year that Government revenues were drastically reduced, resulting in a $13 billion deficit for fiscal year 1959. Unless action is taken and taken immediately by the President, I fear a similar economic catastrophe awaits this country.

While the executive branch has blithely presided over the strangulation of the homebuilding industry, the 91st Congress by way of contrast has striven to bring some measure of relief to this beleaguered industry. Last year's housing legislation, approved by the House, 339 to 9, contained a provision which makes available $2 billion to the Government National Mortgage Association to purchase FHA and VA mortgages on low-cost housing. The release of these funds would provide over 100,000 units of new housing to those most acutely in need of shelter, low- and moderate-income families. The President, however, refuses to utilize these funds. The Congress also in Public Law 91–151 granted the President authority to impose selective credit controls. The utilization of this authority would permit the channeling of available credit into those activities which national policy requires, such as low- and moderate-income housing. Other forms of credit, such as commercial paper, which are far more inflationary, could be sharply curtailed and thus reduce inflationary pressures. Although this measure received the near-unanimous approval of the House, 358 to 4, the President in signing the legislation declared he would never exercise the authority to establish credit controls.

I beseech the President in the interest of restoring national prosperity to abandon his stubborn refusal to utilize the tools which we have given him.

The administration's housing policy has as one of its chief victims our returning veterans. The administration's tight money policy denies them the opportunity to take advantage of the VA home loan program which the Congress has established. To rectify this situation the Committee on Veterans' Affairs has reported out H.R. 9476 which would authorize the investment of $5 billion of the veterans' own insurance moneys in the national service life insurance fund in VA mortgages. There is not a dime of Government money involved. This measure has received the endorsement of all veterans' organizations and enjoys widespread support from all elements of the housing industry. Opposition is confined to the Treasury Department. Apparently, largely at the behest of the administration, five of the 11 Republican members of the Veterans' Affairs Committee have filed a minority report in opposition to the measure. The opposition of the Republican administration to this worthwhile proposal I find inexplicable. Secretary of Housing and Urban Development Romney on the one hand speaks of requiring private trust funds to invest a certain portion of their moneys in mortgages. Yet the Treasury on the other hand condemns and resists efforts to do the identical same thing with the NSLI trust fund. Veterans would be two-way beneficiaries of H.R. 9476. First, over 250,000 additional homes would be provided for veterans. Secondly, the fund, now a captive market for Government bonds yielding a submarket 3.9 percent, would experience a return of 7½ percent, the VA mortgage rate of 8½ percent less 1 percent administration fee, on the $5 billion invested in mortgages.

Personally, I am wholeheartedly in accord with the objectives of this legislation and I pledge the full and unqualified support of the House Democratic leadership on behalf of its passage.

OUR FRIENDSHIP WITH SOUTH KOREA

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

Mr. ALBERT. Mr. Speaker, even though it has been some 18 years since the end of the Korean war, strong ties still remain between our country and South Korea. No other nation is friendlier to the United States. More than any other country her sons have fought with our own troops in Vietnam.

About a year ago, it was my honor to accompany a delegation of Members of the House to South Korea on an interparliamentary exchange with the Korean National Assembly. A return visit, headed by the Vice Speaker, the Honorable Kyung Soon Chang, was paid us during the summer.

I am happy that the friendship which the Korean people have for the United States knows no party lines. Their political differences relate only to domestic matters.

Recently I was honored by a visit from the Honorable Hyung Moon Koh, National Assemblyman, and secretary general of the opposition's party, the New Democratic Party. He gave assurances of a united South Korea in the area of his country's relations with the United States. Today I had another distinguished Korean visitor, the Honorable Choong Han Park. He was one of those who participated in organizing the Korean Democratic Party out of which the National Democratic Party grew. He has had a very interesting life during which he has had close ties with the United States. He is a graduate of Union Seminary in New York and of the Japan Law School in Tokyo. He was arrested December 7, 1941, by the Japanese because he was pro-American. He has been a Member of the National Assembly and a Provincial Governor. Presently he is living in Los Angeles where he is writing for Korean newspapers in that part of America. He is also author of a new book called "From the Moon Country," which is soon to be published in Korea and will later be translated into English. This book is an effort to make it possible for Korean people to have a better understanding of the American people and our institutions and way of life.

Mr. Speaker, I have been impressed again and again by Korean visitors to our country whose only desire is to bridge the gap across the wide Pacific between our peoples. I am convinced, Mr. Speaker, that we have a friend in the little country which is called South Korea.

THE VICE PRESIDENT SPEAKS ON PRESIDENT NIXON'S "WORKFARE" PROGRAM

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

Mr. GERALD R. FORD. Mr. Speaker, last night Vice President SPIRO T. AGNEW addressed the Order of Ahepa at its 19th national congressional banquet here in Washington. I was most impressed with the Vice President's speech. It was an eloquent appeal for support of President Nixon's "workfare" program, his program to replace the welfare system with a work incentive plan. As the Vice President pointed out, our present welfare system is nothing short of a scandal since it robs human beings of their dignity and tends to break up families. The new workfare program, the Vice President stressed, will give a man self-respect by giving him a chance. It establishes the principle that it pays to work. As I have often described it, it gives a man a hand up instead of a handout. I recommend to all of my colleagues in the House a reading of the Vice President's comments on the workfare program and the dignity of work.

The speech follows:

ADDRESS BY THE VICE PRESIDENT AT THE 19TH NATIONAL CONGRESSIONAL BANQUET, ORDER OF AHEPA, WASHINGTON, D.C., MARCH 9, 1970

Whenever I speak to my brother Ahepans, I am reminded of one of the chores my father assigned me to do when I was a boy. As you know, he was once Secretary of the Worthington Chapter of Ahepa, in Baltimore. It was my job to help fold the meeting notices and address and stuff the envelopes.

Later on, in my teens, when he was President and then District Governor, I would help him write his speeches. He liked to speak of his pride in his Hellenic heritage, and of his pride and delight in being an American in a century when the great democratic principles laid down in ancient Greece were best expressed in this land of opportunity.

His speeches were never covered by television, but television hadn't been invented yet so I can't complain about that. At least he had one critic—my mother—but she was also his biggest fan.

One central point that he would make in

those speeches that we worked on together has a special relevance to what I would like to talk to you about tonight.

He spoke of a "spirit of community" that existed within the Americans of Greek descent, and his life reflected a powerful example of that spirit.

Like so many others, my father lost all he had in the Depression. He went to work hauling vegetables, starting at 3:00 a.m. most mornings, to restaurants and food stores in the Baltimore area. He went into competition with the big suppliers of vegetables, who were able to offer better and faster service than he could offer. But he found customers, because of that spirit of community. These customers were men who were willing to give up the convenience the big suppliers had to offer, because in those hard times they were anxious to help a small supplier get started, to earn a living.

The men who ran the restaurants who bought those vegetables understood something about human dignity. They were not giving a man charity, they were giving a man a chance—and it was a charitable spirit that moved them to endure whatever inconvenience it cost, it was the kind of charity that never demeaned the recipient. And of course, when my father got back on his feet financially, he made sure that the help he gave others was the kind of help that enhanced rather than destroyed a man's self-respect.

That brings me to my subject tonight. Quite frankly, I want to enlist your help in a cause—a cause central to our desire to set this nation on a new path toward greater dignity of the individual.

You may have read recently that the House Ways and Means Committee overwhelmingly approved this Administration's Family Assistance Plan. That plan was designed by President Nixon to end the scandal that has been the welfare system in this country. I say "scandal" advisedly.

The way our welfare system encourages idleness is a scandal. The way our welfare system actually breaks up families is a scandal. The way our welfare system robs human beings of their dignity—binding succeeding generations in a lifetime of despair—is the worst scandal of all.

The President was determined to end that scandal, to reform a system that failed the taxpayer, insulted the working poor and placed people on a treadmill of dependency.

We call the new plan "workfare," rather than welfare, because it encourages people to work.

Under the old system, a poor man who is working can look across the street at a family on welfare getting more for not working than he makes at his job. In bureaucratic language, the rage that he feels is called a "disincentive"—in plain English, it is an open invitation for him to quit work and live on welfare. If a man can make more for his family on welfare than he can make working, you can bet that many men will quit work, sit back and watch the soap operas on television all day.

With workfare, the "disincentive" is removed. A family with a working member will always get more than a family without a working member. Work will always be rewarded, which—let's face it—is why most people go to work.

Under the old system, every dollar you earned was subtracted from your welfare payments. This is 100% taxation, and the social planners who dreamed this up forgot that a profit motive is a powerful thing. But under our system, you keep 50 cents out of every dollar you earn as you work your way out of poverty, and a welfare recipient who goes to work is better off than one who does not. It didn't take a genius to figure this out—which makes you wonder why it hasn't been suggested before.

Now, to put a program like this into operation, we are going to have to put a lot of people who are "working poor"—people who are struggling to get themselves out of poverty—onto the welfare rolls. We are proposing to add to their incomes to establish the basic principle that "it pays to work."

Here is where we run into opposition from some people who—quite properly—are concerned about adding to the welfare rolls and adding to the amount of money the government spends on welfare.

But this is what I say to those who are concerned about the extra cost:

Every businessman knows what "start-up costs" are. They are an investment made now to save money later. That is what this workfare program does—it invests in modernization, and we will reap the profits in dollars and in human dignity later.

First, the addition of the working poor to the list of those who receive benefits lays down the principle that it pays to work, that work is rewarded in America, that it is in your own self-interest to get a job. This is a principle that is enormously valuable to American society, and it is well worth the cost all by itself.

Second, look at the people it helps. It helps the man who is not looking for a handout, but who is trying to make ends meet by himself, and who just cannot quite make it. These are the proudest poor, the people who are striving in the best American tradition. This offers a boost to the man who is already trying to climb, and we all know that there can be no better investment toward ultimate independency and self-reliance.

Third, we have introduced—at long last—a work requirement into the welfare system. Every single able-bodied adult—who doesn't have pre-school children or sick adults to care for at home—would be required to register with the Secretary of Labor for work or work training.

Fourth, we are bolstering this family assistance plan with a whole new approach to manpower training—one that does not cost more money, but will deliver more jobs. For example, in cities all across the country, we are introducing a computerized job bank—a modern way of matching available jobs to men with the training to handle those jobs. And we are adding to our day-care center facilities, to make it possible for more welfare mothers to go to work while their children get good supervision.

And fifth, our program will surely save money in the long run. Within the next four years, if the old system were to be allowed to mushroom the way it has been, the cost to the taxpayer would be more than a billion dollars more than our family assistance plan—with none of the incentives toward work.

Those are some of the sound, sensible reasons that the Ways and Means Committee decided that our plan for welfare reform—for "workfare"—was worthy of support.

So when you hear someone say "The Nixon proposal will add two million families to the welfare rolls"—see it in perspective. It is the only way to stop the downhill slide toward a Welfare State—by rewarding the poor who are willing to work.

And when you hear the charge "it's going to cost over four billion dollars"—remember the cost of what the present system would be, if allowed to continue to balloon. We have to pay the start-up costs—the turnaround costs—if we are to start to get people moving off welfare rolls and onto payrolls.

Why am I making this case to the people here in this room? Because I know you understand, as well as anybody in this world, the "spirit of community"—the need to help somebody help himself. Especially in the face of the permissiveness that afflicts so much of our society, you understand the importance of building self-respect, self-reliance, the dignity that comes from the dollar that is earned.

And there is a second reason. To put it buntly, Greeks love to talk politics, and to take part in politics. We are born activists—and we know the difference between an activist and an agitator. Your help now, your active support of welfare reform is urgently needed. I don't have to tell you how to mobilize your support, or how to spread the word that it is welfare reform now or handouts forever.

In receiving your Socratic Award tonight, it is fitting to recall a point made by Socrates at the end of his life. As he lay dying, his last words were reported to be about a debt that he owed—he wanted to make sure that a man who had given him some food would be repaid.

In the same way, we all have debts to repay to our fellow men, in return for the opportunity our society has given us. To the helpless, we owe sustenance; to the able-bodied, we owe opportunity and training.

As we repay that debt, let us never forget what the dignity of work can do for a human being.

One reason the silent majority is so silent is this: They're too busy working to make a lot of noise.

All too often today, we see some young people—by no means all, but some—who take refuge in postgraduate study not to get a better education, not to prepare themselves for productive lives, not even to evade the draft—but to avoid going to work.

We see some welfare rights organizations denouncing our family assistance plan, not because it doesn't help the helpless, but because it requires able-bodied people to go to work.

We see some employees arriving at work in the morning with their minds fixed on the coffee break; we see people starting their careers with one goal in mind—early retirement; we see some union leaders promising their membership a golden era of a twenty-hour week.

I submit that the people with a phobia about working are missing one of the great satisfactions of life. The quality of life will not be determined by how much time off we have, it will be determined by the quality of the work we do.

Certainly, a menial job with no future, a dead-end job, would depress anybody and direct him away from work. That is why we, as a nation, must open up opportunities for people to fulfill themselves to the extent of their potential.

And that is why this Administration is guided by what could be termed a work-ethic.

We refuse to accept the kind of sustained unemployment that existed in the first five years of the Sixties—which, many people forget, ran close to an average of 6%.

We refuse to accept a manpower training program that trains people for dead-end jobs, creating resentment and discontent.

We refuse to accept a welfare program that penalizes the worker and tempts him to quit.

And we refuse to permit some unions to ration opportunity, as if it belonged to them alone—because opportunity in America is everybody's birthright.

To the able-bodied person who says "the world owes me a living," we say: Mister, you're wrong.

But to the person willing to work who says "this nation owes me a chance," we say: Friend, you're right.

That's the work ethic that guides the leaders of this country today. It does not make government the "employer of last resort," providing meaningless make-work jobs; it does make government responsible for enforcing equal opportunity, for ending discrimination based on race or sex or any other unfair basis, and for managing our economic affairs in a way that permits solid growth without inflation.

We owe it to ourselves, and we owe it to our children, to reinstill this work ethic that builds a nation and builds a man's character.

This is no impossible dream. On the contrary, this is the American Dream, and it is up to every one of us—in and out of government—to be sure we make this dream come true.

In utilizing our great resources to help people, we must not forget the admonition of Socrates: "A horse cannot be safely used without a bridle, or wealth without reflection."

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. OBEY, for 30 minutes on Thursday, March 12, to revise and extend his remarks and to include extraneous matter.

Mr. HANNA, for 1 hour, on March 11; to revise and extend his remarks and include extraneous matter.

Mr. MAILLIARD, for 60 minutes on Wednesday, March 11.

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

Mr. POFF, for 10 minutes, today.

Mr. MILLER of Ohio, for 5 minutes, today.

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

Mr. TUNNEY, for 15 minutes, today.

Mr. HULL, for 10 minutes, today.

Mr. GONZALEZ, for 10 minutes, today.

EXTENSION OF REMARKS

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

Mr. ALBERT, and to include extraneous matter.

Mr. PHILBIN to revise and extend his remarks on bills relating to disposal from stockpiles, today.

Mr. GROSS to revise and extend his remarks on the stockpile bills.

(The following Members (at the request of Mr. FOREMAN) and to include extraneous material:)

Mr. BUSH in two instances.
Mr. HARSHA in two instances.
Mr. GUBSER.
Mr. WYATT.
Mr. DERWINSKI in two instances.
Mr. MESKILL.
Mr. HOGAN.
Mr. STEIGER of Wisconsin.
Mr. PELLY in two instances.
Mr. HORTON in two instances.
Mr. CAMP in two instances.
Mr. ZWACH in two instances.
Mr. DUNCAN.
Mr. WYMAN in two instances.
Mr. AYRES.
Mr. CONTE in two instances.
Mr. PRICE of Texas in two instances.
Mr. RHODES in five instances.
Mr. GOODLING.
Mr. COWGER.
Mr. ASHBROOK in two instances.
Mr. LANDGREBE.
Mr. SCHERLE in two instances.

(The following Members (at the request of Mr. ANDERSON of California) and to include extraneous material:)

Mr. KYROS in two instances.
Mr. CLARK.
Mr. DINGELL in four instances.
Mr. FRASER in two instances.
Mr. BOLAND.
Mr. DIGGS.
Mr. RODINO.
Mr. WOLFF in three instances.
Mr. MATSUNAGA in two instances.
Mr. FOUNTAIN in three instances.
Mr. ALEXANDER.
Mr. GONZALEZ.
Mr. ROONEY of Pennsylvania in five instances.
Mr. WILLIAM D. FORD.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 2910. An act to amend Public Law 89–260 to authorize additional funds for the Library of Congress James Madison Memorial Building.

BILLS PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on March 9, 1970, present to the President, for his approval, bills of the House of the following titles:

H.R. 13300. An act to amend the Railroad Retirement Act of 1937 and the Railroad Retirement Tax Act to provide for the extension of supplemental annuities, and for other purposes; and

H.R. 14944. An act to authorize an adequate force for the protection of the Executive Mansion and foreign embassies, and for other purposes.

ADJOURNMENT

Mr. ANDERSON of California. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 9 minutes, p.m.), the House adjourned until tomorrow, Wednesday, March 11, 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:

1751. A letter from the Acting General Sales Manager, Export Marketing Service, Department of Agriculture, transmitting a report of agreements signed for foreign currencies under Public Law 380 for January and February 1970, pursuant to the provisions of Public Law 85–128; to the Committee on Agriculture.

1752. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report that certain appropriations have been apportioned on a basis which indicates necessity for supplemental estimates of appropriations to permit payment of pay increases granted pursuant to law, pursuant to the provisions of section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

1753. A letter from the Deputy Secretary of Defense, transmitting a report relative to the Defense contingencies appropriation for the period July 1–December 31, 1969, pursuant to the provisions of the Department of Defense Appropriation Act for fiscal year 1970 (Public Law 91–171); to the Committee on Appropriations.

1754. A letter from the Secretary of Labor, transmitting the eighth annual report on the administration of the Welfare and Pension Plans Disclosure Act for calendar year 1969, pursuant to the provisions of section 14(b) of the act; to the Committee on Education and Labor.

1755. A letter from the Comptroller General of the United States, transmitting a report on the combat readiness of the Strategic Air Command, Department of the Air Force; to the Committee on Government Operations.

1756. A letter from the Chairman, Federal Maritime Commission, transmitting the eighth annual report of the Commission for the fiscal year 1969, pursuant to the provisions of section 103(e) or Reorganization Plan No. 7 of 1961 and section 208 of the Merchant Marine Act of 1936; to the Committee on Merchant Marine and Fisheries.

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. TAYLOR: Committee on Interior and Insular Affairs. H.R. 14896. A bill to amend the act of October 15, 1966 (80 Stat. 915), establishing a program for the preservation of additional historic properties throughout the Nation, and for other purposes; with amendments (Rept. No. 91–886). Referred to the Committee of the Whole House on the State of the Union.

Mr. CELLER: Committee on the Judiciary. S. 952. An act to provide for the appointment of additional district judges, and for other purposes; with an amendment (Rept. No. 91–887). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. AYRES (for himself, Mr. QUIE, Mr. REID of New York, Mr. ERLENBORN, Mr. DELLENBACK, Mr. ESCH, and Mr. COLLINS):

H.R. 16365. A bill to extend, consolidate, and improve programs under the Library Services and Construction Act; to the Committee on Education and Labor.

By Mr. BROYHILL of Virginia (for himself, Mr. SCOTT, Mr. BIESTER, Mr. BUTTON, Mr. MCKNEALLY, Mr. WHITEHURST, and Mr. SANDMAN):

H.R. 16366. A bill to provide for payments in lieu of real property taxes, with respect to certain real property owned by the Federal Government; to the Committee on Interior and Insular Affairs.

By Mr. BURKE of Florida:

H.R. 16367. 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. BURTON of Utah:

H.R. 16368. A bill to repeal the Gun Control Act of 1968; to the Committee on the Judiciary.

By Mr. BUSH:

H.R. 16369. A bill to amend the Wagner-

O'Day Act to extend the provisions thereof to severely handicapped individuals who are not blind, and for other purposes; to the Committee on Government Operations.

H.R. 16370. A bill to amend title 38 of the United States Code to increase the rates and income limitations relating to payment of pension and parents' dependency and indemnity compensation, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CORMAN:

H.R. 16371. A bill to authorize a program of research, development, and demonstration projects for non-air-polluting motor vehicles; to the Committee on Interstate and Foreign Commerce.

H.R. 16372. A bill to amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 16373. A bill to amend the act of August 1, 1958, to authorize restrictions and prohibitions on the use of insecticides, herbicides, fungicides, and pesticides which pollute the navigable waters of the United States; to the Committee on Merchant Marine and Fisheries.

H.R. 16374. A bill to amend the National Environmental Policy Act of 1969 to provide for class actions in the U.S. district courts against persons responsible for creating environmental hazards; to the Committee on Merchant Marine and Fisheries.

H.R. 16375. A bill to provide for advance consultation with the Fish and Wildlife Service and with State wildlife agencies before the beginning of any Federal program involving the use of pesticides or other chemicals designed for mass biological controls; to the Committee on Merchant Marine and Fisheries.

By Mr. COWGER (for himself, Mr. BUTTON, Mr. CUNNINGHAM, Mr. DUNCAN, Mr. JOHNSON of Pennsylvania, Mr. WHALEN, Mr. PETTIS, Mr. BUCHANAN, Mr. CARTER, Mr. WEICKER, and Mr. HOGAN):

H.R. 16376. A bill to improve law enforcement in urban areas by making available funds to improve the effectiveness of police services; to the Committee on the Judiciary.

By Mr. DENNEY:

H.R. 16377. A bill to amend the Internal Revenue Code of 1954 to provide for the continuation of the investment tax credit for small businesses, and for other purposes; to the Committee on Ways and Means.

By Mr. FINDLEY:

H.R. 16378. A bill to amend the Truth in Lending Act to eliminate the inclusion of agricultural credit; to the Committee on Banking and Currency.

By Mr. GARMATZ (for himself, Mr. DINGELL, Mr. LENNON, Mr. POLLOCK, Mr. DOWNING, Mr. GOODLING, Mr. MCCLOSKEY, and Mr. MURPHY of New York):

H.R. 16379. A bill to amend the act entitled "An act to establish a contiguous fishery zone beyond the territorial sea of the United States", approved October 14, 1966, to require that the method of straight baselines shall be employed for the purpose of determining the boundaries of such fishery zone, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. HELSTOSKI:

H.R. 16380. A bill to provide for the establishment of the George Washington Memorial Institute of the Social Sciences to be located in the District of Columbia, to function primarily as a national center at which indivduals of outstanding ability will pursue studies anticipating, identifying, and isolating social problems in the United States; to the Committee on Education and Labor.

By Mr. KOCH (for himself and Mr. HARRINGTON):

H.R. 16381. A bill to establish an urban mass transportation trust fund, and for other purposes; to the Committee on Banking and Currency.

By Mr. KOCH (for himself, Mr. BURKE of Massachusetts, Mr. CONTE, Mr. COWGER, Mr. CUNNINGHAM, Mr. DANIELS of New Jersey, Mr. ESCH, Mr. WILLIAM D. FORD, Mr. HOSMER, Mr. KLEPPE, Mr. ROONEY of Pennsylvania, and Mr. WIDNALL):

H.R. 16382. A bill to provide for the establishment of a Commission on Marihuana; to the Committee on the Judiciary.

By Mr. LANDRUM:

H.R. 16383. A bill to encourage the growth of international trade on a fair and equitable basis; to the Committee on Ways and Means.

By Mr. QUIE (for himself, Mr. BELL of California, Mr. ERLENBORN, and Mr. ESCH):

H.R. 16384. A bill to revise and reform the program of Federal assistance for local educational agencies in areas affected by Federal activities; to the Committee on Education and Labor.

By Mr. SCOTT:

H.R. 16385. A bill to eliminate the residence requirements for officers and members of the Metropolitan Police Force of the District of Columbia; to the Committee on the District of Columbia.

By Mr. CHARLES H. WILSON:

H.R. 16386. A bill to provide for drug abuse and drug dependency prevention, treatment, and rehabilitation; to the Committee on Interstate and Foreign Commerce.

By Mr. ALBERT (for himself, Mr. BELCHER, Mr. HAMILTON, Mr. HECHLER of West Virginia, Mr. EVANS of Colorado, Mr. BARING, Mr. BEVILL, Mr. DELLENBACK, Mr. THOMPSON of New Jersey, Mr. MORSE, Mr. ROONEY of Pennsylvania, Mr. ROE, Mr. MCKNEALLY, Mr. WIDNALL, and Mr. CLAY):

H. J. Res. 1123. Joint resolution to establish a Joint Committee on Environment and Technology; to the Committee on Rules.

By Mr. DEVINE:

H.J. Res. 1124. 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. YATES (for himself, Mr. BIAGGI, Mr. ADAMS, Mr. ABERNETHY, Mr. ADDABBO, Mr. ANDREWS of Alabama, Mr. ANNUNZIO, Mr. BINGHAM, Mr. BOLAND, Mr. BROOKS, Mr. BRADEMAS, Mr. BURTON of California, Mr. BROWN of California, Mr. CAREY, Mr. CELLER, Mr. CORMAN, Mr. DADDARIO, Mr. DANIELS of New Jersey, Mr. DULSKI, Mr. EVANS of Colorado, Mr. EDWARDS of California, Mr. FRIEDEL, Mr. FARBSTEIN, Mr. FINDLEY, and Mr. GILBERT):

H. Con. Res. 533. Concurrent resolution urging the President to determine and undertake appropriate actions with respect to stopping armed attacks on aircraft and passengers engaged in international travel; to the Committee on Foreign Affairs.

By Mr. YATES (for himself, Mr. HAMILTON, Mr. HANNA, Mr. HANLEY, Mrs. HANSEN of Washington, Mr. HARRINGTON, Mr. HICKS, Mr. ICHORD, Mr. JACOBS, Mr. LONG of Maryland, Mr. LOWENSTEIN, Mr. MCCARTHY, Mr. MCDADE, Mr. MACDONALD of Massachusetts, Mr. MADDEN, Mr. MATSUNAGA, Mr. MIKVA, Mr. MONAGAN, Mr. MORSE, Mr. NEDZI, Mr. MURPHY of New York, Mr. NIX, Mr. O'NEAL of Georgia, Mr. OTTINGER, and Mr. PATTEN):

H. Con. Res. 534. Concurrent resolution urging the President to determine and undertake appropriate actions with respect to stopping armed attacks on aircraft and passengers engaged in international travel; to the Committee on Foreign Affairs.

By Mr. YATES (for himself, Mr. PRICE of Illinois, Mr. PODELL, Mr. PUCINSKI, Mr. REES, Mr. REUSS, Mr. ROBISON, Mr. RODINO, Mr. ROE, Mr. ROONEY of Pennsylvania, Mr. ROSENTHAL, Mr. ROSTENKOWSKI, Mr. ROYBAL, Mr. RYAN, Mr. ST. ONGE, Mr. SCHEUER, Mr. SISK, Mr. SCHNEEBELI, Mr. SLACK, Mr. STRATTON, Mr. SYMINGTON, Mr. THOMPSON of New Jersey, Mr. TUNNEY, Mr. VANIK, and Mr. WALDIE):

H. Con. Res. 535. Concurrent resolution urging the President to determine and undertake appropriate actions with respect to stopping armed attacks on aircraft and passengers engaged in international travel; to the Committee on Foreign Affairs.

By Mr. YATES (for himself, Mr. CHARLES H. WILSON, Mr. WYDLER, Mr. ZABLOCKI, Mr. MCCLORY, Mr. WEICKER, Mr. PIKE, Mr. WHITEHURST, and Mr. GIAIMO):

H. Con. Res. 536. Concurrent resolution urging the President to determine and undertake appropriate actions with respect to stopping armed attacks on aircraft and passengers engaged in international travel; to the Committee on Foreign Affairs.

By Mr. HANNA:

H. Res. 872. Resolution, International DeMolay Week; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. BIAGGI:

H.R. 16387. A bill for the relief of Maria Licciardello; to the Committee on the Judiciary.

By Mr. PIRNIE:

H.R. 16388. A bill for the relief of Mrs. Julia Chambers; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

323. By the SPEAKER: A memorial of the Legislature of the Territory of Guam, relative to increasing the ceiling under Federal special assistance program 2 (Guam) to permit residential construction; to the Committee on Banking and Currency.

324. Also, a memorial of the General Court of the Commonwealth of Massachusetts, relative to increasing the Federal minimum wage for farmworkers and extending coverage to all farmworkers; to the Committee on Education and Labor.

325. Also, a memorial of the Legislature of the State of Georgia, ratifying and approving the 19th amendment to the Constitution of the United States on February 20, 1970; to the Committee on the Judiciary.

326. Also, a memorial of the Legislature of the State of California, relative to oil and gas drilling in Federal waters; to the Committee on Interior and Insular Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII,

413. The SPEAKER presented petition of the city council of Santa Ana, Calif., transmitting a copy of a special resolution in memoriam to Congressman James B. Utt, which was referred to the Committee on House Administration.