

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that further proceedings under the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT TO 10 A.M. TOMORROW

Mr. KENNEDY. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 10 a.m. tomorrow.

The motion was agreed to; and (at 6 o'clock and 29 minutes p.m.) the Senate

adjourned until tomorrow, Friday, March 13, 1970, at 10 a.m.

NOMINATION

Executive nomination received by the Senate March 12, 1970.

DIRECTOR OF SELECTIVE SERVICE

Curtis W. Tarr, of Virginia, to be Director of Selective Service, vice Gen. Lewis B. Hershey.

HOUSE OF REPRESENTATIVES—Thursday, March 12, 1970

The House met at 12 o'clock noon.

Rev. David R. Shaheen, assistant pastor, director of youth ministry, St. Luke Lutheran Church, Silver Spring, Md., offered the following prayer:

O God and Father of all mankind, we bow before You to ask Your blessing on us this day.

We pray especially for all those in positions of authority.

We ask for certain things: We ask that our leaders receive the honor and respect due them; we ask that they be endowed with wisdom and understanding for their duties; we ask that they serve with a spirit of sacrifice for all the people.

Grant that their actions may help bring us together as a people.

Grant that hatreds, suspicions, and distrusts will soon disappear from our hearts.

May we all accept Your commandments, obey Your voice, trust Your love. Amen.

THE JOURNAL

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

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Leonard, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On March 4, 1970:

H.R. 12535. An act to authorize the Secretary of the Army to release certain restrictions on a tract of land heretofore conveyed to the State of Texas in order that such land may be used for the city of El Paso North-South Freeway.

On March 5, 1970:

H.R. 14464. An act to amend the act of August 2, 1968, to insure that certain facilities constructed under authority of Federal law are designed and constructed to be accessible to the physically handicapped; and

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

On March 10, 1970:

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced

that the Senate had passed without amendment a bill of the House of the following title:

H.R. 1497. An act to permit the vessel *Marpole* to be documented for use in the coastwise trade.

FLOW AND PRODUCTION OF DANGEROUS EXPLOSIVES MUST BE CONTROLLED

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

Mr. VANIK. Mr. Speaker, today America is confronted with a problem of grave concern which calls for immediate action.

Last month a bomb devastated a courthouse and police station in my district. After that it was a police station bombing in Danbury, Conn. This week a bomb devastated an automobile and its passengers in Bel Air, and a courthouse in Cambridge, Md. Today we learn of skyscraper bombings in New York City.

In the meanwhile, dangerous explosives can be purchased almost anywhere by anyone. No questions are asked.

There is a critical need for action at all levels of government before bomb violence becomes more widespread and uncontrollable.

No place and no citizen is immune or safe from this form of violence.

I urge this Congress to act with dispatch to curb the sale and distribution of dangerous explosives, and close this dangerous loophole in the law.

THE 51ST ANNIVERSARY OF THE FOUNDING OF THE AMERICAN LEGION

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

Mr. ANNUNZIO. Mr. Speaker, Sunday, March 15, marks the 51st anniversary of the founding of the American Legion. For more than half a century, the dedicated members of the American Legion have labored "For God and Country." Their motto has stood as a monument to their work, for these patriotic men and women have done their utmost to perpetuate Americanism, to impress a sense of individual obligation upon all our citizens, and to safeguard our freedom and our democracy.

The American Legion is the largest organization of war veterans in our country and was born at a caucus of the first American Expeditionary Force

in Paris, France, on March 15, 1919. Theodore Roosevelt, Jr., the son of our 26th President, assisted in planning the Paris caucus, and there were many other dedicated men like Teddy Roosevelt at that first meeting who helped to chart the course of the American Legion. Today, thanks to their initial efforts, the American Legion has more than 3 million members and approximately 16,500 posts across the Nation.

The Legion has helped the returning serviceman to adjust to civilian life, to maintain his dignity and self-respect, and has assured the welfare of the veteran's widow and children. The GI bill for World War II veterans came into being largely as a result of the efforts of the American Legion, and it insures the right of the veteran to many rehabilitation and compensation programs.

The Congress passed this Legion-sponsored program in order that the men and women who served in that terrible conflict would not return to a society as unprepared to receive them as America had been when our victorious doughboys returned home after World War I.

The granting of GI bill benefits to Korean war veterans and now to the veterans of Vietnam have been logical extensions of the Legion's magnificent work in behalf of the original GI bill.

An adequate system of national security has been the watchword of the Legion. The Legion has encouraged an understanding of communism by our people. It has helped to foster an enlightened public opinion, the true enemy of communism, and the best defense against it.

While it has always been deeply involved in matters affecting the defense and security of our country, the Legion has never forgotten that the future of this country it loves so well depends upon its younger citizens. The Legion's child welfare program has demonstrated its intense concern for America's children. Almost \$200 million has been spent since 1925 to protect the welfare of our veterans' children, and, in fact, the American Legion is recognized as having one of the leading nonprofessional, private child care programs in the country. Additionally, the Legion has helped to obtain the passage of enlightened child welfare legislation by the States and the Federal Government.

The Legion sponsors over 4,000 Boy Scout units. It also sponsors various sports events in order to help our youngsters learn the real meaning of good sportsmanship and team play.

Other programs for youth include Boys' State and Nation, Girls' State and Nation, the National High School Ora-

torical contest, and various scholarship programs.

In its 51st year of existence, the American Legion continues its course as a responsible and vigilant defender of justice, freedom, and democracy—those precious American ideals which have brought greatness to the United States.

I know that under the distinguished leadership of J. Milton Patrick, the newly elected national commander, the American Legion will continue its steadfast and patriotic service to our Nation.

I am happy to congratulate the American Legion on the occasion of its 51st anniversary and to wish the Legionnaires Godspeed in their work in the years ahead.

A BILL TO AMEND THE FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

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

Mr. BROOKS. Mr. Speaker, I am today introducing a bill to amend the Federal Property and Administrative Services Act of 1949 in order to establish Federal policy concerning the procurement of architectural and engineering services. The purpose of my bill is to declare it to be the policy of the Federal Government to negotiate contracts for architect-engineer services on the basis of demonstrated competence and qualification for the type of service required and at fair and reasonable prices.

In the years to come, billions of dollars in construction will be undertaken by the Federal Government. Thousands of architects and engineers will be required to develop the plans and specifications to bring these structures into reality. We must do whatever we can to obtain the highest quality, the most efficient and effective services at the lowest reasonable cost.

Design costs are only a minor percentage of the overall cost of construction—not more than 6 percent of estimated construction costs under present statutory limitations. Yet, if design is poor, construction and maintenance costs can be unnecessarily high and the structure may be inefficient to use over a period of many decades.

The commitment to design a complex building is different from purchasing pencils and paper clips. Architects and engineers design buildings and structures after they get a contract for the work, and not before. This means that getting the best possible design and specifications depends upon the selection of the architects and engineers of proven capability with the highest qualifications, who are also willing to undertake contracts at fair, reasonable, and justifiable prices to the Government.

Under my bill, the Government agencies requiring architect or engineering services would invite all interested parties to submit data as to their qualifications and performance. The agency head would then rank those submitting this data according to their qualifications to undertake the particular design contract then under consideration.

The agency head would then negotiate with the highest qualified individual or firm and, assuming a fair and reasonable price can be agreed upon, award a contract to him. If such an agreement on price cannot be negotiated, the next most qualified architect or engineer would then be afforded the opportunity to negotiate a contract, and so on until a contract was let.

This approach, which many Federal agencies have used effectively for many years, discourages the award of design contracts to lesser qualified individuals simply because they might quote a slightly lower fee, as well as those who might quote a lower fee to obtain the contract, then cut corners in their design work to make up the loss.

The proposal that I introduce today will provide the Government with the highest quality architectural and engineering service, and also assure the broadest possible competition among architects and engineers for Government contracts. Members of these professions would compete on the basis that reflects the best interests of the Government—their qualifications.

Federal laws limiting the contract price to be paid architects and engineers to 6 percent of the estimated cost of the construction would remain in force as an additional protection to the public.

I urge all Members of Congress to give this bill the greatest possible degree of consideration. The quality of future Federal projects requires the most creative and capable architectural and engineering services.

The text of my proposal is as follows:

H.R. 16443

A bill to amend the Federal Property and Administrative Services Act of 1949 in order to establish Federal policy concerning the selection of firms and individuals to perform architectural, engineering, and related services for the Federal Government

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.) is amended by adding at the end thereof the following new title:

"TITLE IX—SELECTION OF ARCHITECTS AND ENGINEERS

"DEFINITIONS

"SEC. 901. As used in this title—

"(1) The term 'firm' means any individual, firm, partnership, corporation, association, or other legal entity permitted by law to practice the professions of architecture or engineering.

"(2) The term 'agency head' means the Secretary, Administrator, or head of a department, agency, or bureau of the Federal Government.

"(3) The term 'professional services' includes those of an architectural or engineering nature as well as incidental services that members of these professions and those in their employ may logically or justifiably perform.

"POLICY

"SEC. 902. The Congress hereby declares it to be the policy of the Federal Government to negotiate contracts for professional services on the basis of demonstrated competence and qualification for the type of professional services required and at fair and reasonable prices.

"REQUEST FOR DATA ON PROFESSIONAL SERVICES

"SEC. 903. In the procurement of professional services the agency head shall invite firms engaged in the lawful practice of their profession to submit, in accordance with the terms of the invitation, a statement of qualifications and performance data. The agency head inviting such proposals shall evaluate the submissions received and shall select therefrom, in order of preference, no less than three of the firms deemed to be most highly qualified to provide the services required.

"NEGOTIATION OF CONTRACTS FOR SERVICES

"SEC. 904. (a) The agency head shall negotiate with the highest qualified firm for a contract for such professional services at a fee which the agency head determines is fair and reasonable to the Government. In making such determination, the agency head shall take into account the estimated value of the services to be rendered, the scope, complexity, and professional nature thereof.

"(b) Should the agency head be unable to negotiate a satisfactory contract with the firm considered to be the most qualified, at a price he determines to be fair and reasonable to the Government, negotiations with that firm should be formally terminated. The agency head should then undertake negotiations with the second most qualified firm. Failing accord with the second most qualified firm, the agency head should terminate negotiations. The agency head should then undertake negotiations with the third most qualified firm.

"(c) Should the agency head be unable to negotiate a satisfactory contract with any of the qualified firms, he shall, in his discretion, either select additional firms in order of their competence and qualification, or re-issue a new request for proposals."

CLOSING OF U.S. CONSULATE IN RHODESIA

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

Mr. ANDREWS of Alabama. Mr. Speaker, the decision to close the U.S. Consulate in Rhodesia is most unfortunate. However, Secretary of State William Rogers' announcement of the closing did not surprise me. A State Department that is so inept at advising the President on Vietnam could hardly be expected to do much better on Rhodesia.

The decision is sheer idiocy. It cannot be justified on political or economic grounds. The loser in such a move is not Rhodesia; it is the United States. Once again we cut our own throat to win an international popularity contest, and, of course, we lose on both counts.

The official reason for removing the consulate is that the United States continues to refuse recognition of Rhodesian independence from Great Britain. How sanctimonious we have become that we can denounce little Rhodesia for doing the same thing to Mother England that we did in 1776.

Since Britain pulled us into this purely domestic squabble in the first place and since "officially" it is for Britain that we are harpooning Rhodesia, it might be appropriate to wonder, at least, just what Britain has done to merit such a fanatical spirit of cooperation.

She continues to operate a consulate in Hanoi, and ships under her flag sail in and out of Haiphong regularly. She

has made no reciprocal gesture to stop trading with a nation which daily kills American soldiers.

No British casualties are reported, because our great friend and ally is not helping in our effort against the Communists in Vietnam, or anywhere else, for that matter. She finds her friendship with the United States highly profitable and not the least bit dangerous.

Our battles are not Britain's battles, but her battles seem to have become ours. The logic of such an arrangement escapes me. It probably escapes most Americans, outside of the mischief-minded State Department.

Now, one must take State Department "official" lines with a grain of salt. The real reason for our stupid Rhodesian policy, which can be heard in and out of Congress on almost any day of the week from the radical left, rests on this Nation's strong disapproval of a white Rhodesian minority ruling a black Rhodesian majority.

By the standards set by many European and Asian nations, and even other African nations, Rhodesia's so-called crime is hardly as bad as many of her detractors would have us believe. Rhodesia's sins are literally dwarfed by those of a dozen Communist nations, whom we treat with utmost civility.

It is true that property and earnings qualifications for voting do exist in Rhodesia. Yet, in a land inhabited by a black majority, most of whom still live the tribal life, with their own chieftains, one might expect a voting system slightly different than our own.

Nevertheless, the merits or demerits of the Rhodesian system of voting seem hardly relevant in terms of our total foreign policy. We maintain an embassy in the Soviet Union, an enemy with unquestioned credentials.

We also have full embassies in Rumania, Hungary, Bulgaria, Czechoslovakia, and Poland, to name a few Communist nations. With these totalitarians we welcome relations and hope for communication with Red China. Yet, we refuse to welcome Rhodesia to the family of nations.

Will anyone say that the Soviet Union, under brutal and homicidal Communist Party control, upholds the principle of majority rule? And what of Russia's role in supplying weapons to the North Vietnamese to kill American fighting men? Do we really prefer China's Mao and his fellow butchers to Ian Smith?

Naturally, the Soviet Union is delighted with our actions against Rhodesia. She already charges us 50 percent more for strategic chromite than did Rhodesia when she kept us supplied. Again, we are the losers.

Our national defense is dependent on chromite, as a vital ingredient in the manufacture of armament, aircraft, missiles, and other equipment, and we are becoming dependent on Russia for our supply, since we cut off our Rhodesian market, largest in the world.

If the Rhodesian decision is a sample of President Nixon's recently announced "new approach" to foreign policy, we can

only expect more of the same foolishness that we have had for years.

I urge the President to prove that this will not be the case, by retaining our consulate in Rhodesia, one of our few real friends.

DR. BURNEY TOLER HEART FUND ESTABLISHED

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

Mr. EDMONDSON. Mr. Speaker, a great Oklahoman is being memorialized through a heart fund established by friends and neighbors, to be known as the Burney Toler Memorial Heart Fund.

Dr. Burney Toler, Muskogee civic leader and a warm personal friend, died of a heart attack on February 7, 1970. He was 48 years old and in the prime of his active and productive life at the time of his death.

Dr. Joe A. Teaff, a long-time friend and colleague in the dental profession, is a leader in the move to establish a heart fund honoring Dr. Toler.

Born November 15, 1921, Dr. Toler was a graduate of the University of Missouri at Kansas City and served as a combat soldier in the European theater during World War II.

A trustee of the East Point Christian Church, Dr. Toler was an active member of the YMCA and the Chamber of Commerce of Muskogee, Okla.

A long-time booster for navigation on the Arkansas River, Dr. Toler was a member of the board of directors of the Muskogee City-County Port Authority, and was closely following the progress of construction of the new port at the time of his death.

A past president of the Muskogee County Dental Society and the Eastern Oklahoma Dental Society, he was secretary-treasurer of the State dental association and a member of the house of delegates and board of trustees of that association. He had served both as chairman and member of the State dental association legislative committee.

For many years, he had been a leader in my own campaigns for Congress in Oklahoma, and he was district chairman of the Edmondson for Congress Club at the time of his passing.

He was a great friend, a great civic leader, and one of the finest men I have ever known.

Dr. Toler is survived by his beloved wife, Katie Sue; a lovely daughter, Mrs. Mike Transue of Long Beach, Calif.; and a wonderful mother, Mrs. Grace Pitts of Muskogee. Also surviving are a sister, Mrs. Harvey McArthur of London, England; and four brothers, Jack Toler of Westport, Conn.; Lt. Col. Harold Toler of Bangkok, Thailand; Robert Toler of Ragland, Ala.; and Richard G. Toler of San Antonio, Tex.

LEGISLATION TO AMEND THE WHOLESOME MEAT ACT

(Mr. SMITH of Iowa asked and was given permission to address the House

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

Mr. SMITH of Iowa. Mr. Speaker, I am joining today with a number of colleagues in introducing legislation to amend the Wholesome Meat Act so as to clarify the provisions relating to custom slaughtering operations at "locker" plants.

This bill is simply a clarifying amendment to the 1967 law. It would not change the intent of that law. It would not cost any additional money. It would, in fact, do what the U.S. Department of Agriculture originally stated it could do by regulation.

After the Wholesome Meat Act became law, a number of operators of plants which butcher, process and store meat for customers which at all times is owned by the customer raised the question as to how it would apply to custom slaughtering operations—that is, the slaughtering of livestock for the owner of the livestock who plans to consume the meat on his family table.

The Department's original position was that custom slaughtering would be permitted, by regulation, under the authority of section 5 of the act. That section provides that—

The Secretary of Agriculture may limit the entry of carcasses, parts of carcasses, meat and food products, and other materials into any establishment at which inspection . . . is maintained, under such conditions as he may prescribe to assure that allowing the entry of such articles into such inspected establishments will be consistent with the purposes of this Act.

Under the authority of this provision, the Department included in its proposed regulations for the Wholesome Meat Act a section which would allow plants to process meat from livestock or game animals on a custom basis without requiring inspection at the time of slaughter provided the custom processed meat is kept separate from meat sold to the general public and that other safeguards are taken to assure that the custom processed meat is prepared only for the owner.

However, many of these plants also sell meat which is purchased from an inspected plant and the Department's proposed regulations do not permit the custom slaughtering of livestock at plants under the same inspection provisions where that plant also prepares inspected meat for sale and sells to the general public.

The Department's present position is that the term "carcasses" in section 5 applies only to livestock slaughtered prior to entry into the plant and that, for this reason, a live animal cannot be permitted entry under the same exemption into an inspected plant to be slaughtered.

In reaching its present position, the Department also has given a strict interpretation to section 11 of the Wholesome Meat Act. That section adds a new section 23(a) to the 1907 Federal Meat Inspection Act which provides, in part, that custom slaughtering operations shall be exempt from inspection. It says:

Provided, That such custom slaughterer does not engage in the business of buying or selling any carcasses, parts of carcasses, meat

or meat food products of any cattle, sheep, swine, goats, or equines, capable of use as human food.

Many locker plants are engaged in both custom slaughtering and in preparing and selling meat to the general public and, because of the Department's present interpretation of the act, it is now necessary to revise this provision so that the custom slaughtering exemption can apply to plants selling meat to the public whether it is slaughtered in or outside the plant. Otherwise, the exemption would apply to animals slaughtered outside the plant where no sanitation requirements exist but would not exempt meat slaughtering in a plant where sanitation requirements do exist.

The bill being introduced today specifically provides that all meat slaughtered or processed on a custom basis shall be kept separate at all times from meat prepared for sale to the general public and that the custom prepared meat be marked "not for sale" until it has been delivered to its owner.

These provisions are not in the 1967 law and so the bill does provide an added measure of consumer protection. It also assures that locker plant operators are not placed under any hardships which are not needed to protect consumers.

Representatives of the National Institute of Locker and Freezer Provisioners, an association representing locker plants, have advised me that they fully support the bill being introduced today. They have also stated that their association merely wants to resolve the custom slaughtering problem and is not seeking any legislation that would weaken the 1967 law or delay the protection afforded by the law.

This bill also has the support of the U.S. Department of Agriculture as well as bipartisan support on the House Agriculture Committee, to which it has been referred, and I am hopeful that favorable consideration will be given to it in both the House and Senate in the near future.

HEADSTART TEACHERS OUGHT TO RECEIVE NDEA LOAN CANCELLATION BENEFITS

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

Mr. KOCH. Mr. Speaker, it was recently brought to my attention that teachers in Headstart and other pre-kindergarten programs are being denied the national defense student loans cancellation benefits.

When Congress passed the National Defense Education Act in 1958, it provided students in the NDEA loan program an opportunity to cancel up to 50 percent of their loans upon subsequent teaching in an elementary or secondary school. To date the Office of Education has refused to recognize the inclusion of prekindergarten education in the definition of "elementary" for purposes of partial loan cancellation under the NDEA program.

In New York such prekindergarten classes are conducted under the auspices of the Board of Education and their

teachers are regularly appointed and carry the same certificate as their colleagues teaching in the first three elementary grades. Furthermore, administratively, the State's prekindergarten classes are treated as elementary education classes and counsel for the State Education Department has ruled that "prekindergarten education constitutes 'elementary' education within the context of section 103(g) of the National Defense Education Act of 1958, as amended."

I brought this to the attention of James W. Moore, Director, Division of Student Financial Aid in the Office of Education, on February 18. On March 3, he responded and I am placing this letter in the RECORD. In short, Mr. Moore says that the Department has yet to decide whether teachers in prekindergarten programs are in fact bona fide members of the "elementary school" system even though the act defines an "elementary school" as one which "provides elementary education, as determined under State law." It is important to note that the Congress gave the States, and not the Office of Education, the responsibility for defining "elementary education"—and in New York, prekindergarten programs are included under the "elementary" umbrella.

I hope, Mr. Speaker, that the Office of Education will move rapidly in updating its administration of this program so as to extend the NDEA cancellation benefits to Headstart and other prekindergarten teachers. When the Congress originally enacted the program in 1958, we did not have Headstart programs. Since 1958 the frontier of early childhood education has opened up, and prekindergarten schooling has taken a very essential position in elementary education. Quality teachers are needed to instruct children during this most receptive stage of their lives. We should be encouraging teachers to enter this level of teaching instead of turning them away by anachronistic regulations that the wheels of bureaucracy are slow to change.

Mr. Moore's letter follows:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, OFFICE OF EDUCATION,

Washington, D.C., March 3, 1970.

HON. EDWARD I. KOCH,
House of Representatives,
Washington, D.C.

DEAR MR. KOCH: Thank you for your letter of February 18, concerning the question of eligibility of Head Start and other pre-kindergarten teachers for partial cancellation of National Defense Student Loans.

In examining the issue of partial cancellation for Head Start teachers, I should like to begin by citing a clause from the National Defense Education Act. The relevant section of the law stipulates that partial cancellation shall be provided "... for service as a full-time teacher in a public or other non-profit elementary or secondary school in a State. . . ." Also, the Act defines an "elementary school" as one which "provides elementary education, as determined under State law or if such school is not in any State, as determined by the Commissioner."

In the case of Head Start and other pre-kindergarten programs, there is a question of determining whether the teachers in these pre-primary classrooms are in fact bona fide members of the "elementary school" system.

Because of the diversity in scope and quality of various pre-kindergarten programs, the Office of Education is studying the problem of cancellation for pre-kindergarten teachers on a national basis. To insure equity for borrowers throughout the country, we want to establish acceptable ground rules which will apply in all states. After consulting with our Office of General Counsel, we plan to issue guidelines to all participating institutions of higher education, in order that cancellation requests for the current year will be judged by similar standards in all states.

The issue of equity for all borrowers in receiving cancellation benefits is of great concern to us. We appreciate your interest in this matter, and we thank you for your thoughtful comments on this subject of our mutual concern.

Sincerely yours,

JAMES W. MOORE,
Director, Division of Student Financial Aid.

EMERGENCY PROGRAM TO COMBAT HEROIN EPIDEMIC IN NEW YORK CITY

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

Mr. KOCH. Mr. Speaker, the growing use of drugs by teenagers has occupied the front pages of our newspapers and demand the concern of parents across the country. Despite the enormous number of people involved, and the growing magnitude of this problem, little is actually being done by the Federal, State, and local governments to combat it.

The situation is particularly acute in New York City where there are now 25,000 teenager heroin addicts. Last year there were 224 known deaths of child addicts and this year the toll already has passed 40.

What in fact we are faced with in New York City is a heroin epidemic. It is an epidemic likened to that of any of the more orthodox "communicable diseases" demanding immediate action. I believe it is incumbent upon the Federal Government to act now in providing a massive increase in Federal funds for narcotic detection and treatment. The alternative is to allow the continued spread of this social disease dealing irreparable damage to its victims and their families.

Last Saturday, in New York City, I proposed a three-point emergency program for curbing this epidemic. I would like to insert in the RECORD my statement of March 7 and the measures to be undertaken through the coordinated efforts of the city, State, and Federal Governments. My proposals are as follow:

STATEMENT BY CONGRESSMAN EDWARD I. KOCH OUTLINING PROPOSALS TO COMBAT TEENAGE HEROIN ADDICTION IN NEW YORK CITY

Drug addiction is the most troubling problem in our City today. Parents of teenagers are terribly worried about the danger posed to their children by the number of heroin addicts in our schools and on the streets. Even parents of younger children are concerned about the dangers their children will confront in future years by this growing drug culture.

While the City has approximately 4% of the nation's population, we have more than 50% of the nation's heroin addicts. Last year there were 224 known deaths of child ad-

dicts, and more deaths are reported daily. It has been estimated that New York City now has 25,000 teenage heroin addicts. The simple fact is that New York City has a heroin epidemic.

Little has been done on any governmental level in trying to halt this frightening and tragic epidemic. I think we must tackle this problem as we would the outbreak of any other epidemic—with immediate action to publicize, detect, quarantine and treat the school-age heroin and hard drug users in our City.

To curb this epidemic, I propose the following three-point emergency program to be undertaken by the co-ordinated efforts of the City, State, and Federal governments.

DETECTION

That unannounced tests be conducted in New York City's junior high and high schools to detect heroin use through urine analysis examinations.

That a voluntary program be conducted at community centers where parents can bring their children for testing if they are worried that their children may be using hard drugs.

That the Secretary of HEW utilize the Communicable Disease Center of the Health Services and Mental Health Administration or a similar emergency force to assist city health personnel with epidemic control measures including any infectious diseases such as hepatitis associated with heroin addiction.

That President Nixon and the Congress provide an emergency appropriation of \$15 million for the initial testing in New York City schools, comparable to the \$26 million already spent by the federal government to vaccinate 55 million school children against German Measles.

QUARANTINE AND TREATMENT

That teenagers testing positively for heroin use be temporarily quarantined without being separated from their parents and given medical and psychiatric attention.

That existing city health regulations be applied or new emergency health regulations promulgated providing for the temporary quarantine of these heroin users.

That temporary emergency treatment centers in existing facilities, such as hospitals and community centers, be established.

That the level of funding OEO and NIMH community addiction assistance projects by the federal government (\$17 million for fiscal year 1971) be increased ten-fold to \$170 million so as to provide NYC with additional funds for the emergency treatment centers including renewal of the existing OEO grant to the City.

PUBLICITY

That local radio and tv stations devote a portion of their prime advertising time to spot announcements about teenage addiction so that parents may be alerted to the availability of voluntary testing and treatment and young people warned of the dangers of drug use and addiction.

That the existing public information program on drug abuse conducted by the Federal Bureau of Narcotics and Dangerous Drugs and the National Institute of Mental Health be greatly expanded by increasing Federal expenditures from \$4 million per year to \$40 million.

I have written to President Nixon, HEW Secretary Finch, and Mayor Lindsay, setting forth these proposals.

This year the Nixon Administration is spending \$50 million nationwide on narcotics addiction. It proposes to spend \$60 million next year. The fight must be pressed for a massive increase in federal funds if New York City is to bring its drug epidemic under control. It is an outrage that the federal

government is currently spending only one four-thousandth of its total budget on narcotics addiction treatment.

We must recognize that the problem before us is acute. Were it an epidemic of a communicable disease in the traditional sense, we would not just sit by and let the number of victims continue to grow.

We should not undertake such an emergency program if medical and psychiatric treatment cannot be made available for each school child discovered to be a heroin user. They cannot be treated like juvenile delinquents. These children are ill and must be restored to health.

I urge those persons who share my concern to write Mayor Lindsay, Governor Rockefeller, and President Nixon, asking that this emergency program be immediately undertaken.

JUSTICE DOUGLAS' BOOK "POINTS OF REBELLION"

(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, the second section of "Points of Rebellion" by Mr. Justice Douglas is not long. It commences with various criticisms of our conduct of foreign affairs and concludes with the statement the author credits to Adolf Hitler: "We need law and order." Sandwiched between are these "patriotic" observations:

Our youth rebelled violently when Mr. Johnson used his long arm to try to get colleges to discipline the dissenters and when he turned the Selective Service System into a vindictive weapon for use against the protesters. . . .

But we know that preparedness and the armament race inevitably lead to war. Thus it ever has been and ever will be. Armaments are no more of a deterrent to war than the death sentence is to murder. . . .

The Pentagon has a fantastic budget that enables it to dream of putting down the much-needed revolutions which will arise in Peru, in the Philippines, and in other benighted countries. . . .

The mass media—essentially the voice of the Establishment—much of the time reflects the mood of the Pentagon and the causes which the military-industrial complex espouses. So, we the people are relentlessly pushed in the direction that the Pentagon desires. . . .

Police practices are anti-Negro. Employment practices are anti-Negro. Housing allocation is anti-Negro. Education is anti-Negro. . . .

For the poor, the interest rates have been known to rise to 1000 per cent a year. . . .

Yet another major source of disaffection among our youth stems from the reckless way in which the Establishment has despoiled the earth. The matter was put by a 16-year-old boy who asked his father, "Why did you let me be born?"

Youthful dissenters are not experts in these matters. But when they see all the wonders of nature being ruined, they ask, "What natural law gives the Establishment the right to ruin the rivers, the lakes, the ocean, the beaches, and even the air". . . .

There are "colonies" within the United States. West Virginia is in a sense a microcosm of such a colony. It is partially owned and effectively controlled by coal, power, and railroad companies, which in turn are controlled by vast financial interests of the East and Middle West. The state legislature answers to the beck and call of those interests. . . .

Political action that will recast the balance will take years. . . .

The truth is that a vast bureaucracy now runs the country, irrespective of what party is in power. The decision to spray sagebrush or mesquite trees in order to increase the production of grass and make a cattle baron richer is that of a faceless person in some federal agency. Those who prefer horned owls or coyotes do not even have a chance to be heard. . . .

The truth is that a vast restructuring of our society is needed if remedies are to become available to the average person. Without that restructuring the good will that holds society together will be slowly dissipated.

It is that sense of futility which permeates the present series of protests and dissents. Where there is a persistent sense of fertility, there is violence; and that is where we are today.

The use of violence is deep in our history. . . .

We are witnessing, I think, a new American phenomenon. The two parties have become almost indistinguishable; and each is controlled by the Establishment. The modern day dissenters and protesters are functioning as the loyal opposition functions in England. . . .

These statements made by a private citizen would not attract a great deal of attention but, when made by a sitting Justice of our Supreme Court, one wonders whether the author, because of age or other infirmity, has become so hostile to existing American institutions as to prevent him from impartially deciding issues coming before our Highest Court.

Monday, the remaining section of the book will be reviewed. It is entitled "A Start Toward Reconstructing Our Society." However, this is more than a book review. The book contains the thoughts of a man sworn to uphold our laws, paid by our Government at the highest executive level, and a member of the Highest Tribunal that interprets the law of the land. Can he perform the functions of his office? His voluntary retirement would resolve the issue.

LABOR DISPUTES RESULTING IN WORK STOPPAGES

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

Mr. BROCK, Mr. Speaker, labor disputes resulting in work stoppages, with all of their unfortunate effects, including personal hardships and economic dislocation, will always be with us. It is one of the inevitable facts in a democratic system of free enterprise. The struggle of labor and the painful maturing of management have been a long and difficult process—benchmarked by a few major laws passed to insure equity for all.

Because of the immense changes over the past two decades, I believe that major economic and social forces now exist which require another significant legislative step. The awesome size of certain industries no longer permits a "public be darned" attitude while labor and management interests grope toward another inflationary settlement.

Yet here we go again. The financial loss which will occur if the nation's railroads strike, will run into the hundreds of millions of dollars. No one can gain from

this tremendous waste and millions could suffer because of it. The scars and economic dislocation of many individuals and industries will be permanent.

New legislation is necessary to expand the Taft-Hartley Act to cope with those few management-labor problems involving the national interest where settlements under existing collective-bargaining practices, Federal facilities and statutes are not possible without extraordinary costs and inconveniences to the American people. In the first session of this Congress, I introduced legislation to establish a tribunal for the settlement of those disputes that meet the Taft-Hartley criteria for jurisdiction; that is, disputes that are interstate and affect the national health and safety. Unique to this approach will be the very strong influence of the public on the terms of settlement.

Modeled after the Australian system, the bill will establish a commission and a court.

The seven-member Commission and the five-member court will have limited term appointments made under the "Missouri plan." Under this plan the President will appoint a panel of distinguished citizens who will recommend three candidates for each vacancy. In selecting members from these nominees, the President will insure that the general public—its interest and welfare—is represented along with the interests of labor and management. This bill will avoid the major shortcoming of the present system of appointing different boards for each dispute. In addition, the bill will dissolve the intolerable present pattern of compulsory arbitration evidenced in railway disputes.

Another feature of this legislation is its use for accommodating the unpleasant and often emotionally charged disputes in the public service area. Under this bill the Commission and the court can accommodate disputes not meeting the specified national emergency criteria if the parties to the disputes have previously and voluntarily, through collective bargaining, indicated their willingness to submit their differences to Commission jurisdiction. I believe that many areas of employment not involving interstate commerce or products affecting the national health and safety will voluntarily partake of the services offered by this legislation. In addition to manufacturing and other businesses, this aspect of the legislation looks toward the public service oriented professions of education, health services, local transportation, trash removal, police, and fire protection.

Congress has once again stepped into a labor-management dispute, and by its actions has only temporarily averted a national crisis. If we legislate a settlement in the current railroad dispute, it will be the third time in the past 7 years that it has ordered a compulsory settlement in a private labor-management crisis. Both of the previous instances involved railroads and one the same shop-craft unions. These disputes should not reach Congress. My bill will take the settlement responsibilities out of the hands of the Congress and put it where it belongs—with a nonpartisan commis-

sion to conciliate, arbitrate, and adjudicate disputes, and, court to enforce the terms of settlement as well as to consider disputes arising under the settlement.

It should not take more strikes, more inflation, and more inconvenience to arouse public opinion to the point where the Congress will be forced to take positive action. That time is here. The flood of correspondence from constituents, and the growing demand for solutions from both management and labor all testify to this. We have the motivation, and the capability in this congressional session to do something. If we do not, we can be sure that a reasoned, balanced solution will be much harder to achieve the next time; and the next time is not as far in the future as some of us might hope.

Mr. Speaker, the text of the bill follows:

H.R. 9245

A bill to expand upon the economic freedom and public responsibility of American industry, to encourage the opportunity for the American worker to bargain collectively in his own best interests without economic deprivation, and to guarantee the American consumer and taxpayer protection from the abuse of excessive concentration of power

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Management-Labor Commission and Court Act".

STATEMENT OF POLICY

SEC. 2. (a) Continuing industrial peace is paramount to the interests of the Nation and is necessary to employers and employees alike. This peace can best be achieved through established laws and procedures for collective bargaining between the representatives of management and labor. Settlements of issues and disputes should be continued through active and sincere voluntary negotiations by the parties concerned to agree on rates of pay, laws and conditions of work, length of contract, and any other issues of employment.

(b) This Act is addressed to only that limited segment of our management-labor forum wherein the Nation's health and safety would be impaired through a secession of interstate commerce. It is presumed that the great majority of our labor disputes do not involve the above criteria and will continue to be negotiated and settled under existing collective-bargaining practices, laws, and Federal facilities. When the criteria for judicial action are met, this Act will provide for appropriate representation of the public interest and the consumer during the bargaining, arbitration, and adjudicated process. Disputes not meeting the criteria for jurisdiction can be handled by the expertise of this jurisdiction if the parties of the dispute have previously and voluntarily indicated this interest. It is anticipated that many intrastate activities which affect the public interest to a substantial degree will voluntarily partake of this facility. In addition to manufacturing and other businesses, such activities include the public service oriented professions of education, transportation, trash removal, and police and fire protection.

ESTABLISHMENT OF MANAGEMENT-LABOR COMMISSION

SEC. 3. There is hereby established a Management-Labor Commission (hereinafter referred to as the "Commission") to be composed of seven Management-Labor Commissioners (hereinafter referred to as the "Commissioners").

NATIONAL EMERGENCY STRIKES AND LOCKOUTS

SEC. 4. For purposes of this Act, a strike or lockout shall be deemed to be a national emergency strike or lockout, and therefore within the purview of this Act, if it affects an entire industry, or a substantial part thereof, engaged in trade, commerce, transportation, transmission, or communication among the several States or with foreign nations, or engaged in the production of goods for commerce, and will, if permitted to continue, imperil the national health or safety.

APPOINTMENT OF COMMISSIONERS

SEC. 5. (a) The President shall appoint a panel of distinguished citizens who shall be assigned the functions of selecting three candidates for each vacancy on the Commission. The President shall, by and with the advice and consent of the Senate, appoint to fill each vacancy on the Commission one of the candidates selected by the panel to fill the vacancy.

(b) The terms of office of Commissioners shall be fourteen years, except that (1) the terms of office of the Commissioners first appointed shall commence on the date of enactment of this Act and shall expire one at the end of the second year, one at the end of the fourth year, one at the end of the sixth year, one at the end of the eighth year, one at the end of the tenth year, one at the end of the twelfth year, and one at the end of the fourteenth year, after such date, as determined by the President at the time of appointment, (2) any Commissioner appointed to fill a vacancy occurring prior to the expiration of the term of office for which his predecessor was appointed shall be appointed only for the remainder of such term, and (3) upon the expiration of the term of office of a Commissioner he shall continue to serve until his successor is appointed and has qualified.

(c) The panel of citizens referred to in subsection (a), and the President, shall both take action necessary to insure that the interests of consumers are adequately represented on the membership of the Commission, as well as the interests of management and labor.

ORGANIZATION OF THE COMMISSION

SEC. 6. (a) The President shall designate one of the Commissioners to act as Chairman of the Commission, and one Commissioner to act as Vice Chairman of the Commission.

(b) (1) Section 5313 of title 5, United States Code, is amended by adding at the end thereof the following:

"(19) Chairman, Management-Labor Commission."

(2) Section 5314 of such title is amended by adding at the end thereof the following:

"(46) Commissioners, Management-Labor Commission."

(c) Subject to the civil service and classification laws, the Commission is authorized to select, appoint, employ, and fix the compensation of such officers and employees, as shall be necessary to enable it to carry out its powers and duties under this Act.

(d) The Chairman of the Commission shall be its chief executive and administrative officer and shall exercise the responsibility of the Commission with respect to (1) the appointment and supervision of personnel employed by the Commission, (2) the distribution of business among the Commission's personnel, and (3) the use and expenditure of funds. For executing and administering the functions of the Commission on its behalf, the Chairman shall be governed by the general policies of the Commission and by its decisions, findings, and determinations. The Vice Chairman shall perform the duties of the Chairman during his absence or disability. Four Commissioners shall constitute a quorum of the Commission.

(e) The provisions of sections 9 and 10 (relating to the attendance of witnesses and the production of books, papers, and documents) of the Federal Trade Commission Act of September 16, 1914, as amended (15 U.S.C. 49, 50), are hereby made applicable to the jurisdiction, powers, and duties of the Commission.

JURISDICTION AND DUTIES OF THE COMMISSION

SEC. 7. (a) If the Commission believes there is a likelihood that a national emergency strike or lockout will occur, it shall forthwith make conciliation, mediation, and arbitration services available to the parties to the dispute, but only if all parties to the dispute agree.

(b) Whenever, in the opinion of the President, a national emergency strike or lockout is threatened or in effect, he shall direct the Attorney General to petition the Commission to assume jurisdiction of the dispute. If the Commission then determines that a national emergency strike or lockout is threatened or in effect, the Commission shall assume jurisdiction of the dispute. The Commission shall also assume jurisdiction of any dispute which threatens or has led to a strike or walkout in an industry if, but only if, all parties to the dispute have petitioned the Commission to assume such jurisdiction.

(c) When the Commission assumes jurisdiction of a dispute under subsection (b), it shall issue an order prohibiting the continuation of the strike or lockout for a period of one hundred and ten days, or until an agreement resolving all issues in the dispute has been reached. Such an order may include requirements affecting rates of pay and working conditions to be applicable during the period the order is in effect.

(d) When the Commission takes jurisdiction of a strike or lockout, the Chairman of the Commission shall designate two or more members of the Commission as a board of inquiry. It shall be the duty of the board of inquiry to conduct an inquiry into the dispute. Within eighty days after the Commission has assumed jurisdiction of a dispute the board shall make a full report on the results of its inquiry to the full Commission. Such a report shall contain the recommendations of the board with respect to the resolution of all issues in the dispute. The Commission may require the parties to a dispute to attend hearings before the board of inquiry and produce testimony and documentary evidence with respect to the causes and circumstances of the dispute, and to attend conferences or sessions of the board of inquiry in order to consider and discuss the positions of the parties and possibilities or proposals for settlement; and the Commission may make such orders as are necessary or appropriate to require the parties, or any of them, to make every effort in good faith voluntarily to adjust and settle their differences.

(e) If, at the end of eighty days after it has assumed jurisdiction of a national emergency strike or walkout, the parties have not reached an agreement, within thirty days from the end of such period, the Commission shall issue an order to the parties, shall prescribe the terms and conditions of employment to be in effect, and the period during which they shall be in effect. Such an order may incorporate by reference the provisions of collective bargaining agreements which are not in dispute.

ESTABLISHMENT OF MANAGEMENT-LABOR COURT

SEC. 8. There is hereby established a Management-Labor Court (hereinafter referred to as the "court") to be composed of a chief judge and four assistant judges.

APPOINTMENT OF JUDGES

SEC. 9. (a) The President shall appoint a panel of distinguished citizens who shall be assigned the function of selecting three candidates for each vacancy on the court. The President shall, by and with the advice and

consent of the Senate, fill each vacancy on the court by appointing one of the candidates selected by the panel to fill the vacancy.

(b) The terms of office of the judges on the court shall be ten years, except that (1) the terms of office of the judges first appointed shall commence on the date of enactment of this Act and shall expire one at the end of the second year, one at the end of the fourth year, one at the end of the sixth year, one at the end of the eighth year, and one at the end of the tenth year after such date, as determined by the President at the time of appointment, (2) any judge appointed to fill a vacancy occurring prior to the expiration of the term of office for which his predecessor was appointed shall be appointed for the remainder of such term, and (3) upon the expiration of the term of office of a judge he shall continue to serve until his successor is appointed and has qualified.

ORGANIZATION OF THE COURT

SEC. 10. (a) The President shall designate one of the judges to act as chief judge, and the remainder as assistant judges.

(b) The chief judge of the court shall receive the same compensation as is received by the chief judge of a United States district court and each of the assistant judges of the court shall receive the same compensation as is received by judges of a United States district court.

(3) The court shall sit in the District of Columbia.

(d) The court may appoint and fix the compensation of such officers and employees, and may incur such other expenses, as may be necessary to enable it to carry out its functions.

(e) The court and each judge thereof shall possess all the powers of a district court of the United States for preserving order, compelling the attendance of witnesses and the production of evidence, and the provisions of section 401 of title 18, United States Code (relating to authority to punish for contempt) and section 1651 of title 28 of such Code (relating to the issuance of writs) shall be applicable to the court. Process of the court may be served within the territorial jurisdiction of any court of the United States.

(f) The proceedings of the court shall be conducted in accordance with such rules of practice and procedure (other than rules of evidence) as the court may prescribe and in accordance with the rules of evidence applicable in trials without a jury in the United States District Court for the District of Columbia.

JURISDICTION OF THE COURT

SEC. 11. (a) When the Commission has issued an order under section 4 resolving a dispute it shall thereby be divested of its jurisdiction over the matter, and thereafter the court shall be vested with jurisdiction to hear, determine, and render judgment with respect to all questions of law or fact arising under the order.

(b) Decisions of the court shall be final unless they are arbitrary or capricious or are violative of a right conferred by the Constitution of the United States, in which case the Supreme Court shall have exclusive appellate jurisdiction.

SUSPENSION OF NATIONAL LABOR RELATIONS BOARD PROCEEDINGS

SEC. 12. Section 10 of the National Labor Relations Act is amended by adding at the end thereof the following new subsection:

"(n) Whenever a matter before the Board is included in a labor dispute over which the Management-Labor Commission is vested with jurisdiction, the Board shall discontinue all proceedings in such matter."

DEFINITIONS

SEC. 13. For purposes of this Act, the terms "commerce", "affecting commerce", and "labor dispute" have the same meaning such

terms have when used in the National Labor Relations Act.

REPEALS

SEC. 14. (a) Sections 206, 207, 208, 209, and 210 of the Labor-Management Relations Act, 1947, are repealed.

(b) Section 10 of the Railway Labor Act is repealed.

EFFECTIVE DATE

SEC. 15. This Act shall become effective on the date of its enactment, except that proceedings already commenced on such date shall be carried through to completion without regard to the provisions of section 14.

DEMOCRAT "HANGER-ON-ERS"

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

Mr. SCHERLE. Mr. Speaker, HEW continues to confirm the adage, "the more things change, the more they remain the same"—at least in the Federal Government.

Willard Edwards, Chicago Tribune columnist, has documented another case of Democrat "hanger-on-ers" being rewarded by appointments to top Government jobs. Considering the recent warning by Robert J. Myers, a career civil servant, that Democratic holdovers are sabotaging the Nixon program at HEW, it would be well to use a little discretion in appointing such dedicated Democrats as Robert R. Aptekar as Director of the Division of Child and Family Service.

If the so-called talent bank whiz-kids are unable to find highly qualified Republicans to fill these positions, then President Nixon's programs will never be fully implemented.

I include at this point two pertinent news articles:

[From the Chicago (Ill.) Tribune, Mar. 10, 1970]

DEMOCRAT RISES IN HEW

(By Willard Edwards)

WASHINGTON, March 9.—Another remarkable success story—a heartwarming tale of how to rise in government—is circulating in administration circles.

The hero of this account is Robert R. Aptekar, 28, who has been appointed director of the division of child and family services, Community Services administration, social and rehabilitation service, department of health, education, and welfare.

The position carries a grade 14 rating, commensurate with its impressive title, and a salary of approximately \$17,500.

The appointment startled a number of officials acquainted with Aptekar's earlier record and activities as a grade 13 specialist [\$14,000] with the title of assistant to the director, program development division office of program policy, community action program, office of economic opportunity [OEO].

These officials thought Aptekar was on his way out of the OEO as the result of his "disruptive" operations. They found that he had, indeed, left the OEO, only to emerge with a sizable increase in authority and salary in HEW.

Government files give this chronological account of Aptekar's rapid advance in government service:

Born in Detroit, educated at Wayne State university where he was vice president of Young Democrats in 1961, he became a government employe in 1966 under the Johnson administration.

He never concealed his partisan fervor and his antagonism to the Nixon administration when it took over in January, 1969.

He took a leading role in support of the Oct. 15 and Nov. 15 moratorium activities last year. He passed out literature within and outside the OEO headquarters and set up microphones and platforms outside the building for speeches against the President and his Vietnam war policies.

Even for OEO, which is extremely broad-minded about the activities of its employees, Aptekar's operations were considered beyond the rules. He was dubbed "a leader in disruptive actions of OEO summer employees in 1969."

The chief and assistant chief, career development branch, OEO personnel office, said that they would not recommend him "for a position of trust" in government.

Despite these obstacles, on Dec. 8, 1969, Steven Simonds, commissioner, Community Services Administration, HEW, a Democrat, announced Aptekar's choice as his new director, child and family services.

Subsequent inquiry revealed that no other candidates had been considered altho the post was supposed to be advertised for a period as open to all interested applicants.

On Jan. 26, 1970, Patrick Gray, executive assistant to HEW Secretary Robert Finch, announced his disapproval of Aptekar's appointment. It was withdrawn.

On Feb. 1, Frederick V. Malek, deputy undersecretary of HEW, took over some of Gray's administrative duties, including jurisdiction over the Aptekar matter. He was provided with the adverse information on Aptekar and advised that he had been twice rejected by HEW.

On Feb. 12, Malek approved the appointment.

As Aptekar's supporters hailed this triumph, one high official commented bitterly in a filed protest: "I regard this as among the worst personnel decisions made to date and in the face of adequate warning."

The moral was not lost on government career men. In an administration where Democratic holdovers remain powerful they noted, it certainly does not hurt and indeed, it may be helpful to be known as a foe of the President's policies.

[From the Washington (D.C.) Evening Star]
SOCIAL SECURITY POLICY SABOTAGE IS CHARGED
(By Joseph Young)

The chief actuary of the Social Security Administration charges that Democratic holdovers and career employees are sabotaging the Nixon's administration's "moderate" policies and substituting their own "expansionist" policies.

Robert J. Myers, a GS-18 career employe who entered civil service in 1934 and has been social securities chief actuary since 1947, appears to place the blame for the situation on Health, Education and Welfare Secretary Robert H. Finch who, he implies is trying too hard to please the Democratic Congress. Myers earns \$33,000 a year.

"Wilbur Cohen (HEW secretary under former President Lyndon B. Johnson) might just as well still be secretary as far as any change in attitude is concerned," Myers said.

SABOTAGE CHARGED

Myers made his "moderates vs. expansionists" views known in a speech before the American Pension Conference and later expanded on them in an interview.

Myers charged that Social Security career employes twisted policy and sabotaged Social Security programs during the Eisenhower administration.

He said some of the top career people would write the testimony for the various HEW secretaries to present to Congress, then would slip questions to Democratic congressmen on the House Ways and Means Committee designed to "rip holes" in the testimony.

Regarding the present situation under Finch, Myers noted that both the commis-

sioner and deputy commissioner of Social Security are holdovers from the Johnson administration.

DRASTIC EFFECT SEEN

He said the Nixon administration's policy of moderation in Social Security—that the Social Security System be kept up to date with changes in economic conditions and that any weaknesses or deficiencies which show up be remedied—is being shunted aside by careerists and political holdovers who he said embrace the "expansionist" philosophy.

Myers said the "expansionists" want to provide full economic protection when an earning loss occurs. They also advocate that the government should provide a level of income for retirees and disabled persons which is virtually as high as income before retirement, Myers charged.

If the expansionists have their way, Myers asserted, it would have a drastic effect on the nation's economy, greatly reducing private savings and pension plans, reducing investments funds for private industry to expand economic-productivity activities, and would ultimately result in increased government regulation and control "and even ownership of productive activities."

Myers said civil service career employes should be limited to carrying out impartially the policies of the administration in power.

"In the policy-planning field, however, the top policy officials should have staff members working for them who are fully sympathetic to their views and approaches," Myers said. "Too much civil service and too little flexibility in filling top personnel posts can easily hamstring any administration in a particular area."

"For example, if the high-ranking civil service technical employe is of the same conviction as a public advocate of the 'out' party, how can it be expected that he will produce a vigorous, air-tight rebuttal for his political superior to an attack on administration proposals by such an advocate?" Myers asked.

There have been a lot of rumblings among some top Nixon appointees in recent months that career government employes in their departments and agencies have been thwarting their programs.

But none have been willing to be quoted until now when, ironically, Myers, a career official, made the charge against his colleagues.

LEGISLATION TO ASSIST IN CERTAIN CRIMES AFFECTING FINANCIAL INSTITUTIONS

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

Mr. WIDNALL. Mr. Speaker, on December 4, 1969, the Banking and Currency Committee began hearings on a bill which was intended to assist in the investigation and prosecution of crimes in which foreign bank accounts were utilized to thwart our enforcement agencies. Despite the fact that the administration has been wholeheartedly in favor of legislation in this area it has been crucified by the press for withholding support of the initial bill (H.R. 15073) which had been drafted virtually without any consultation with the various kinds of financial institutions which would have to operate under the measure.

I commend the administration for not allowing itself to be stampeded by the press or political pressure into support for bad legislation. I commend it too for the thought and effort which it has put into the development of legislation which

is both stronger and more workable. I have introduced this legislation today (H.R. 16444) which is the administration bill. I want to point out that this is the first administration seriously to study this problem and I think the enactment of this bill will prove in time that given proper study, sound legislation can be developed.

H.R. 15073 imposes excessive burdens upon the American public while insufficiently attempting to improve law enforcement effectiveness fostered by the United States and foreign financial transactions. H.R. 15073 is unacceptable principally because—

First. It imposes recordkeeping requirements on financial institutions which I believe are wasteful and counterproductive and which would impose undue costs upon the American public and the American economy. No justification has been made in our hearings for imposing these requirements as set forth in the bill;

Second. H.R. 15073 sets forth purposes totally inconsistent with the stated purpose of H.R. 15073 to curb the illegal use of foreign bank accounts. By comparison, H.R. 16444 provides a relevant standard for the Secretary of the Treasury to apply in establishing recordkeeping requirements; namely, those records which "are likely to have a high degree of usefulness in criminal, tax, or regulatory investigations or proceedings"; and

Third. H.R. 15073 contains unnecessary recordkeeping and reporting requirements upon all persons engaged in foreign transactions. This provision is especially unrealistic in light of the fact that the Internal Revenue Service will require the disclosure of interests by U.S. taxpayers in foreign bank accounts on the 1970 income tax forms.

In the letter of March 12, 1970, to the chairman from Mr. Rossides it was pointed out that what I can now refer to as this administration bill, H.R. 16444, would maximize assistance to law enforcement and minimize the burdens upon the public and economy. H.R. 15073, by contrast, does the reverse—it maximizes these burdens while minimizing enforcement effectiveness. H.R. 16444 offers the further advantages of brevity, clarity, ease of application and flexibility not shared by H.R. 15073.

Appended herewith is the transmittal letter received this morning from Assistant Secretary of the Treasury Rossides which points out the differences between the two bills. I ask that they be put in the RECORD.

THE DEPARTMENT

OF THE TREASURY,

Washington, D.C., March 12, 1970.

HON. WRIGHT PATMAN,
Chairman, Banking and Currency Committee,
House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Transmitted herewith is a draft bill which would carry out the recommendations made in my testimony before this Committee on March 2, 1970. The Treasury Department believes this draft will better achieve the stated objective of H.R. 15073, to curb the use of foreign financial transactions in connection with tax evasion and other crime by U.S. citizens and residents without imposing upon the public and the economy the unwarranted burdens that would result from enactment of the current version of H.R. 15073 (Committee Print dated

March 11, 1970, which is the latest version which has been made available to us).

The Treasury draft would maximize assistance to law enforcement and minimize burdens upon the public and economy. H.R. 15073, by contrast, does the reverse—it maximizes these burdens while minimizing enforcement effectiveness. Our draft bill offers the further advantages of brevity, clarity, ease of application and flexibility not shared by H.R. 15073.

We have undertaken to prepare and submit this alternative draft because of the failure of our representatives to reach any reasonable accord with the Committee and House staff in amending H.R. 15073 to accommodate the points raised in my testimony on March 2, 1970. The failure to reach an accommodation surprised me especially in light of the favorable reaction of yourself and the other Committee members to that testimony.

Because of the tight time schedule set by the Committee, our technical experts have been compelled to work upon this legislation, consult with the Committee staff, and at the same time conduct a full week of day-long discussions with representatives of the Swiss government concerning the possibility of a treaty germane to the subject matter of this legislation. These facts have been made known to the Committee.

At this time, I would like to point out to you and the members of the Committee the principal reasons why H.R. 15073 should be amended by substituting the attached Treasury draft bill.

1. MANDATORY RECORDKEEPING

Section 21(d) of the revised Committee print of H.R. 15073 would require the mandatory photocopying at least one time and perhaps more (due to the lack of clarity of the language) of every check which passes through the American banking system, the overwhelming percentage of which are entirely domestic transactions without any connection to foreign bank accounts and which are of minimal interest in domestic law enforcement. At a minimum, this would require copies be made annually of over 20 billion items. This figure would increase in the future with the rapid expansion of banking facilities in the United States.

As pointed out in my testimony, this kind of record-keeping is wasteful, duplicative and counterproductive.

On the other hand, the Treasury bill would authorize the Secretary to require these records (as well as other records) if, and to the extent, he determines they are likely to have a high degree of usefulness in criminal, tax or regulatory investigations or proceedings. The Treasury approach would give the needed flexibility to require those records be kept which are in fact deemed necessary.

Section 101 of H.R. 15073 contains exactly the opposite stress from that which the Treasury Department has concluded to be correct at this time. Whereas the Treasury Department in its testimony indicated the precise types of records that should be kept with respect to international transactions, we concluded that there was insufficient knowledge at the present time as to which additional records should be required of domestic transactions. By comparison, H.R. 15073 requires the photographing of all checks drawn on domestic banks without regard to any international connections, and as a secondary matter establishes authority for the Secretary of the Treasury to require such other records as he may prescribe. This latter provision is presumably intended to allow requirements for records of international transactions.

2. STATED PURPOSES OF BILL AND STANDARDS FOR ADMINISTRATIVE ACTION

Sections 21(a)(1), 21(f), 411(a)(1), and 411(f) of H.R. 15073 when combined give the Secretary of the Treasury a highly questionable type of authority and one which

is clearly not relevant to the ostensible purpose of H.R. 15073 indicated by the Committee to curb the illegal use of foreign bank accounts. These sections would permit the Secretary of the Treasury to require insured banks and savings institutions to maintain any records and evidence which he considered would facilitate the supervision of the businesses of banking and savings institutions.

Similarly, Section 202 of Title II of H.R. 15073 states that two of the purposes of this Title are to facilitate the supervision of financial institutions properly subject to Federal supervision, and to provide for the collection of statistics for the formulation of monetary and economic policy. General Federal supervision of the types of businesses subject to reporting requirements under this Title is unrelated to the need to curb the illegal use of foreign bank accounts or the need to improve law enforcement in general.

By comparison, all three operative sections of the Treasury bill provide a very relevant standard for the Secretary to apply in considering the types of records financial institutions should be required to maintain and the types of reports which must be filed, namely, those which "are likely to have a high degree of usefulness in criminal, tax or regulatory investigations or proceedings."

3. TYPES OF FINANCIAL INSTITUTIONS SUBJECT TO RECORDKEEPING REQUIREMENTS

Whereas Section 123(b) of H.R. 15073 limits the types of businesses which could be subject to recordkeeping requirements, Section 102(g) of the Treasury bill would permit the Secretary to extend these recordkeeping requirements to other types of institutions as he may specify. This gives the Secretary necessary flexibility to carry out the objectives of the Treasury legislation.

4. ENFORCEMENT OF PROVISIONS FOR REPORTS OF EXPORTS AND IMPORTS OF CURRENCY

The provisions of H.R. 15073 which are relevant to enforcing the requirement for reports of exports and imports of currency are seriously deficient.

First, there is no clear delegation of authority to the Bureau of Customs to undertake the necessary enforcement. The Treasury bill would authorize Customs to do this to the extent necessary.

Second, it would be of considerable advantage to treat the points of export and import the same as for customs duty purposes. This would permit coordination with the customs duty program by the Bureau of Customs. However, Section 231(a)(1) of H.R. 15073 establishes the boundaries for this purpose as "any place subject to the jurisdiction of the U.S." Such boundaries are not the boundaries for customs duties purposes which are restricted to the fifty states, the District of Columbia, and Puerto Rico. By comparison, the Treasury bill permits uniformity of treatment.

5. FLEXIBILITY WITH RESPECT TO REPORTS OF EXPORTS AND IMPORTS OF CURRENCY

In addition, Section 231(a) of H.R. 15073 fixes specific \$5,000 individual and \$10,000 annual minimum figures for reporting exports and importations of currency. By comparison, the Treasury bill does not fix any minimum figures, but permits the Secretary to have the necessary flexibility to set the minimum reporting figures at the optimum levels for both individual and annual amounts of currency transported.

Section 231(b) of H.R. 15073 sets forth the specific information which must be reported in connection with exports and imports of currency. This provision does not contain even sufficient flexibility to permit the Secretary to require individuals filing these forms to give their Social Security numbers, which are vital for the Internal Revenue Service to relate the information of the currency transportation to the income tax record of the reporting individuals or their principals.

By comparison, Section 302(c) of the

Treasury bill is broad enough to give the Secretary sufficient flexibility to require all necessary information on these reports.

6. RECORDS AND REPORTS BY INDIVIDUALS AND CORPORATIONS OF THEIR FOREIGN TRANSACTIONS

The Treasury Department believes that Sections 241 and 242 of H.R. 15073 should be deleted as these Sections provide for much unnecessary reporting and recordkeeping. Section 241 would permit the Secretary to require reporting or recordkeeping of transactions by U.S. institutions which deal with foreign financial institutions on behalf of customers, as well as by the individuals and corporations which directly deal with foreign financial institutions. The existence of a possibility that this Section could be used to require reporting of all transactions with foreign institutions is totally unnecessary.

On the other hand, as stated in my testimony, it is believed the most effective information in this area would be knowledge of the maintenance of the direct or indirect interest in a foreign bank account or other account in a foreign financial institution. The disclosure of such information could be most effectively accomplished in conjunction with the filing of the annual tax return. In light of this fact, it would be more reasonable and more effective for this necessary reporting requirement to be made part of the Internal Revenue Code or to be implemented through regulations pursuant to existing statutory authority. I am pleased to inform the Committee that the Internal Revenue Service will require the disclosure of this information on the 1970 income tax forms. With such a disclosure requirement where information on transactions of particular persons is required, this can be obtained under existing procedures.

To summarize, the Treasury bill would maximize enforcement and minimize the imposition of burdens on the public and economy. H.R. 15073, by contrast, does the reverse—it maximizes the burdens while minimizing enforcement effectiveness.

Therefore, we urge that you and the Committee substitute for the present version of H.R. 15073 the draft bill transmitted to you with this letter.

This action, combined with the action which we hope that the Ways and Means Committee will take on the Treasury presumption proposals discussed in my testimony of March 2, 1970, and which we plan to submit shortly to that Committee, will make us better able to combat organized crime and white collar crime in their use of foreign banks to achieve criminal objectives.

Sincerely,

EUGENE T. ROSSIDES.

SPEECH BY DR. JACK EARLY

(Mr. BERRY asked and was given permission to extend his remarks at this point in the RECORD and to include an address.)

Mr. BERRY. Mr. Speaker, one of the finest speeches I have had the pleasure of hearing in a long time was recently given by Dr. Jack Early, present president of Pfeiffer College in North Carolina and formerly president of Dakota Wesleyan University, Mitchell, S. Dak., before the Conference of Grand Masters of Masons of North America here in Washington, D.C. on February 24, 1970.

So that my colleagues may have the opportunity to read it, I include it in the CONGRESSIONAL RECORD:

SPEECH BY DR. JACK EARLY BEFORE THE CONFERENCE OF GRAND MASTERS OF MASONS IN NORTH AMERICA, FEBRUARY 24, 1970

Thank you, Brother Hooks. Distinguished Head Table Guests, Members of the Con-

ference of Grand Masters of Masons in North America, Congressmen, Senators, and ladies and gentlemen, after this very flattering introduction by Brother Hooks it reminds me of an experience of one of our American GIs during World War II who decided, on a weekend pass, that he would check into a hotel in London, England. He came to the hotel clerk and signed his name and noticed that every man who had signed his name had some appropriate title, such as Esquire, PhD, or something similar, so in order to be one of the boys he signed his name, John Smith, MD, DD, LL.D. The hotel clerk was very much amazed. He said, "Sir, you are the most distinguished guest we have ever had in this hotel. What does all this mean?" And the GI said, "MD, DD, LL.D.—Mares edoates and does edoates and little lambsy edivey."

A moment ago, when we heard from this lovely soloist, I was very happy that Mr. McIntosh, in extending an invitation for me to be here tonight, did not ask that I would sing because at age 12 my parents thought this might be the thing I should do, so after having a series of lessons we had our annual recital and in order to be appropriate, I selected as my number, "Carry Me Back to Old Virginia." At about half way through my number I looked down front and the little lady began to cry. The next thing she did was to take her handkerchief from her purse and began to wipe the tears. Being only 12 years of age, rather young and naive about the whole matter, I didn't know what to do, but after the program was over I went down to her and I said, "Excuse me, mam, but you must be from Virginia." She said, "No, young man, I am a musician."

While I think Brother Hooks was very complimentary in his introduction, I had the privilege some time ago of speaking at a civic luncheon and the man who introduced me evidently didn't have the same biographical data because he did know that I had been a minister at one time and, so in order to introduce me, he simply said on this occasion that he had heard of a bridegroom and his bride who were on their way to get married. They were traveling at a very high rate of speed in a new automobile. They came to a rather treacherous curve in the highway and the car overturned and both were killed instantly, whereupon they were immediately sideswiped into the heavens and they were met at the pearly gates by St. Peter. The bridegroom said, "Now listen—we'd like to get married." And St. Peter said, "I am sorry, but you will have to wait for a thousand years." So they waited for a thousand years and became terribly discouraged and despondent about the whole matter, but after having waited for a thousand years they finally return again and the bridegroom said, "Now listen, we have been here a thousand years and we still want to get married." And St. Peter said, "I am sorry, but you will have to wait 500 years longer." So they waited 500 years longer and they became even more discouraged and more despondent and finally the bridegroom got up courage and he went to St. Peter and said, "Listen, we've been here for 1,500 years—we still want to get married." And St. Peter said, "I'm sorry, but you'll have to wait 500 years longer." So the bridegroom said, "Now listen, this is going too far, we have been here 1,500 years, and we'll wait 500 years longer, but please tell us why we have to wait." And St. Peter said, "I am sorry, but you'll have to wait until we get a preacher up here."

No reflection on the man that gave the invocation—this was about me.

It is a high honor that I have this evening in sharing with you in this program. I would like to very briefly visit with you about the subject, "Questions Are Important."

In one of his books G. K. Chesterton suggested to a young man searching for lodging in a strange city that he inquire of his prospective landlady about her idea of God. Knowing this, Mr. Chesterton thought the young man would have a sure guide as to the

treatment he would receive from his prospective landlady. It is my personal conviction that Mr. Chesterton was far more whimsical than wise in this suggestion, because you and I can have one idea of God that may be completely removed from our every day behavior and conduct. On the other hand, I submit to you tonight it is just as important to ask the right question as it is to find the right answers. Inquiry becomes the hallmark of the discerning Mason.

As one ancient philosopher so aptly said, "An unexamined life is not worth living." I know one college professor who evaluates his students, not so much on the basis of the kinds of answers they give to examinations, as well as the kinds of questions they ask inside and outside of the classroom. Of course, the danger is that we ask the wrong kinds of questions and inevitably get the wrong kinds of answers.

In "The Saturday Review" some time ago, an anecdote illustrates this very vividly. A man watched a little boy as he was pushing a baby carriage down the street. Becoming quite curious, the man went over to the little boy and said to him, "What is your brother's name?" To which the little boy replied, "If the baby were my brother, his name would be John, but since the baby is my sister, her name is Sue."

You see, you ask the wrong kind of questions—you inevitably get the wrong kinds of answers.

I would submit to you tonight as members of this Conference of Grand Masters of Masons of North America that there are at least three questions that to me seem to be relevant and appropriate at this particular banquet.

The first question I would ask of you, as I ask of myself, is this. What are your values? What are the most important priorities that you have established for yourself as Masons, as Congressmen, as Senators, as members of this society in the latter third of the 20th century?

There has been a shift to be sure from values to techniques and useful skills during the past part of our experience. President Hoover's Commission on recent social trends in 1933 pointed out that there was an unbalanced culture in America. We have made remarkable progress in terms of science, technology, and industry, but there has been a corresponding lag in terms of values, morality, heart, and religion. We call this a cultural lag.

The sociologists would say that in terms of our material culture America and other nations have made remarkable progress, but in terms of our nonmaterial culture, values, ideas, and ideals there is a void. It seems to me that we who are the inheritors of the great tradition of Masonry and of this free society need to recognize that what we ought to do today is to understand our priorities—our values. Every person makes value judgments and every person must determine what to him is most important.

The youth of our nation today, in America particularly, seem to be telling us that somehow our values have become distorted. I believe that across America, and even in other parts of North America, there has been a distortion, as it were, of those youth that I know so well on many of our college and university campuses who are not revolutionaries, who are not a part of the hard core radicals, but are young men and women who are idealists, and I would have it no other way.

But this large majority of students that I call decent and law abiding do not make the headlines—they do not get prime time on television—they become somewhat of the silent majority as far as the news media is concerned. Instead we have taken the two percenters on our college and university campuses and we have greatly distorted the fact that this seems to represent the youth of America and of the world. I do not believe it.

The young people that I know are concerned about problems that all of us are concerned about, and if we are true to our calling we will capitalize on the idealism of the youth in this latter third of the 20th century. We will endeavor to challenge them as they have never been challenged before.

I think this is what America needs. This is what all of North America and other parts of the world need so desperately today—a challenge to a sense of moral greatness, and I would hope that we would ask ourselves tonight the questions, "What are my values as a Mason? What are my values as a member of the society in the latter third of the 20th century?"

Arthur Miller in his Pulitzer prize-winning play entitled, "Death of a Salesman" described Willie Loman, a salesman, in the throes of dying. At the end of that play Willie Loman is finally buried, and Biff, the elder son, as he is leaving the cemetery with his mother, turns around and says to her, "Mom, you know the trouble with Dad was he had the wrong kind of dreams—he dreamed of success in terms of wealth, popularity, and prestige." These values may be indigenous with our society—they may be important—but it seems to me that we who know what it means to be Masons realize that there needs to be a call today—a challenge made to a moral greatness and our priorities ought to reflect that call to moral greatness.

Dr. Norman Vincent Peale of the Marble Collegiate Reformed Church in New York City told a very interesting story in Iowa when I was in that state a few years ago. He said one day Carl Erskine, who at that time was a baseball pitcher for the Brooklyn Dodgers, came to him quite disturbed. He said, "You know, Dr. Peale, the doctors tell me I am losing the effectiveness of my pitching arm. Can you do something for me?" And Dr. Peale said, "Well, Carl, I am just a minister—what can I do?" And Carl said, "Well, couldn't you pray for me?" And Carl Erskine was a very humble man, a very dedicated man, and listened as Dr. Peale prayed. And Dr. Peale said, "Lord, Carl Erskine is a baseball pitcher—this is all he has ever known, this is all he has ever done—he's losing the power of his pitching arm. Heal him. Amen." And before he could finish his prayer Carl Erskine said to Dr. Peale, "I wonder if I could not pray." Dr. Peale said, "Why, of course, Carl." And Carl said, "Lord, what Dr. Peale said is true. I am a baseball pitcher, and I am losing the effectiveness of my pitching arm, but, Lord, if you will show me your will and your way for my life, this is what I want to do. Amen." And Dr. Peale said, "You know, I think Carl prayed a better prayer that day because he did not pray selfishly nor arrogantly, but he prayed that somehow God's will would be done."

As I look at our society today, and after having gone through my experiences in Masonry, I would say to you, as I say to myself, that somehow in this day nations ought to be true to their sense of values and moral judgment to the point that they will be called to a sense of moral greatness. This I believe is what our society needs. This is what I believe that our youth today will respond to if we are willing to challenge them at the level of their idealism.

In the second place I would ask the question: "What are your motives?" "What is it that gives you the most excitement as a person?" "What is it within you that compels you to want to do something?"

The sociologists say there are four reasons why persons are called to certain levels of incentive: More money, recognition, achievements, and causes.

I believe that there is a fifth—and that is that we are motivated to serve. This is precisely, it seems to me, this brotherhood of which we are a part. We are called today to serve in whatever capacity that we might serve, to take that which we know to be philosophically sound, that which we know

to be reasonable, and attempt to put into action in every day relationships this degree of service to our fellow man.

All across the world tonight are the various problems that people are facing—we talk in America about poverty and certainly there may be pockets of poverty—we have our ghettos, we have our pollution problems. In Latin America the average annual income is \$300.00—fifty per cent of the boys and girls who finish elementary school in most cases will never enter a secondary school because the schools are not available for them to enter. Africa, one of the emerging nations in this latter third of the 20th century, has a very high illiteracy rate. Between 80 to 85 per cent of the Africans can neither read nor write. But the real tragedy, it seems to me, is in Calcutta. As you and I tonight enjoy the bounties of our society of this great America, in Calcutta there are 250,000 persons who will have no place to go tonight, or tomorrow morning, and tomorrow night, or even the tomorrows, except to spend their time on the city streets.

I say to you tonight that somehow we need to be challenged today, to recognize that in all parts of our country and in all parts of our world we need to serve—not that we give these people, but that we help them so that they in turn can help themselves. This I believe is my philosophy—whether it be in America or other parts of the world. I believe its the kind of philosophy that we need to put into action if we are to meet the needs of the people in our society in this latter third of the 20th century.

People are motivated for different reasons. It is said that when Mr. Disraeli became the Prime Minister of England, one of his colleagues came to him one day and said to Mr. Disraeli, "It is remarkable that you have become the Prime Minister of our country." And Mr. Disraeli rather cynically replied, "Yes, I have climbed the top of the greasy pole."

Later when Mr. Gladstone achieved the same prominent position of Prime Minister one of his colleagues made a similar observation and Mr. Gladstone rather humbly replied, "Yes, the Almighty seems to sustain and spare me for a purpose of his own."

I would ask you then, wherever you are, and whatever capacity that you are called to serve: "What are your motives?" As a member of Masonry, as a member of the United States Senate, the United States House of Representatives, or in your respective communities, it seems to me that in America today there is a need for us to be challenged beyond this level of mediocrity and commonplaceness to a time of moral greatness.

What are your values? What are your motives?

And third, and finally, the question I would ask you, as I ask myself, is the question: "Who are you?"

From the early days of childhood, you and I who are gathered in this banquet ballroom tonight, have been asked the question by a parent, by a relative, or by a friend, the question: "What are you going to be now that you have finished elementary school, or high school, or college?"

It seems to me that we have been asking premature questions and we have been getting premature answers. The question is not the question "What are you going to be?" But the most important question that we can ask the youth of our nation, and even ourselves, at this level of our development, is the question: "Who am I?"

In the Old Testament literature we find these very interesting and remarkable words, "God created man in His own image, breathed into man the breath of life, and man became a living soul—a living reality." God did not create puppets, or marionettes. But God created man in His own image, giving man a free will to choose among alternatives, and as man chooses he becomes like the

choices or decisions that he makes. This gives him dignity and words as a human being.

And yet in our time we have taken a quality of being and equated this with quantitative factors, for who in this audience tonight is not known more by number than by name?

We have zip code numbers, telephone numbers, license plate numbers, hunting license numbers, and IBM numbers. And yet it seems to me that what our youth are saying to us tonight is precisely this: "We do not want to be viewed as simply numbers, but rather as individuals, as human beings." And, I would hope that our Masonry will never lose the concern for the individual and for the human qualities of man, the dignity and word that every person ought to have.

This I believe is fundamental if we are to meet the needs of our Lodge, of our society, in the latter third of the 20th century.

Six years ago I had the privilege of representing the state of South Dakota at the meeting of the National Association of Manufacturers in New York City. We heard many excellent speakers on that occasion. On December 7 of that year we had as our luncheon speaker the former President of the United States, that great American, the late Dwight D. Eisenhower. Before Mr. Eisenhower was introduced to this august body of educators, business and industrial leaders from the United States, the West Point Glee Club, under the direction of Colin Kelly, III sang a medley and after they finished singing Mr. Eisenhower was presented to this distinguished body. He said to those of us who were there that day, "I am sure that young Kelly will not mind my saying this, but you will recall that it was his father who was one of the first aces to be killed following the attack on Pearl Harbor December 7, 1941."

He said it was understood that when young Kelly was eligible for a formal United States Military Academy appointment at West Point the President of the United States would make that recommendation. He said it was my privilege to be President when young Kelly was eligible for that appointment. He said, "I wrote him a letter and I said, 'Dear Mr. Kelly, it is a privilege to recommend you for an appointment to the United States Military Academy at West Point.'" He said, "A short time later I received a special delivery letter from young Kelly, and he said, 'Dear Mr. President, I thank you for your letter and your recommendation to the United States Military Academy at West Point, but, Sir, in all fairness to myself and to my country I would like to receive an appointment on the basis of my own merits.'" Mr. Eisenhower said, "young Kelly's response epitomizes the faith, hope, and courage of the American people."

If you and I, who are here tonight, with inquiring minds, can develop a sense of values and priorities, if we can be motivated not only to achieve in a secular sense, but in terms of our own dedicated service, if we can understand who we are as persons created by God in his image and his dignity—I believe that we too will represent the faith, hope, and courage, not only of the American people, but of all of free Masonry in North America and in the world.

THE DILEMMA OF THE DISTRICT TRIAL JUDGE IN PRETRIAL BAIL CASES

(Mr. NELSEN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include certain articles.)

Mr. NELSEN. Mr. Speaker, I shall include in full below the case decided August 20, 1969, by the U.S. Court of Appeals for the District of Columbia Circuit Court.

It illustrates perhaps better than any other persuasive argument that could be made the dilemma that the District of Columbia trial judge is placed in who sees the danger to the community in releasing individuals who jeopardize the safety of the community and yet is faced with the provisions of the Bail Reform Act of 1966 which, as interpreted by the circuit court, call for the release of such dangerous criminals.

It is also my belief that this case is an excellent example of why there is need for amendment of the Bail Reform Act of 1966, especially as it relates to the District of Columbia, so as to provide for pretrial detention in certain pretrial cases.

H.R. 16196, a bill to reorganize the courts of the District of Columbia, to revise the procedures for handling juveniles in the District of Columbia, to codify title 23 of the District of Columbia Code, and for other purposes, was reported out of the District of Columbia Committee recently and will be scheduled for floor action soon. The bill is also referred to occasionally as the District of Columbia omnibus crime bill of 1970, and is a comprehensive piece of legislation containing nearly 450 pages. Subchapter II of title II of the bill relates to "pretrial detention," an amendment of the law in the District of Columbia concerning bail which is sorely needed if we are to make the streets of this city safe for residents, tourists, and employees from the neighboring metropolitan area.

It is interesting to note that in capital cases the standard of "danger to any other person or to the community" was in the Bail Reform Act of 1966—18 U.S.C. 3148—and that traditionally Federal courts have had the authority to deny bail in capital cases—18 U.S.C. 3148. Yet the eighth amendment to the Constitution, which opponents of the pretrial detention portions of the District of Columbia omnibus crime bill point to as their basis for objection, says nothing about discriminating between capital and noncapital cases for bail.

The pretrial detention portion of the District of Columbia omnibus crime bill contains the provisions for detaining individuals where safety of the community is endangered by release, and where it appears that a person charged with a violent crime may be a drug addict.

The need for legislative reform in this area is perhaps best illustrated by a short recitation of the law as it is and as interpreted by the local U.S. circuit court—see the reprint of the Alston case following my remarks.

The Bail Reform Act of 1966—18 U.S.C. 3146-3152—provides in pertinent part in 18 U.S.C., section 3146(a) as follows:

Any person charged with an offense, other than an offense punishable by death, shall, at his appearance before a judicial officer, be ordered released pending trial . . . unless the [judicial] officer determines, in the exercise of his discretion, that such release will not reasonably assure the appearance of the person as required. (Bracketed material supplied).

I believe it is important for the Members of Congress to know how the Bail Reform Act is being interpreted in the U.S. circuit court and for that reason I

include the Alston decision in full in the RECORD:

[U.S. Court of Appeals for the District of Columbia Circuit, No. 23,102]

UNITED STATES OF AMERICA v. DAMON ALSTON, JR., APPELLANT.

APPEAL FROM AN ORDER OF THE DISTRICT COURT DENYING A MOTION TO AMEND THE CONDITIONS OF PRE-TRIAL BAIL
Decided: August 20, 1969.

On Appellant's Motion to Reconsider this Court's Order of June 19, 1969, and Release the Appellant on his Personal Recognizance. Before: BAZELON, Chief Judge, and LEVENTHAL, Circuit Judge, in Chambers.

PER CURIAM: This is the second time that this case is before us. On December 16, 1967, appellant was accused of armed robbery and jailed to await trial. Bail was set at \$5,000, and appellant, an indigent, has been unable to produce the \$280 necessary for a \$5,000 bond. He asked the District Court to reduce the bond and establish nonfinancial conditions of bail to assure his presence when required. The District Court refused, and the accused appealed to this court.

We remanded the case to the District Court for further consideration in light of our recent decision in *United States v. Leathers*, No. 22,816 (April 17, 1969). In our order we directed the District Judge to do three things:

1. To reconsider his ruling in light of offers of Bonabond and appellant's former employer for employment upon release, in light of appellant's opportunity to reside at the Shaw Residence House, and in light of the appellant's opportunity to enroll with the Alcoholic Rehabilitation Clinic.

2. To explain why nonfinancial conditions would be inadequate, if the District Judge should conclude that they were.

3. To report on appellant's inability to meet the \$5,000 bond, if the District Judge should conclude that financial conditions were necessary, and to explain why financial conditions would be superior to nonfinancial conditions.

The District Court's failure to comply adequately with our directive¹ moves us, reluctantly, to reverse and to establish our own conditions for release.²

The Bail Reform Act of 1966³ provides for pretrial release, even of persons who are not model citizens, if there is reasonable assurance that the accused will appear when required.⁴ The law requires reasonable assurance but does not demand absolute certainty, which would be only a disguised way of compelling commitment in advance of judgment. To set \$5000 bail for this appellant, who is indigent, is also merely another way of compelling pretrial commitment. We think the mandate of the law requires his release, because of the several factors which indicate that there is reasonable assurance that appellant will appear for trial if he is released subject to nonfinancial conditions of supervision.

Appellant is a resident of the District of Columbia and has been for 28 years, since he was a child. He has been assured of entry into the Shaw Residence if released. Bonabond would obtain employment for him and sponsor him, and his old employer has offered to take him back—with a raise. The director of the Alcoholic Rehabilitation Clinic at 14th and Q, where the accused was enrolled when his arrest took place, has stated that the accused may re-enroll upon his release. The D.C. Parole Board will not revoke the accused's parole from an earlier offense if he is released on bail and required to stay at the Shaw Residence. The Offender Rehabilitation project has worked out a plan of release, and the Bail Agency has recommended release to a suitable custodian.

The District Court, in its memorandum, dealt only briefly with the items mentioned

above, and instead concentrated on other factors, such as the accused's prior convictions. These convictions are relevant under the Bail Reform Act of 1966, 18 U.S.C. §§ 3146-52 (Supp. IV, 1965-1968), to the extent that they bear on the likelihood of his appearance in court when required. It is not the purpose of the bail system either to punish an accused again for his past crimes, or to punish him in advance for crimes he has not yet been shown to have committed. Past crimes would be material if proceedings incident thereto showed an accused had violated conditions of a bail or release order. The prosecutor makes no such claim here.

A District Court cannot fairly take past convictions into account, as showing tendency to flight, unless he at least makes inquiry whether in the prior proceedings the accused had failed to comply with bail, release, or other orders. The statute requires that the court take into account the accused's "record of appearance at court proceedings or of flight to avoid prosecution or failure to appear at court proceedings." See *Wood v. United States*, — U.S.App.D.C.—391 F.2d 981, 984 (1968): "We do not think that under the Bail Reform Act a determination that money bail is required is appropriate unless the court at least ascertains the conduct of defendant when previously released on conditions, and whether the defendant previously abided by conditions imposed on him in prior proceedings. Consistent appearance when flight is possible is an important indicator of whether a defendant is likely to appear once again. . . . While appellant's record is by no means felicitous, it may be that he poses little risk of flight."

We are disturbed by the reference of the District Judge to the possibility of a life sentence under 22 D.C. Code 3202 (Supp. II, 1967-1969). The length of the sentence to which the accused is subject is relevant in determining the conditions of bail; the prospect of a long imprisonment certainly reduces the probability that a suspect will remain in the jurisdiction. But this must be taken into account as part of a balanced judgment, and that judgment is diluted when a judge refers to the possibility of a life sentence for armed robbery. In modern times, at least, a life sentence for robbery, even armed robbery, occurs so rarely as to be fairly described as a transparent rather than substantial consideration.

The District Court also referred to the "brazen act perpetrated in the instant case." This was a determination on an issue that was not noticed for hearing, a finding based solely on the claimed testimony of prosecution witnesses. No one may be confined on the ground that he has committed an offense when the determination is void of the protections that are the essentials of Anglo-American jurisprudence.

It is true, of course, that 18 U.S.C. § 3146 (b) requires the court to take into account "the nature and circumstances of the offense charged [and] the weight of the evidence against the accused," but the statute neither requires nor permits a pretrial determination that the defendant is guilty. It is important to observe rather than obliterate the fundamental precepts of our jurisprudence. This is not merely a matter of the proprieties, though that is itself not unimportant for judicial actions. If one bears in mind that one is examining only the evidence against the accused, for purposes of considering prospect of flight, one is more likely to guard against the impermissible course of reaching some kind of partial determination of guilt and of beginning what is in substance a mandate of punishment.

II

The real dispute in this case is not over whether or not the accused should be admitted to bail; it is what the terms and conditions of bail should be. The District

Court, in its more recent memorandum, stated that "[i]f anything could detain him [the accused], it would be the forfeiture of bond money." The District Court did not otherwise respond to our request to be advised of its basis for concluding that money bail would better insure appearance for trial than nonfinancial conditions. This bare assertion runs the risk of holding a pauper without any bail because he lacks the funds to make money bail. We conclude that the mandate and intent of Congress require use of the wide variety of techniques available to provide reasonable assurance that the accused will present himself when required. Our form of order attached sets forth a program which combines financial and nonfinancial conditions in a manner that we think fulfills the fundamental policies of the statutory system for bail. We remand to the District Court to enter a specific order, not inconsistent with this opinion, filling in blanks, and inserting additional conditions as it may be advised.

ORDER

Ordered by the court that appellant shall be released on his personal recognizance on the following conditions:

1. Upon the representation of counsel that appellant Alston has obtained regular employment within the Washington Metropolitan Area, he shall be released.

2. Appellant's employer shall report immediately to _____ upon appellant's failure to present himself for work at the proper time, and _____ shall report that failure to counsel "or the United States, counsel for appellant, and the Criminal Clerk's Office of the United States District Court for the District of Columbia.

3. Appellant shall re-enroll in the Alcoholic Rehabilitation Clinic, at 14th and Q Streets, N.W., and participate in a satisfactory manner in the prescribed program.

4. Appellant shall reside at the Shaw Residence, 1770 Park Road, N.W.

5. An appropriate official of the Shaw Residence is to report immediately to _____ upon appellant's failure to return to the residence by curfew time, or upon appellant's failure to abide satisfactorily by the rules and regulations of the Shaw Residence. The District Court shall, upon advice of counsel, determine the appropriate Shaw Residence official.

6. Appellant shall not leave the Washington Metropolitan Area, and shall not leave the District of Columbia except as his employment may necessitate, without the permission of the District Court.

7. Every pay period, appellant shall deposit 10% of his net earnings, unless and until this sum reaches \$500, with the Clerk of the District Court as security for his appearance, to be returned in full when appellant appears for trial, or to be forfeited in whole or in part, as directed by the District Court, should he fail to appear. Permissible variation: The sums shall be deposited with counsel, instead of the Clerk, who shall hold them subject to order of the District Court, but if the sum reaches \$500, counsel shall transfer forthwith to the Clerk. If appellant should violate the terms of his release before such deposit is made, that portion which has already been deposited with his attorney shall be forfeited. Appellant shall remain subject to all criminal penalties, including fines, for failure to fulfill the conditions of his release.

8. Appellant shall sign a statement indicating his understanding of the conditions set forth above and promising his compliance with them.

FOOTNOTES

¹ The District Court's Memorandum is set out in full below:

"This memorandum is written pursuant to the remand order of the United States Court of Appeals, filed in this Court on June 19, 1969, and is supplementary to this Court's

memorandum of May 14, 1969. The facts are again recited as follows:

"The defendant is charged with armed robbery, robbery, assault with a dangerous weapon, and carrying a dangerous weapon, and he is being held on a bail of \$5,000.

"The United States Attorney has informed the Court that the defendant and co-defendant approached the driver of a beer distributing truck as he stopped at an intersection, and defendant Alston called out that he wished a ride, meanwhile opening the truck door. He then demanded the driver's money while the co-defendant pointed a gun at the driver. The driver handed the money to defendant Alston, who, in turn, handed it to the co-defendant and then Alston proceeded to reach in the driver's pocket and took his wallet, after which he said to the gunman, "Shoot him". The co-defendant remonstrated and the two turned to leave the scene. They had been observed from a distance of less than 50' by two police officers, who immediately arrested them and all the money was recovered.

"The defendant was on parole at the time he was arrested, and if convicted, the parole is likely to be revoked. He could be sentenced for life on this case.

"The Court considered in the first instance, and has now reconsidered, the offer of Bonobond to supervise the defendant, of his former employer to rehire him, of the Shaw Residence House to house him, and of the Alcoholic Rehabilitation Clinic to receive him for rehabilitative treatment. None of these agencies can assure the Court that the defendant would not flee once he is released from incarceration. When released, he would have freedom to travel to and from the places of his residence and employment. There would be no constant supervision of him, and once he is permitted to mingle among the populace, he is also able to roam about somewhat at will. Other than his promise, the restraint placed on him is minimal in the proposed offers, and his past conduct does not reveal a person whose character is that of a man bound by a promise.

"Counsel for the defendant states that the defendant is unable to meet the \$5,000 bail set, so that he cannot afford a monetary bond.

"The order of remand requires that this Court advise the appellate court why a "money bond, if available, would be more effective in minimizing the risk of flight than the non-financial conditions of release proposed".

"This defendant has pursued a criminal career since 1957 and has been convicted seven times. Considering such a course of conduct and also considering the brazen act perpetrated in the instant case, it is this Court's opinion that no reliance could be put on his promise to adhere to the non-financial conditions of release. If anything could detain him, it would be the forfeiture of bond money, for this Court knows of no other way, except incarceration, which would be a restraint on him."

This Court's order of May 14, 1969, will stand.

² Because of the length of time that appellant has already spent in jail, and because the District Court has already once had the opportunity to consider the factors which we discuss in this opinion but has failed to do so (no report was provided, for example, on the appellant's inability to meet the \$5,000 bond, other than the memorandum's bare statement that counsel reported appellant's inability to pay), we think that it would be unfair and of little use to require appellant to remain jailed through a second remand.

³ 18 U.S.C. §§ 3146-52 (Supp. IV, 1965-1968).

⁴ 18 U.S.C. §§ 3146(a) provides in part:

"Any person charged with an offense, other than an offense punishable by death, shall, at his appearance before a judicial officer, be

ordered released pending trial . . . unless the [judicial] officer determines, in the exercise of his discretion, that such a release will not reasonably assure the appearance of the person as required." [Emphasis added.]

THE FAILURE OF "BAIL REFORM" IN NEW YORK CITY GIVES NEW YORKERS A TASTE OF WHAT HAS BEEN IMPOSED ON WASHINGTON, D.C., FOR 4 YEARS

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

Mr. NELSEN. Mr. Speaker, there are certain recent developments in New York City which ought to be called to the attention of the House.

I am informed that several weeks ago, Mayor John Lindsay issued a memorandum on the crowded conditions in the city's jails. The memorandum was interpreted by judges as an order to release felony defendants prior to trial whenever possible. As a result, one judge released on personal recognizance a holdup suspect who had been captured during the robbery of a shoe store. Another judge released on \$10 bond a defendant accused of beating a 50-year-old woman, robbing her of \$40, and sending her to the hospital with injuries. See reprinted below two reprints from the New York Daily News of February 26, 1970.

New Yorkers were shocked.

District Attorney Frank Hogan said he was "outraged." See reprint from New York Daily News dated February 27, 1970, entitled "Hit on Low Bail."

Brooklyn District Attorney Eugene Gold said he was "flabbergasted."

Edward Kiernan, president of New York's Patrolmen's Benevolent Association, said:

The misguided effort to relieve overcrowding in city jails by releasing dangerous criminals on low or no bail can quickly turn our streets into a shambles.

Police Commissioner Howard Leary said that—

Recidivism is and always will be a problem. But turning these criminals out into the streets within hours after arrest, with little or no bail set as a guarantee for return to trial, is almost begging for trouble.

The New York Daily News declared:

It's little wonder the prosecutors are hot under the collar. And if the public values its safety, it will send up a deafening howl against such judicial foolishness.

This outcry prompted a clarification from Mayor Lindsay. Through a spokesman the mayor said:

The mayor has asked that our courts review only the cases of those who, without danger to the community, might be released on bail in order to ease the severe overcrowding of the city correctional facilities. It has never been suggested that suspects involved in a serious crime and thought to be dangerous should be released under conditions that do not insure their appearance in court.

The point of this recital is very simple: The public indignation which followed the easy pretrial release of two dangerous defendants in New York parallels the anger of people in Washington. The difference is that, under the Bail Reform Act, easy pretrial release for noncapital

defendants has been the law in this city since 1966.

Not two but literally hundreds, perhaps thousands, of dangerous defendants have been released before trial in the Nation's Capital because the Bail Reform Act forbids local judges to consider danger to the community in setting conditions of pretrial release. This factor has contributed significantly to the unprecedented wave of crime in Washington.

Because of the serious problems which have resulted under the Bail Reform Act, the District Committee has proposed an amendment to the act to authorize the limited pretrial detention of dangerous defendants in the District of Columbia. We believe this legislation is fair and reasonable. We believe, for example, that it affords considerably more protection for the individual defendant than the bail legislation in New York. In that State, since colonial times, bail has been discretionary in all felonies—see N.Y. Code Crim. Proc. §§ 552, 553.

Thus, courts in New York are permitted to deny bail in serious cases. See reference to David Critchlow in newspaper excerpt reprinted below dated March 2, 1970.

Another device is to set bail at a prohibitive figure, thereby effecting detention. Two recent narcotics cases in New York illustrate this point. See two excerpts from the New York Daily News, one dated February 14, 1970, and one dated March 2, 1970, reprinted below.

This device is not countenanced in the District of Columbia because it inevitably discriminates against the poor. Yet danger to the community cannot be used to retain defendants either.

Mr. Speaker, people in the District of Columbia are just the same as people in New York. They are justifiably uncomfortable and fearful when dangerous men are released prior to trial. They do not particularly like to be robbed or raped or assaulted by defendants loose on bail.

This House has the responsibility of doing its utmost to protect citizens in the Nation's Capital. That is why the District Committee, after careful deliberation, voted its endorsement of pretrial detention.

I quote in full four articles and one editorial from the New York Daily News, and ask unanimous consent to have them printed below:

[From the New York Daily News, Feb. 26, 1970]

DAs RAP LOW BAIL IN FELONIES "TO EASE JAILS"

(By William Frederic and Joseph McNamara)

Top law enforcement officials in the city yesterday blasted the release of alleged felons in little or no bail, following Mayor Lindsay's edict of last week aimed at easing the crowding of jails.

District Attorney Hogan said he was "outraged" by a Manhattan Criminal Court judge's releasing in his own recognizance a suspect seized while holding up an East Side shoe store with two guns. After his release, the suspect asked the property clerk for return of the two pistols, Hogan declared. He did not get them.

Brooklyn District Attorney Eugene Gold said he was "flabbergasted" by the release in \$10 bail of a suspect accused of severely

beating a 50-year-old woman and robbing her of \$40. The woman was hospitalized.

Protests came also from Edward J. Kiernan, president of the city's Patrolmen's Benevolent Association, and Joseph Balzano, president of the Housing Authority's PBA. Both Kiernan and Balzano said there are indications that the cases cited by the DAs are not isolated ones.

"The men are skeptical, frustrated and disgusted with the way the courts are turning out men who have committed heinous crimes, felonies, with little bail or on parole in their own recognizance," said Balzano.

He said he believes the judges have misinterpreted the mandate of the mayor.

Said Kiernan: "The misguided effort to relieve overcrowding in city jails by releasing dangerous criminals on low or no bail can quickly turn our streets into a shambles."

He said there have been many instances in recent days that "make a mockery of police protection."

"MAY REQUIRE BARRICADES"

"Unless this dangerous practice is stopped," Kiernan stated, "New Yorkers will have lost their only defense against rampant crime, and decent citizens will have no choice but to barricade themselves in their houses."

Late in the day, Mayor Lindsay issued a statement clarifying his position. Through a spokesman he said:

"The mayor has asked that our courts review only the cases of those who, without danger to the community, might be released on bail in order to ease the severe overcrowding of the city correctional facilities.

"It has never been suggested that suspects involved in a serious crime and thought to be dangerous should be released under condition that do not insure their appearance in court."

District Attorney Gold, speaking of the "willy-nilly release without bail or in low bail," said that "by no means can anyone believe that \$50 or \$10 is going to stop anyone from running away, especially in case of a felony."

COPS SAW HOLDUP IN PROGRESS

In the holdup of the shoe store, Wise's, at 767 Lexington Ave., two radio cops of E. 67th St. station saw the heist in progress. One entered from the front, the other the rear, with guns drawn. The suspect reportedly faced off one patrolman until he realized the second had the drop on him.

In this case, the assistant DA asked the court for bail of \$20,000. Instead, the suspect was freed without bail on grounds that he had roots in the community.

Hogan said the only determining of "roots" was a phone call to ascertain that the man lived where he said he did.

[From the New York Daily News, Feb. 27, 1970]

"OUTRAGED" AND "FLABBERGASTED"

"Outraged" and "flabbergasted"—were two of the choicer terms used by local district attorneys in reaction to the super-lenient courts are showing in setting bail for suspected felons.

Low bail or no bail has become the rule since the judges agreed last week—at Mayor John V. Lindsay's urging—to reexamine bond requirements in an effort to relieve overcrowding in the city's jails.

Lindsay and the judges are now at odds over who should take the blame for giving desperadoes the run of the city regardless of how grave the charges against them.

Brooklyn District Attorney Eugene Gold tells of a thug who robbed a woman and beat her so severely she was hospitalized. The man was set free on \$10 bond.

But Manhattan DA Frank Hogan can top that. A two-gun bandit caught red-handed in a midtown holdup was released without bail by a kindly judge.

It's little wonder the prosecutors are hot under the collar. And if the public values its safety, it will send up a deafening howl against such judicial foolishness.

[From the New York Daily News, Feb. 27, 1970]

HIT ON LOW BAIL, JUDGES RAP "TURNSTILE" JUSTICE

(By William Federici)

Angered over an attack by top law enforcement officials for the release of two felony suspects in little or no bail, two Criminal Court judges lashed back yesterday—not at their critics but at "turnstile" justice.

Brooklyn Criminal Court Judge Charles T. Drago denied any misinterpretation of over-reaction to Mayor Lindsay's edict last week, aimed at easing the critical overcrowded conditions of the city jail, when he released a robbery suspect in \$10 bail.

"I was following an edict and a memorandum," Drago said. "I was following the pleas of the wardens of our jails and the Correction Department. Everybody is right, but we are fast approaching a time of turnstile judges. And the judge ends up holding the bag."

ADMITS IT WAS A RISK

"It was a risk, the \$10 bail, I admit," Judge Drago said. But I have every reason to believe he will be here for trial. It was important for me to bring this situation to the public's attention.

The judge, who was appointed to the bench in January 1969, complained that "everyone is right. The mayor, the district attorneys, the police and the jailkeepers. But they are all pulling in different directions. I don't like the idea of a felon walking the streets either."

In Manhattan, Judge William Suglia—severely criticized for releasing a prisoner in his own custody in an armed robbery case, also defended his position and lashed out at the court system.

"I HAVEN'T A NICKEL"

Judge Suglia maintained: "I received a memo from Judge (Edward) Dudley (the administrative judge) explaining the mayor's edict and the crisis in our jails. They played an important part in my setting this man free. When I asked how much bail he could make, he said: 'I haven't a nickel.'"

Suglia also explained that despite a suggestion from the district attorney's office that bail of \$20,000 be set, "the parole report indicated this man had deep roots in the community and recommended parole pending trial."

Wryly, the judge remarked, "If I hadn't followed the recommendation, my instructions call for a detail report as to why."

Even as the judges defended their positions, Police Commissioner Howard Leary spoke out on the crisis. "Recidivism is and always will be a problem. But turning these criminals out into the streets within hours after arrest, with little or no bail set as a guarantee of return for trial, is almost begging for trouble."

ASKS "END OF FOOLISHNESS"

The commissioner said he was fully aware of the overcrowded jails but demanded "an end to the foolishness of allowing felons to walk the streets because we don't have room in the jails."

Protests continued to pour into the offices of Joseph Balzano, president of the Housing Authority Patrolmen's Benevolent Association, and city PBA president, Edward Kiernan. Both expressed strong opposition to the judge's actions.

Balzano protested yesterday: "The men want the problem solved. The prisoners are walking out faster than the police are."

Kiernan expressed similar thoughts.

The mayor has maintained he asked only "that our courts review only the cases of those, who, without danger to the community, might be released on bail in order to ease the severe overcrowding of the city jails. It has never been suggested that suspects involved in serious crimes, thought to be dangerous, be released under conditions that do not insure their appearance in court."

[From the New York Daily News, Feb. 14, 1970]

COPS NET \$9 MILLION IN NARCOTICS—TWO ARE HELD IN \$250,000 BAIL

(By Gerald Kessler and Arthur Mulligan)

Two of three men arrested in one of the biggest seizures of narcotics in U.S. history—\$9,150,000 worth on the illicit market—were held in \$250,000 bail each in Queens Criminal Court yesterday at the urging of Queens District Attorney Thomas J. Mackell. The third suspect was held in \$10,000 bail in Manhattan Criminal Court.

Mackell, making his first personal appearance at an arraignment since he took office in January of 1967, told Judge Neal P. Rottiglieri the arrests were part of a continuing investigation of an international narcotics ring and that he feared the two defendants would jump bail if it were fixed at a lesser amount.

SUSPECT WANTED BY FEDS

He said one of the suspects, Rafael Martinez, 38, of 80-15 41st Ave., Elmhurst, Queens, was a Cuban national who was also wanted by federal authorities.

Mackell said the other man, James Cohen, 37, of 42-25 80th St., Elmhurst, was a naturalized citizen who came to this country 11 years ago from Argentina and was reputed to be one of the leaders of an international dope ring.

HEARING IS SCHEDULED

Bottiglieri granted the district attorney's request for the high bail and set a hearing date of Feb. 27.

The third suspect, meanwhile, was arraigned in Manhattan before Judge William F. Suglia and held in \$10,000 bail for a hearing March 3. He was Frank Hughes, 56, of 274 W. Kinney St., Newark, said by police to be a top dope supplier for the Newark area.

PREDICTS DOPE PANIC

Mackell said that the dope seizure, \$5.4 million worth of pure heroin and \$3,750,000 worth of pure cocaine, would start a panic among addicts and send the price of the drugs spiraling.

The arrests were made Thursday night by police of the special investigation unit, headed by Detectives Douglas Reid and Mario Martinez, and federal narcotics agents.

Hughes was arrested as he left an apartment rented by Cohen at 301 W. 45th St., Manhattan. Police said Hughes was in possession of 1.1 pounds of heroin and Cohen, who was in the apartment, was carrying \$7,400 in cash, proceeds of a sale he had just made to Hughes.

HEROIN FROM FRANCE

At Cohen's Elmhurst apartment, where he lives with a common-law wife and three children, according to police, the cops said they found 18.7 pounds of heroin in a suitcase.

In Martinez' apartment, police said they found 11 pounds of cocaine in a black attache case. Martinez also had \$3,500 in cash.

Mackell said that the heroin originated in France and had been shipped to this country via Argentina. He said he believed most of it had been shipped through Kennedy Airport.

Earlier this week Attorney General John Mitchell said that a major U.S. airport was controlled by mobs and heavily involved in crime. He did not name the airport but it was widely speculated that he meant Kennedy Airport.

[From the New York Daily News, Mar. 2, 1970]

FIVE DOPE RING SUSPECTS SLAMMED WITH \$1.5 MILLION BAIL

(By Robert Kappstatter and Edward Benes)

Five alleged members of a narcotics ring were held in the staggering total of \$1.5 million bail yesterday by Bronx Criminal Court Judge Louis Fusco, who said "the possession of a large quantity of narcotics is just as bad as killing and, based on the allegations here, the amount seized is more than sufficient to kill."

The suspects were collared in two raids Saturday night by detectives of the special police narcotics investigating unit operating in the Bronx. The cops seized an estimated 24 pounds of heroin and cocaine with a retail value of \$10 million.

Armed with "no-knock" warrants, the cops raided a private residence at 466 E. 136th St. and a store at 816 E. 149th St., which specializes in selling "spiritual and religious" articles to Spanish-speaking people.

WOMAN ARRESTED

In the house, the cops arrested Maria I. Tearson, 29, and said they uncovered five kilos of heroin and about 5,000 envelopes ready for sale.

Fusco held her in \$500,000 bail for a hearing Thursday. Four arrested in or near the store were held in \$250,000 bail each for a hearing the same day.

They were Louis Mangual, 30, of 898 Thompson Dr., Bay Shore, L.I.; Jose Carrion, 40, of 2009 Turnbull Ave., Amado Sanchez, 28, of 530 Tinton Ave., and Rinaldo Maristany, 29, of 84 W. 176th St., all Bronx. A sixth defendant, David Critchlow, 40, of 279 Hancock St., Brooklyn, was held without bail because of a long previous record.

In the store, known as "botanica," police said they found five more kilos of heroin and cocaine and about 6,000 glassine envelopes ready for distribution.

Assemblyman Manuel Ramos (D-Bronx) described a "botanica" as a place where Spanish-speaking people, especially natives of Haiti and the West Indies, go for peace of mind when something bothers them. He said there are four or five such stores in his assembly district.

One of those arrested, Carrion, is known as a "priest" to those who believe in voodoo. "If this ring was preying on the people who went there for spiritual guidance, then this is one of the most despicable, heinous crimes I've ever heard of," Ramos said.

TRIBUTE TO CONGRESSMAN JAMES KEE

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

Mr. SLACK. Mr. Speaker, last evening I attended a reception and tribute in honor of our dedicated and hard-working colleague from the Fifth West Virginia District, Congressman JAMES KEE. The assembled group included our Speaker, the majority leader, Mr. ALBERT, the majority whip, Mr. Boggs, numerous Members of the Congress, the new Democratic National Chairman Larry O'Brien, and a strong representation from the business and organized labor community.

My friend JIM KEE is unique among those of us who serve in the House. I believe he is the only Member serving today, and perhaps the only Member in our history who is the son of a Congressman and a Congresswoman, and who has then himself gone on to be elected. The continuous service of the Kee family in Congress goes back over a period of more

than 30 years, through depression and war and postwar expansion. The problems faced by Congress during those years have been almost infinite, but whatever the nature of any problem, the people of the Fifth West Virginia District have enjoyed devoted and knowledgeable service and representation for their interests.

I was greatly pleased to note the way in which that record of service was recognized by the assembled group last evening. The tribute was both fitting and highly deserved.

LEGISLATIVE PROGRAM FOR THE BALANCE OF THIS WEEK AND FOR NEXT WEEK

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

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

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

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

Mr. ALBERT. Mr. Speaker, in response to the gentleman's inquiry, we will adjourn over upon the completion of the program for today. There is no legislative program in order unless one resolution might be called up from the Committee on House Administration by the gentleman from Maryland (Mr. FRIEDEL). I do not know at this moment whether the gentleman from Maryland plans to call it up.

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

Monday we will have the call of the Consent Calendar, and there are six suspensions as follows:

H.R. 15143, to provide the grade of lieutenant general for the Chief of the National Guard Bureau;

H.R. 1187, to amend Cape Cod National Seashore Act;

H.R. 14896, to amend the act establishing a program for the preservation of historic properties;

H.R. 15689, to increase the authorization for the Missouri River Basin;

H.R. 15700, to authorize appropriations for the saline water conversion program; and

S. 743, to authorize the Touchet division, Walla Walla project, Oregon-Washington.

Tuesday we will have the call of the Private Calendar.

Also on Tuesday there will be the consideration of H.R. 15694, the Coast Guard authorization for fiscal year 1971, under an open rule with 1 hour of general debate; and

S. 858, the Tulalake area Durum wheat allotments, under an open rule with 1 hour of general debate.

For Wednesday and the balance of the week:

S. 952, to provide for the appointment of additional district judges, subject to a rule being granted;

H.R. 15728, to authorize the extension

of certain naval vessel loans, under an open rule with 1 hour of general debate; H.R. 16196, District of Columbia Reform and Criminal Procedure Act of 1970, subject to a rule being granted; and

H.R. 15628, Foreign Military Sales Act Amendments, subject to a rule being granted.

As I have indicated, we have listed these last four bills for Wednesday and the balance of the week. I would advise that there may be an adjustment in the order in which they are called up, as some of the committees are presently in discussion as to which of the bills might be called up first.

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

Mr. Speaker, I might also advise that an important conference report on H.R. 6543, concerning cigarette smoking, from the Committee on Interstate and Foreign Commerce, will be called up next week. I am not sure of the date as yet, but it will be called up either Tuesday, Wednesday, or Thursday of next week.

ADJOURNMENT TO MONDAY, MARCH 16

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

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

There was no objection.

PERMISSION FOR COMMITTEE ON THE DISTRICT OF COLUMBIA TO HAVE UNTIL MIDNIGHT, MARCH 13, TO FILE A REPORT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on the District of Columbia may have until midnight, Friday, March 13, to file a report.

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

There was no objection.

DISPENSING WITH BUSINESS IN ORDER UNDER THE CALENDAR, WEDNESDAY RULE ON WEDNESDAY NEXT

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

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

There was no objection.

FAILURE OF REPUBLICAN ECONOMIC POLICIES

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

Mr. ALBERT. Mr. Speaker, the Commerce Department-SEC survey of pro-

jected business investment in new plant and equipment released yesterday is dramatic evidence of the utter failure of the administration's so-called anti-inflation policy. Spending by big business has been a prime cause of our current rampant inflation. The administration's prescription for curing that inflation, tight money and high-interest rates, has now been proven incapable of coping with this inflationary engine. Large semimonopolistic corporations are all but immune from the effects of restrictive monetary policy. Because of their gigantic internal financial resources and the advantageous relationship they enjoy with the large banks, they are virtually free to expand at will. In sharp contrast, tight money chokes off small business, housing construction, and raises havoc with the efforts of local governments to raise the capital necessary for the expansion of much needed public facilities. The depression forced on the home construction industry during the past year is the most vivid illustration of the gross inequity inherent in the tight-money, high-interest rate policy.

Mr. Speaker, I call upon the administration to put an end to its primitive economic bloodletting. As the medical profession has long since abandoned the practice of bleeding a patient to death, so to has modern economics developed definitive cures for different strains of the inflationary virus. Let the President release the shackles of economic restraint from this Nation's homebuilding industry so we may attain our long established goal of a decent home in a suitable living environment for all our citizenry. Let him remove those letters which are denying needed credit to small business. If he does not, the only result can be a further concentration of economic power in the hands of fewer and fewer giant corporations. Let him act to make available the funds which our local governments direly need to build the schools, sewage treatment plants, mass transit, and other community facilities mandatory to make existence livable in our increasingly urban society.

Let the President then take those steps which he alone can do to apply the proper antitoxin to our present inflationary malady. First, he should utilize the authority which this Congress gave him last year to establish credit controls. The utilization of this authority would enable us to allocate available credit to areas of high national priority such as low- and moderate-income housing and badly needed modernized public facilities. Second, I again call upon the President to invoke the great symbolic and moral power of the Presidency, to be in effect the consumer's chief advocate, against the price raising policies of the large semimonopolistic corporations. During the administrations of Presidents Kennedy and Johnson, these giants were all on notice that the jacking up of prices was in disfavor at the White House. Because of this, they were under strong constraint to curb their greed. President Nixon by way of contrast has disclaimed the role of the public's guardian against consumer exploitation. Quite the con-

trary, he has given the monopolists a green light to raise prices. As a result the cost of living has skyrocketed by over 6 percent during the past year.

OCEANOGRAPHY

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

Mr. ROGERS of Florida. Mr. Speaker, more than a year ago a distinguished panel of outstanding authorities under the chairmanship of Dr. Julius Stratton, submitted a study on this Nation's involvement in oceanography and recommended that we increase our activities because of the vast resources which we would receive from exploring and exploiting our marine environment.

But instead of action, we have seen various spokesmen for the administration call for more studies, more reports, and less activity. In fact, we have seen various departments maneuver to bolster their marine involvement because they know that the oceans will soon play an important part in this Nation's economic, social, technical, and military picture.

The committee headed by Dr. Stratton recommended a single ocean agency—the National Oceanic and Atmospheric Agency—NOAA—to combine our efforts from its now splintered framework. But instead of proceeding along these lines, another study was called for and the existence of mini-NOAA's was preserved, each of more than 20 departments and agencies keeping their own ocean programs.

Secretary of the Interior Hickel, according to testimony, is against the NOAA concept. Indeed, his department has pushed hard for as much control of ocean-related programs as is possible. And Dr. Lee DuBridge, the President's Science Adviser and the man who is overseeing the Ash Committee, which is conducting studies, does not appear to be at all enthused with the concept of a NOAA.

But according to a Washington Post editorial, neither has read Dr. Stratton's report: "Our Nation and the Sea."

This is a perfect example of how Government bureaucracy and departmental fiefdoms are maintained to the exception of the best interests of this Nation.

And according to the Post editorial, Dr. DuBridge, has stated that he feels the ocean is not being polluted, "except in very local areas."

I find this statement startling on its face and doubly so for a man of science to espouse such a statement. This would appear another of DuBridge's making a statement without reading a few reports.

For instance, we have seen reports that Cuba is dumping as much as 100,000 gallons of raw sewage into the Gulf Stream each day. This, of course, travels right up the Gulf Stream along the Eastern Seaboard. And if more evidence is needed, I would call to Dr. DuBridge's attention the "dead area" around New York and New Jersey in the Atlantic Ocean where sludge has been dumped. And I think that if he studies reports

of ocean outfalls in just the States of Florida, California, New Jersey and New York, he will find ample examples of ocean pollution, not to mention hundreds of oil spills which have resulted in the pollution of beaches and ports on both coasts.

Indeed, it would appear that in addition to his obvious built-in prejudice against this Nation's need for increased ocean activity, he also refuses to recognize the need for an immediate program to halt ocean pollution.

Unfortunately, this entire matter points to the administration's apparent lack of foresight and enthusiasm for a unified and effective national ocean program.

I would certainly hope that both Secretary Hickel and Dr. DuBridge would take the time to read the report compiled by the Stratton committee. This would lend some credence to any statements they would make on this very important subject. Thus far, Dr. DuBridge's record in the area of marine science and ocean pollution is unbelievably poor and unimaginative. And it is most disconcerting to think that the President depends on his recommendations in this field.

At this time, I would like to submit for the RECORD, the editorial from the March 8 edition of the Washington Post:

MUD IN THE WATERS

If Interior Secretary Walter Hickel is any indication of the administration's attitude on marine affairs, then the future of American oceanic programs is even worse than already imagined. Last week, Mr. Hickel, in testimony before the Senate Commerce subcommittee on oceanography, opposed a bill to establish the National Oceanic and Atmospheric Agency, NOAA, widely supported by informed oceanists and expressly recommended by the congressionally prompted Commission on Marine Science, Engineering and Technology, would pull together such ocean and water programs as the Coast Guard, the Environmental Science Services Administration, the Sea Grant College Program and other agencies. Despite the damage it would do to countless princes, knights and dukes in some bureaucracies, NOAA is essential if this nation is to have a comprehensive and long range program of research, development, technical services, exploration and use of our marine and atmospheric environment.

The astonishing part of Secretary Hickel's testimony before Sen. Ernest Hollings' subcommittee involved the commission's well-known and widely distributed report, "Our Nation and the Sea," which recommended NOAA in the first place. Pressed by Senator Hollings, Mr. Hickel admitted he had not even read the report. Were it not for Senator Hollings being a mild man, who is more dismayed than angered by bureaucratic indifference, the Secretary might easily have been shown to be more inept than he actually seemed. The White House science adviser, Lee DuBridge, was not much more help under questioning; not only did he admit that he had not read the report, but he expressed the incredible opinion that the ocean is not being polluted, "except in very local areas."

Obviously, Secretary Hickel and Dr. DuBridge have not done their homework and there is nothing unique about this; public officials, like everyone else, must grapple with priorities. The danger is that the wisdom and guidance of informed men like Julius A. Stratton, John H. Perry, and hundreds of others in marine science who support NOAA, will be lost in the bureaucratic shuffling.

THE SENSELESS BOMBINGS IN NEW YORK

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

Mr. PUCINSKI. Mr. Speaker, the senseless bombing of three buildings in New York last night, the continuing brutal attacks on individual citizens and the alarming rise in crimes of violence all over America, should call our attention to the fact that there is a growing problem of mental health which must be dealt with on a crash basis by Congress.

I am sure that when the person responsible for the bombings in New York last night is apprehended, we will find that it is a sick and demented mind that would lead a person to commit the kind of attack on those buildings and the people in them.

It appears to me as we discuss priorities for our Nation, we ought to put the growing problem of mental health on the very top of the list.

I share the deep concern about pollution, and I share the deep concern about all of the other problems besetting our country. But I am most deeply concerned with the recent National Institute of Mental Health report which shows that three out of 10 Americans suffer from some form of emotional instability to a lesser or greater degree. When you talk about figures of "three out of 10" that does not startle you. But when you take a nation of 210 million people and recognize that some 70 million people have an emotional problem that needs help and attention, then indeed we can say that mental health becomes one of the most serious problems of our society.

I am very concerned about a recent statement made by Charles Lindberg when he asked:

Why is it that since intellect has gained dominance over instinct, man has become the most destructive of all living creatures?

So it seems to me that mental health ought to get the highest priority in funding and appropriating programs to deal with this problem. Perhaps the administration itself may want to suggest an effective program for dealing with mental health as one of its top priorities. Surely when we contemplate the serious statistics by the Institute of Mental Health, we realize the enormity of the problem.

The damage, the destruction, and the wanton violence will continue until we recognize the fact that there is no deeper problem in our society than dealing with the problem of mental health.

JOINT COMMITTEE ON CLASSIFIED INFORMATION

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

Mr. ADDABBO. Mr. Speaker, I have today introduced legislation to create a Joint Committee on Classified Information. The purpose of such a committee would be to protect the right of the public to have access to information, the disclosure of which will not endanger U.S. security.

A joint committee with appropriate authority to study classification proced-

ures would safeguard the public's right to information concerning Government activities and could prevent abuse of the Government's power to withhold information in the national interest.

The Laos situation is a good illustration of the need for some congressional control over the unlimited power of the Pentagon to hide behind the classified label. The power to classify information is too easily and too often abused.

I have attended as a member of Defense Appropriation Subcommittee secret briefings on a number of military matters and many times I read about these facts the same evening or the next morning. In my opinion a large percentage of the facts given at these briefings could be made public without endangering U.S. security.

The present situation in Laos may well become another open-ended commitment which will further divide the United States. If we allow the Pentagon to hide behind the cloak of classified information, we will just provoke dissent and protest. The public is entitled to know all the facts which will not jeopardize our security and a congressional committee should have the responsibility to make the determination of what should be classified.

My resolution would establish a joint committee with representatives of the House and Senate Committees on Foreign Affairs, Armed Services, and Defense Appropriations and three other House Members and three other Members of the Senate serving as a screening board to limit the volume of information which is placed in the category of classified by the Defense Department. I am convinced that until Congress acts, the temptation to abuse the power to classify information will outweigh the responsibility to keep the public informed. This is too important a decision to leave in the exclusive control of the Defense Department.

Mr. Speaker, I submit the text of my Resolution at this point in the RECORD:
H.J. Res. 1131

Joint resolution creating a Joint Committee on Classified Information

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the policy of Congress that the public's right to information relating to the activities of the Federal Government may be restricted only in the case of information the disclosure of which would endanger the common defense and security; but it is also the policy of Congress that security classifications may not be used within the Government as a means for suppressing information on governmental affairs about which the public does have a right-to-know and that means to discover and eliminate misuses of information classification procedures should be established.

SEC. 2. (a) There is hereby created a Joint Committee on Classified Information (hereafter referred to in this joint resolution as the "joint committee"), to be composed of—

- (1) the Chairman and the ranking minority member of the Armed Services Committee of the Senate and of the House of Representatives;
- (2) the Chairman and the ranking minority member of the Foreign Relations Committee of the Senate;
- (3) the Chairman and the ranking mi-

nority member of the Foreign Affairs Committee of the House of Representatives;

(4) the Chairman and ranking minority member of the Defense Appropriations Subcommittee of the Appropriations Committee of the Senate and of the House of Representatives;

(5) three other members of the Senate appointed by the President of the Senate; and

(6) three other members of the House of Representatives appointed by the Speaker of the House of Representatives.

(b) Vacancies in the membership of the joint committee shall not affect power of the remaining members to execute the functions of the joint committee, and shall be filled in the same manner as in the case of the original selection.

(c) The joint committee shall select a chairman and a vice chairman from among its members at the beginning of each Congress. The vice chairman shall act in the place and stead of the chairman in the absence of the chairman. The chairmanship shall alternate between the Senate and the House of Representatives with each Congress, and the chairman shall be selected by the Members from that House entitled to the chairmanship. The vice chairman shall be chosen from the House other than that of the chairman by the members from that House.

SEC. 3. (a) The joint committee shall make continuing investigations and studies with respect to (1) the practices and methods used in the executive branch to classify information in the interests of the common defenses and security, and (2) suspected uses of such classification procedures within the executive branch for purposes contrary to the public welfare.

(b) The joint committee (1) shall at such times as it finds classification procedures being used for purposes contrary to the public welfare, initiate such action as it deems appropriate in order to prohibit such misuse; and (2) may publicly disclose any classified information the classification of which the joint committee considers not to be merited in the interests of the common defense and security and the disclosure of which the joint committee considers to be in the public interest.

(c) The joint committee shall report to the Senate and the House of Representatives, from time to time, the results of its investigations and studies, together with such recommendations as it may deem desirable. Any department, official, or agency engaged in functions relative to investigations or studies undertaken by the joint committee shall, at the request of the joint committee, consult with the joint committee from time to time with respect to such functions or activities.

SEC. 4. (a) In carrying out its duties, the joint committee or any duly authorized subcommittee thereof is authorized to hold such hearings and investigations; to sit and act at such places and times within the United States, including any Commonwealth or possession thereof, whether the House or the Senate is in session, has recessed, or has adjourned; to require, by subpoena or otherwise, the attendance of such witnesses and the production of such books, papers, and documents; to administer such oaths; to take such testimony; to procure such printing and binding; and to make such expenditures as it deems necessary. The joint committee may make such rules respecting its organization and procedures as it deems necessary. No recommendation may be reported from the joint committee unless a majority of the committee is present. Subpenas may be issued over the signature of a co-chairman of the joint committee or by any member designated by him or by the joint committee, and may be served by such person or persons as may be designated by such chairman or member. A cochairman of the joint committee or any member thereof may administer oaths to witnesses.

(b) The joint committee may appoint and fix the compensation of such clerks, experts, consultants, technicians, and clerical and stenographic assistants as it deems necessary and advisable; and, with the prior consent of the heads of departments or agencies concerned and the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Federal Government, as it deems advisable. The joint committee is authorized to reimburse the members of its staff for travel, subsistence, and the other necessary expenses incurred by them in the performance of the duties vested in the joint committee other than expenses in connection with meetings of the joint committee held in the District of Columbia during such times as the Congress is in session.

(c) All committee records, data, charts, and files shall be the property of the joint committee and shall be kept in the offices of the joint committee or such other places as the joint committee may direct under such security safeguards as the joint committee shall determine to be in the interest of the common defense and security.

Sec. 5. The expenses of the joint committee shall be paid one-half from the contingent fund of the House of Representatives and one-half from the contingent fund of the Senate upon vouchers signed by the chairman of the joint committee.

GENOCIDE TREATY—A PITFALL TO FREE PEOPLE

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

Mr. RARICK. Mr. Speaker, 2 weeks ago I addressed the House on the dangers inherent in American ratification of the Genocide Convention, proposed by the United Nations Organization—RECORD, February 25, page 4884.

Today I again arise for that purpose. Because we are a nation of law, and because under our Constitution a treaty entered into under the authority of the United States actually becomes the law of the land—enforceable domestic law, binding the judges of all the courts, both State and Federal, treaty ratification is far more than international propaganda for us.

In my State, we use the honored term "learned in the law" to designate those attorneys whose judgments and opinions are widely respected by their peers. Such a distinguished attorney, and one truly learned in the law in the most profound sense of the phrase is the Honorable Eberhard P. Deutsch, of New Orleans.

I am pleased to include in my remarks, for the information of our colleagues, Mr. Deutsch's unassailable argument that the United States avoid the pitfalls of the Genocide Convention, as delivered by him at the midwinter meeting of the House of Delegates of the American Bar Association:

ADDRESS BY EBERHARD P. DEUTSCH

The conscience of the entire civilized world is revolted by the concept of mass genocide, as stated by this Association in 1949, because it is "contrary to the moral law and . . . abhorrent to all who have a decent regard for the dignity of human beings, regardless of the national, ethnical, racial, religious or political groups to which they belong".

But the humanitarian fight against genocide will not be furthered by a treaty be-

tween the United States on the one hand, and such countries as Ghana and Bulgaria on the other.

The Genocide Convention arose out of a UN Declaration adopted in 1946, denouncing genocide whether "committed on religious, racial, political or other grounds".

When this Declaration was transmuted into a draft convention, the word "political" was omitted at the insistence of the Communist nations.

Mr. Katzenbach has told you that the United States agreed to elimination of "political" from the definition in return for Communist agreement to insertion of "ethnical". Since "racial" was already in the formula, the United States received only a stale cracker for a warehouse full of fine hams in that unfortunate transaction.

Today, none of the 70-odd states-parties to the Convention is prohibited by that treaty from permitting its nationals to commit genocide on political grounds—or on grounds which they assert to be political.

At the drafting of the Genocide Convention, the representatives of the United States made every effort to have the definition of genocide require that it be "committed with the complicity of government", as in the case of the Nazi persecution of the Jews which gave rise to the concept of genocide in the first instance.

This demand, which would legitimately have made an international offense of genocide, was rejected by the Communist nations. Under the Convention, as drafted, the offense can be committed only by individuals; although governments may be called to account before the United Nations for genocide committed by their nationals.

The position of the Soviet Union, in charging the United States with hypocrisy for not ratifying the Genocide Convention, is the same as its position under the Forced Labor Convention which it has consistently refused to sign because it prohibits imposition of forced labor for political activity opposed to government.

It can hardly be suggested that if pre-Hitler Germany had been party to a Genocide Convention, there would have been no mass extermination of Germany's Jews by the Nazis.

Can it be suggested with any less naiveté that Soviet Russia was deterred from her rape of Czechoslovakia, by the nonaggression provisions of the United Nations Charter to which she has been a party since its inception?

How can it be suggested that United States citizens may not be tried, under the Genocide Convention, in foreign courts, when Article VI of the Convention expressly provides that persons charged with violation of its provisions "shall be tried by a court of the state in whose territory the act was committed," and that genocide is to be considered an extraditable offense under extradition treaties?

President Tito of Yugoslavia and the Government of Hanoi have charged that United States forces in Vietnam have been guilty of genocide in that country.

Are we to enter into a convention which would sanction trial of our prisoners of war on charges of genocide, or under which we must permit members of our military forces to be extradited for trial in Vietnam or elsewhere, without the constitutional guarantees for the preservation of which they have risked their lives, and their buddies have made the supreme sacrifice?

Are we to be compelled to try the members of our own security forces for commission of genocide, on charges made to the United Nations by counsel for the Black Panthers, pursuant to demand under Article VIII of the Genocide Convention, by Byelorussia, Albania, Upper Volta, Mongolia or the Congo—all parties to that treaty?

The Genocide Convention seeks to metamorphose peoples who have no idea as to

the meaning of freedom and human rights, into judges of the freedoms of the people of the United States of America.

Genocide by individuals is a matter of domestic concern. This was conceded by Professor Sohn and the late Grenville Clark in their work on "World Peace Through Law", even when committed with government participation, as to conditions in South Africa.

They even advocated amendment of the Charter's prohibition of interference in domestic affairs to enable the Organization to take action to combat genocide in South Africa.

A convention which applies to individuals charged with commission of common-law crimes, and which may be invoked to demand international adjudication, would cause more friction between governments than is now caused by the evil itself, and would tend to provoke war rather than to preserve peace among nations.

In 1949, the American Bar Association resolved not to make matters which are of exclusively internal concern to the United States, the business of other nations by ratification of the Genocide Convention.

Let us now again resolve that this nation, under God, shall remain steadfast in its adherence to the ideals upon which it was founded, and in which it still leads the world along the paths of justice and freedom.

MENINGITIS EPIDEMIC AT FORT LEONARD WOOD

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

Mr. HALL. Mr. Speaker, a few days ago I journeyed to Fort Leonard Wood, Mo., not only as an interested Missourian, but also as a member of the House Committee on Armed Services. It was my desire to be assured that everything possible was being done in the unfortunate epidemic of meningitis that had struck.

While there, I talked with the men in the Fort Leonard Wood Hospital who have meningitis, and I found that neither they nor their families were dissatisfied with their treatment. I also assured myself personally as well as professionally that everything necessary has been done by the post medical personnel, and that the post commander had exerted the proper leadership as far back as last October 1, 1969.

While inspecting Fort Leonard Wood, I learned from the Surgeon General of the Army's member on the Nation's Epidemiological Board, Lieutenant Colonel Winters, MC, USA, that my old friend and comrade in arms, Brig. Gen. Stanhope Bayne-Jones had passed away in the past fortnight at the age of 81.

I enclose herewith a bibliography of this unusual physician who worked in civilian life, as well as in the military services, to prevent disease, as well as remedy them. Of personal pride is the fact that while I was in the executive branch as Chief Personnel Service, Office of the Surgeon General during World War II, I handled General Bayne-Jones' initial commission in the Army of the United States for General Steve Simmons, the Chief of the Preventive Medicine Branch, and the Surgeon General.

We were fast friends, during and after World War II, bound together in part by this Nation's total medical mobilization.

It was always a joy to clasp hands and renew our friendship through the ensuing 25 years.

Obviously, from his biography he contributed very much to military medicine, as well as to civilian medicine and the general betterment of mankind. Col. Charles J. Simpson the current executive officer of the historical unit, Walter Reed Army Medical Center, put it so well when he said, "Not only did he write history eloquently—over the years he had made it, as well." We regret the passing of "B-J" and extend our heartfelt sympathy to his loved ones who honored him as a man, a warm friend, a husband, and family man, as well as, servant above self to the people of the United States—even the world.

The bibliography follows:

BIOGRAPHICAL SKETCH, STANHOPE BAYNE-JONES

Born in New Orleans, Louisiana, November 6, 1888.

**DEGREES RECEIVED
MILITARY**

- B.A., Yale University, 1910.
- M.D., Johns Hopkins University, 1914.
- M.A., Johns Hopkins University, 1917.
- M.A. (Hon.), Yale University, 1932.
- Sc.D. (Hon.), University of Rochester, 1943.
- Sc.D. (Hon.), Emory University, 1954.
- LL.D. (Hon.), Tulane University, 1955.
- L.H.D. (Hon.), Hahnemann Medical College, 1959.
- LL.D. (Hon.), Johns Hopkins University, 1960.
- Sc.D. (Hon.), Ohio State University, 1960.

**DECORATIONS AND MEDALS RECEIVED
Military**

U.S.A.: Distinguished Service Medal, Silver Star (with 2 oak leaf clusters), Army Commendation Ribbon, United States of America Typhus Commission Medal, Decoration for Exceptional Civilian Service, Department of the Army.

British: Military Cross, Order of the British Empire (Honorary Commander).

French: Croix de Guerre.

Civilian: Chapin Medal (Public Health) from the Rhode Island State Medical Society, Bruce Medal (Preventive Medicine) from the American College of Physicians, Passano Foundation Award—presented on June 10, 1959.

ACADEMIC AND ADMINISTRATIVE POSITIONS HELD AT VARIOUS TIMES

1914-1924: Various positions on faculty of the Johns Hopkins University School of Medicine from Instructor to Associate Professor of Bacteriology and Pathology.

1924-1932: Professor of Bacteriology, University of Rochester School of Medicine and Dentistry.

1932-1947: Professor of Bacteriology, Yale University School of Medicine.

1924-1932: Director, Rochester Health Bureau Laboratories, Rochester, New York.

1932-1933: Chairman, Division of Medical Sciences, National Research Council.

1935-1940: Dean, Yale University School of Medicine.

1932-1933: Master of Trumbull College, Yale University.

1937-1947: Director, Board of Scientific Advisers, The Jane Coffin Childs Memorial Fund for Medical Research.

1939-1941: Member, Board of Scientific Advisers, International Health Division, Rockefeller Foundation.

1939-1954: Member, Board of Directors, Josiah Macy, Jr. Foundation.

1939-1957: Member, Advisory Medical Board, Leonard Wood Memorial (American Leprosy Foundation).

1952 to date: Member, Board of Governors,

Gorgas Memorial Institute of Tropical and Preventive Medicine.

1948-1952: Member, Committee on Public Relations, New York Academy of Medicine.

1949-1951: Chairman, Committee on Public Health, Medical Society of the County of New York.

1947-1952: Member, Scientific Advisory Board, Public Health Research Institute of the City of New York.

1930-1947: Member of editorial boards of several scientific journals.

1950-1952: Member, Board of Hospitals, New York City.

1942-1952: Member, Board of Managers, Memorial Hospital for Cancer and Allied Diseases, New York City.

1947-1953: President of the Joint Administrative Board of the New York Hospital-Cornell Medical Center.

1929-1930: President of the Society of American Bacteriologists.

1930-1931: President of the American Association of Immunologists.

1940-1941: President of the American Association of Pathologists and Bacteriologists.

1914 to date: Member of numerous medical and scientific societies, including the American Philosophical Society.

1950-1952: Member, National Manpower Commission, Columbia University.

1951-1954: Member, Commission on Financing of Hospital Care.

1955-1956: Member of the Corporation of Yale University.

1957-1958: Chairman of the Secretary's Consultants on Medical Research and Education, Office of the Secretary, U.S. Department of Health, Education, and Welfare.

1961-1962: Chairman, Board on Cancer and Viruses, National Cancer Institute, National Institutes of Health.

1962-1964: Member, Surgeon Generals (PHS) Advisory Committee on Smoking and Health.

1941 to date: Author of about 75 scientific and medical papers, and addresses on various subjects. Coauthor with Doctor Hans Zinsser of a revision and new edition of "A Textbook of Bacteriology."

Medical and Scientific Member of: American Medical Association; Medical Society of the District of Columbia; Academy of Medicine of Washington, D.C.; American Cancer Society, American Association of Immunologists; American Association of Pathologists and Bacteriologists; Society of American Bacteriologists; American Philosophical Society; American Public Health Association; etc.

MILITARY RECORD

1917-1919: Served as Captain, later as Major, MC, in World War I, in France, Belgium, Italy, and Germany. From January to June 1919, was Sanitary Inspector of the 3rd U.S. Army (Army of Occupation) in Germany.

1942-1946: During World War II served on active duty in the Office of The Surgeon General, U.S. Army, in Washington, D.C., in grades of Lt. Colonel to Brigadier General, as—

Deputy Chief, Preventive Medicine Service; Administrator of the Army Epidemiological Board, (1942-1945);

Director of the United States of America Typhus Commission;

Special Missions to England (1943) and Egypt (1944);

Promoted to Brigadier General on 25 February 1944; Retired in grade 31 December 1949; Re commissioned Brigadier General, Reserves, Army of the United States, 7 May 1953.

1946 to date: Member, Armed Forces Epidemiological Board (President, 1946-1947).

1953-1956: Technical Director of Research, Office of The Surgeon General, Department of the Army.

1954 to 1963: Member of the Army Advisory Scientific Panel. Member of the Advisory Scientific Board, Walter Reed Army Institute of Research.

1955 to date: Chairman of the Advisory Editorial Board, History of Preventive Medicine in World War II, Medical Department, U.S. Army.

FREEDOM'S CHALLENGE

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

Mr. BROYHILL of North Carolina. Mr. Speaker, this week is has been my pleasure to meet with representatives of the Veterans of Foreign Wars during the occasion of their annual congressional dinner in the Nation's Capital. One of the fine public services of the VFW has been its annual, nationwide Voice of Democracy program in which over 400,000 students participate.

This contest stimulates patriotism and analytical thinking among these great numbers of young people. In this way, a new evaluation and appreciation of the guarantees of freedom which our Nation enjoys is made by young people who are about to assume the responsibility of citizenship in our country.

This year, the contest in North Carolina was won by the essay of L. Lyndon Key, Jr., the son of Mr. and Mrs. L. L. Key, Sr., of Hickory, N.C. This young man's thoughtful and challenging statement upon the nature of freedom in our society is worthy of the highest commendation. I want to commend it to the Members of the House for its ringing dedication to the highest principles which motivate our people. The essay, entitled "Freedom's Challenge," is as follows:

FREEDOM'S CHALLENGE

What is this thing which we call freedom? Is it merely a feeling? Is it merely a set of written rights? Is it a way of life? Is anyone truly free?

If one would stop to ponder his own freedom, these are some of the questions which he might discover within the folds of his heart. The sad thing about freedom, however, is that in all too many men it causes a sense of complacency to develop where a zeal and desire should exist. Too many people who have freedom do not appreciate their blessing and when they stop appreciating their freedom, they come all too close to losing it. The challenge of freedom then is to know what freedom is and live with an awareness of it always.

What is this thing which we have chosen to name freedom? Freedom is the right to think and to express the beliefs which arise from this thought. Each type of freedom which one can name falls under this definition—freedom to worship, to speak, and the freedom to live. Freedom lives in the minds of men, and as long as the minds of men choose to think for themselves, it shall always live. The challenge then goes out to every man to think and to stimulate others to think also. Ah, thinking is easy, one would be prone to give as a rejoinder; but thinking constructively and individually is not quite so easy a task. Each person in the world can think on an idea which someone else gives him, but turning over the ideas of others is not freedom. This is the major basis for Communism and Totalitarianism. Get the masses thinking the thoughts which we want them to think. Do not allow them to formulate their own thoughts. These people are then made ideological slaves.

Is anyone truly free? Yes, a person is truly free as long as he can still think his own thoughts, make his own kind of music as the

popular song says. A person then can be free while subjugated or a man can be a slave when he is legally free. The challenge then comes forward once again for each of us to use our minds. Is thinking the ultimate challenge however? No. Thinking must be followed up by action. It is obvious that people in a country where individual rights do not exist can only formulate concepts of freedom without acting, but men who live in the nations of the world where man can express his beliefs must do more than just think—they must live their freedom. Each man must live his freedom, not only for himself, but in the way that will insure freedom for those around him and that will help the subjugated peoples of the world find freedom and fight for it. Freedom is not always cheap and sometimes one must fight in order that his ideas may live.

The ultimate challenge then is to live with freedom pulsing in our veins, with freedom radiating from our lives and freedom being shouted from our lungs. To the man who thinks, freedom is his life. If it is in danger, he may have to serve it, with his death. Listen all men, freedom is calling.

STABILIZATION WORK ON THE MISSOURI RIVER BETWEEN GARRISON DAM AND BISMARCK

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

Mr. KLEPPE. Mr. Speaker, I am introducing a bill today authorizing an additional \$6 million for bank stabilization work on the Missouri River between Garrison Dam and Bismarck.

Identical legislation is being introduced in the Senate by Senators MILTON R. YOUNG and QUENTIN N. BURDICK.

The legislation would permit the Corps of Engineers to continue bank stabilization and rectification projects it has been conducting for several years. The corps has utilized nearly all the funds for which it has authorization.

Although the additional \$6 million authorization is slightly above the amount the corps has indicated it can support, it is not excessive when we consider inflation and rising construction costs.

Critical bank erosion is continuing along the Missouri River. Some areas are particularly threatened and need attention at the earliest possible time, including the banks near the Interstate Highway No. 94 bridge between Bismarck and Mandan, the Standard Oil pipeline north of the bridge, and valuable agricultural lands.

A sudden break in the pipeline would cause oil pollution of the proportion that has plagued many other areas of the United States.

FISCAL INEBRIATION

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

Mr. KYL. Mr. Speaker, a number of years ago, on the second day of January, I met on the street a friend who worked for the city in our little community. He did not look well.

It turned out that most of the merchants, in appreciation for the kind of job he had done, had given him many different kinds of spiritous beverages in considerable quantity, and since they had given it to him for New Year's, he

thought he had to drink it all on New Year's Day. He said he had had sauerkraut and wieners for supper and then he went to bed. About midnight he woke up, quite uncomfortable. He went to the kitchen and drank a quart of milk.

The next day, in explaining it to me, he said, "You know, JOHN, that milk almost killed me."

Our Nation has been engaged in fiscal inebriation for about 30 years. We are now engaged in a sobering-up process, and some of the hangover is a little painful.

Now the majority leader comes to the floor and claims that the milk is making the economy sick.

These are simply the meanderings of the majority party in trying to explain away this 30-year inebriation in which they have been engaged.

HEW ATTEMPTING TO INTERFERE WITH COURSES, FACULTY, AND STUDENTS

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

Mr. BUCHANAN. Mr. Speaker, one of the greatest educational assets of my State of Alabama is its fine system of junior colleges and technical schools. Two of these are located in my congressional district and would be most adversely affected by a recent proposal of the Department of Health, Education, and Welfare.

Wenonah State Junior College, located in the western sector of my district, has for 20 years served as a junior college and technical school for a predominantly black student body, and it continues to serve with distinction.

HEW would remove the trade school from this school and transfer it elsewhere.

Jefferson State Junior College has for 5 years existed in the eastern sector of my district with a present enrollment of 5,500 students. Like Wenonah, it has operated from the outset with open admission policies, and is approximately 85 percent white and 15 percent black in its student composition. Jefferson State operates fine schools of nursing and of data processing, among other functions. These HEW would seek a court order to close, with the court requested to order the faculty, students, and functions transferred to Wenonah State College.

Mr. Speaker, I vigorously protest a Federal agency seeking to direct what courses a college may or may not teach, or students what college they may or may not attend. The young people involved are enrolled as tuition-paying college students attending schools with free admission policies, and schools of their own choice. There can be no question of their right to do so, or of the absolute wrongness of this Federal attempt to deny both them and the schools they attend fundamental rights and freedoms.

PROPOSED UNITED NATIONS OFFICE AND LIVING SPACE EXPANSION

(Mr. MICHEL asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. MICHEL. Mr. Speaker, I note that the United Nations is planning a massive expansion of its facilities, at the same time that its influence and effectiveness have hit a new low. The proposed new buildings would include offices and living quarters and would constitute a landgrab comprising two blocks of choice Manhattan property. The office and apartment hotel complex would cost \$300 million. If the past is any precedent, the United States will be called upon to foot a large share of this bill. This expansion would provide 4.2 million square feet of office and living space. By comparison there are only 3 million square feet of offices in the Pentagon. In addition, 700 families would be put out of their homes so that U.N. employees could live and work in the same building. There is some question in many minds as to just what the U.N. does, except come to the U.S. Treasury periodically for more money. Just a few years ago we bailed them out to the tune of \$200 million. Yet, many nations fail to pay their share of U.N. dues and assessments while continuing to use this debating society as a propaganda outlet for their nationalistic propaganda. When we are seeking to trim our own domestic budget to combat inflation, further U.S. investment in the U.N. of this magnitude is foolish and wasteful. I would hope that this Congress would move to inform the U.N. that we do not intend to finance their skyscraper, or any part of it; \$20 million has been earmarked in the 1971 U.N. budget to begin this expansion of the "Tower of Babel." This Congress can perform a distinct service to the taxpayers by eliminating whatever portion of the cost which the generous leadership of that body has assigned to the United States.

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

Mr. MICHEL. I am happy to yield to the gentleman from Iowa, my friend, who similarly opposes the expansion of the great Tower of Babel up in New York.

Mr. GROSS. Mr. Speaker, the gentleman is on House Appropriations Committee, the proper committee to do something about that, and I am confident he will. President Nixon has put \$20 million in his budget, and that is first the well-known foot-in-the-door for this plush expansion of the U.N. which the gentleman from Illinois properly describes as a debating society.

Mr. MICHEL. I just want to make it clear to the gentleman from Iowa by my remarks today where the gentleman in the well stands on the subject.

ENVIRONMENT TEACH-INS RESOLUTION

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

Mr. McCLOSKEY. Mr. Speaker, the executive board of the Communications Workers of America recently adopted two resolutions indicating their concern about the environment.

The first resolution endorses the day of environmental study and discussion planned for April 22 throughout the

Nation's colleges and schools and pledges the cooperation and participation of local unions.

The second resolution suggests specific steps that this Nation should take to achieve the goal of a "new quality of life in America" as called for by President Nixon in his state of the Union address, and as strongly supported by the union's president, Joseph A. Beirne.

I submit for inclusion in the RECORD at this point the two resolutions adopted by the Communications Workers' executive board and add my personal commendation to the Communications Workers of America for their leadership in this field:

ENVIRONMENT TEACH-INS RESOLUTION

The era of indifference which saw the pollution of our air and water and the defiling of our cities and countryside can be brought to an end if the people of the nation join together in pushing good environmental programs to the forefront of our national priorities. We, the Communications Workers of America, acting as citizens and as Unionists, accept our responsibility to participate in this effort for the betterment of our lives and the lives of our children.

A method of participation for CWA has become available through the announcement that a nationwide program of teach-ins on environment will be held on many college campuses on April 22. Sponsored by Senator Gaylord Nelson, a Democrat, and Rep. Paul McCloskey, a Republican, the teach-ins are non-partisan, and are designed to develop community awareness of the great risks and great costs of continued lack of improvement in the environment. Those participating in the teach-ins will select issues which are of importance in their particular area, and devise procedures to implement correction of area environmental problems. Therefore, be it Resolved: That the Executive Board of the Communications Workers of America endorse the teach-ins to be held on college campuses, and urge all Locals to participate in the teach-ins. And be it further

Resolved: That Locals participate in helping organize the teach-ins, conduct the teach-ins, follow through on necessary post-teach-in programs to secure environmental improvements, and publicize their participation. And be it further

Resolved: That Locals not located near a campus which is the site of a teach-in aid in this effort for a better environment by informing elected officials in their communities and states, members of the Congress, and the news media, of their support for measures to improve the environment, by noting situations in their areas which need correction. And be it further

Resolved: That the President's office endeavor to obtain and distribute a list of the campuses where teach-ins are being held so that contact may be facilitated by the Locals. And be it further

Resolved: That Local officers call the membership's attention to the extensive coverage of environment in the March issue of the CWA News, and that Local officers use this information as the basis for developing arguments on behalf of environmental improvements.

If the Nation's goal is to become more than another set of slogans coined for political purposes, full commitment must be made—and honored.

While it is impossible to find anywhere in this land a single individual who says he prefers polluted air and water, junkyards on the streets, traffic congestion, ravage of the natural resources, and any of the other indices of a breakdown of the environment, there are natural and artificial sources of inertia which would prevent action. Therefore, be it

Resolved: That the Executive Board of the Communications Workers of America wholeheartedly endorse efforts by the Administration and the Congress to take all needed steps to achieve "a new quality of life in America"; and be it further

Resolved: That this Executive Board express this Union's sense of urgency in the following aspects of the national goal:

1. Definition of the problems of the environment, especially those which require legislative action.
2. Enactment of the most stringent of Federal laws with clear standards, providing adequate funds for the strictest enforcement, and setting criminal penalties against individuals who refuse to obey the law.
3. Permitting the public at large by "class actions" in Federal courts of competent jurisdiction, to secure its rights to an unpolluted and otherwise undefiled environment.
4. Unification of the jurisdiction of Federal agencies and Committees of the Congress in environmental matters.
5. Establishment of a policy that city streets are to be used primarily for the movement of traffic, not vehicle storage.
6. Taxation of slum properties on a formula that favors maintenance and penalizes those who traffic on misery.
7. Expenditure of Federal and other public funds for more useful and practical purposes than up to the present.
8. "Open Spaces" programs meaning more than shopping centers and parking lots.

ENVIRONMENTAL QUALITY—MORE THAN SLOGANS NEEDED

The United States is encountering severe problems in the quality of its environment. The problems are largely due to the tremendous success of our mass production-high consumption economy.

Concepts currently prominent in the thinking of government and other public bodies and the information media include "ecology," "total environment," "quality of life," "urban decay" and "pollution." The magnitude of these concepts is at long last being recognized.

The scope of the problem has not been adequately defined. It must include air and water pollution, the ever-growing masses of solid wastes, the abuse of natural resources, and the inability of the individual citizen to do more than protest.

Advances in technology and increases in the Gross National Product have not been accompanied by sufficient efforts to ensure that they are truly forward steps.

For instance, the coming of a paper mill or chemical plant is an event often welcomed by a community, because of the many financial benefits. But the price subsequently exacted on the community can be high—in ravaging of the landscape and waters, in noxious discharges into the air, in congestion.

DDT and other toxic chemicals have greatly reduced the number of insects which have plagued mankind through history. However, these substances are not selective: Bees, birds, fish and other animal life also have been threatened, and there is medical evidence that human health may be harmed by the continued use of these chemicals.

A drilling accident in the Santa Barbara Channel and the wreck of the tanker *Torrey Canyon* in the last two years fully illustrated the dangers inherent in the petroleum industry, and the substantial economic losses by individuals and businesses not directly involved.

For a final instance, the installation of a nuclear power plant can be a source of adequate electricity for a large area. But the price paid by the area can be hazardous radiation, thermal pollution of large expanses of publicly owned waters, and difficulty in disposing of radioactive nuclear wastes.

Heretofore, the individual or local group alarmed at water and air pollution by local industries has been in danger of being an

outcast because of "anti-business" attitudes. Opposition to strip-mining has been viewed as somehow "anti-American," because the protester would be denying a company the use of its own minerals. Questioning the "unquestionable assumptions" of the use of nuclear energy has been equated to impeding progress. Open advocacy of modern and adequate mass-transit systems can be offensive to the gigantic automotive industry and its natural allies—the oil industry, tire makers and paving contractors.

In his first State of the Union Message, President Nixon focused attention on the goal of "a new quality of life in America." While the message lacked specific steps to reach that goal, the President promised to send the Congress "the most costly and comprehensive program in this field in the Nation's history."

TAKE PRIDE IN AMERICA

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

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a nation. The United States is the world's largest producer of cheese. In 1967 the United States produced 868,000 metric tons. France was second with 645,000 metric tons.

AT LEAST ONE NEWSMAN TELLS IT LIKE IT IS

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

Mr. WAGGONER. Mr. Speaker, it is highly refreshing to find that there is at least one man in the news industry willing to admit to the bias and prejudice which exists among the commentators who dominate the dissemination of news on the television networks. He is Howard K. Smith, Washington-based anchor man for the ABC network.

His admission made not a ripple in the liberal press or on television where it should have made the lead story on the day he spoke these truths. But his comments were carried in TV Guide magazine and reprinted in Human Events of March 14.

Just to set the record straight and make a permanent record of the fact that things are not what the liberal majority would have us believe, I would like to insert this story from Human Events here in the RECORD:

AT LEAST ONE NEWSMAN TELLS IT LIKE IT IS

On Nov. 12, 1969, when the liberal media were angrily abol over Vice President Agnew's blasts at the liberal left and its frequently violent crusades, a quiet voice on ABC-TV declared: "Political cartoonists have that in common with the lemmings, that once a line is set, most of them follow it, though it lead to perdition. The current cliché shared by them and many columnists is that Spro Agnew is putting his foot in his mouth [and] making irredeemable errors. . . . Well. . . . I doubt that party line. . . . There is a possibility it is not Mr. Agnew who is making mistakes. It is the cartoonists."

One week later, on Nov. 19, 1969, when the liberal media were even more violently abol over the climactic Agnew speech blast-

ing bias in network news, that same quiet voice on ABC-TV once again was heard: "I agree with some of what Mr. Agnew said. In fact, I said some of it before he did."

The speaker was Howard K. Smith, ABC's Washington-based anchor man, ex-CBS European correspondent, and winner of a constellation of awards for foreign and domestic reporting. Mr. Smith had, indeed, said some of what Mr. Agnew said before Mr. Agnew had said it. For several years, despite his respect for network news departments and their achievements, he has been criticizing his colleagues—on the air and off—for falsifying U.S. political realities by means of biased reporting.

Mr. Smith is by no means an unqualified supporter of Mr. Agnew, and he has reservations about The Speech. To name the two most important: "A tone of intimidation, I think, was in it, and that I can't accept. . . . Also a sense that we do things deliberately, I don't think we do them deliberately."

Mr. Smith, however, says: "I agree that we made the mistakes he says we made." And he himself levels charges at the network news departments.

In fact, according to Howard Smith, political bias in TV reporting is of such a magnitude that it fully justifies the explosion we have seen. Here is this insider's analysis of the problem.

His candor begins at the very base of the network news operation—namely, with the political composition of the staff. Networks, says Mr. Smith, are almost exclusively staffed by liberals.

"It evolved from the time when liberalism was a good thing, and most intellectuals became highly liberal. Most reporters are in an intellectual occupation." Secondly, he declares that liberals, virtually by definition, have a "strong leftward bias": "Our tradition, since FDR, has been leftward."

This is not to say that Mr. Smith sees anything wrong with being a leftist—"I am left-of-center myself." But he sees everything wrong with the dissemination of an inflexible "party line"; and this, he charges, is what liberal newsmen are doing today:

"Our liberal friends today have become dogmatic. They react the way political cartoonists do—with oversimplification. Oversimplify. Be sure you please your fellows, because that's what's 'good.' They're conventional, they're conformists. They're pleasing the Washington Post, they're pleasing the editors of the New York Times, and they're pleasing one another."

He says a series of cartoonlike positive and negative reflexes are determining much of the coverage.

He names a series of such negative reflexes—i.e., subjects which newsmen automatically cover by focusing on negatives. Herewith, excerpts from his comments:

Race: "During the Johnson Administration, six million people were raised above the poverty level. . . . And there is a substantial and successful Negro middle class. But the newsmen are not interested in the Negro who succeeds—they're interested in the one who falls and makes a loud noise."

"They have ignored the developments in the South. The South has an increasing number of integrated schools. A large part of the South has accepted integration. We've had a President's Cabinet with a Negro in it, a Supreme Court with a Negro on it—but more important, we have 500 Negroes elected to local offices in the Deep South! This is a tremendous achievement. But that achievement isn't what we see on the screen."

Conservatives: "If Agnew says something, it's bad, regardless of what he says. If Ronald Reagan says something, it's bad, regardless of what he says. Well, I'm unwilling to condemn an idea because a particular man said it. Most of my colleagues do just that."

The Middle Class: "Newsmen are proud of the fact that the middle class is antagonistic to them. They're proud of being out of con-

tact with the middle class. Joseph Kraft did a column in which he said: Let's face it, we reporters have very little to do with middle America. They're not our kind of people. . . . Well, I resent that. I'm from middle America!"

The Viet Nam War: "The networks have never given a complete picture of the war. For example: that terrible siege of Khe Sanh went on for five weeks before newsmen revealed that the South Vietnamese were fighting at our sides, and that they had higher casualties. And the Viet Cong's casualties were 100 times ours. But we never told that. We just showed pictures day after day of Americans getting the hell kicked out of them. That was enough to break America apart. That's also what it did."

The Presidency: "The negative attitude which destroyed Lyndon Johnson is now waiting to be applied to Richard Nixon. Johnson was actually politically assassinated. And some are trying to assassinate Nixon politically. They hate Richard Nixon irrationally."

If this is a sampling of the liberal reporters' negative reflexes, as seen by Howard Smith—what then are the positive reflexes? He provides an even more extensive set of examples—subjects on which, he says, his colleagues tend to have an affirmative bias and/or from which they screen out negatives. Again here are excerpts from his comments:

Russia: "Some have gone overboard in a wish to believe that our opponent has exclusively peaceful aims, and that there is no need for armaments and national security. The danger of Russian aggression is unreal to many of them, although some have begun to rethink since the invasion of Czechoslovakia. But there is a kind of basic bias in the left wing soul that gives the Russians the benefit of the doubt."

Ho Chi Minh: "Many have described Ho Chi Minh as a nationalist leader comparable to George Washington. But his advent to power in Hanoi, in 1954, was marked by the murder of 50,000 of his people. His consistent method was terror. He was not his country's Hitler or Stalin. . . . I heard an eminent TV commentator say: 'It's an awful thing when you can trust Ho Chi Minh more than you can trust your President.' At the time he said that, Ho Chi Minh was lying! He was presiding over atrocities! And yet an American TV commentator could say that!"

The Viet Cong: "The Viet Cong massacred 3,000 Vietnamese at Hue alone—a massacre that dwarfs all allegations about My Lai. This was never reported on."

Doves: "Mr. Fulbright maneuvered the Gulf of Tonkin Resolution through—with a clause stating that Congress may revoke it. Ever since, he's been saying: 'This is a terribly immoral thing.' I asked him, 'If it's that bad, aren't you morally obligated to try to revoke it?' He runs away! And yet Mr. Fulbright—who incidentally has voted against every civil-rights act—is not criticized for his want of character. He is beloved by reporters, by everyone of my group, which is left-of-center. It's one of the mysteries of my time!"

Black Militants: "A few Negroes—scavengers on the edge of society—have discovered they're riding a good thing with violence and talk of violence. They can get on TV and become nationally famous."

The New Left: "The New Left challenges America. They're rewriting the history of the Cold War. Some carry around the Viet Cong flag. Some shout for Mao—people who'd be assassinated in China! They've become irrational! But they're not portrayed as irrational. Reporters describe them as 'our children.' Well, they're not my children. My children don't throw bags of excrement at policemen. . . ."

"If right-wing students had done what left-wing students have done, everyone, including the reporters, would have called in the police and beaten their heads in. But we

have a left-wing bias now, that has 30 years of momentum behind it."

What do Mr. Smith's examples of negative and positive biases add up to, politically? He says: "The emphasis is anti-American." In fact, as he portrays the pattern, it is a dual emphasis: This coverage as described by Mr. Smith is anti-American in that it tends to omit the good about America and focus on the bad. And it is also biased in favor of the attackers-of-America by tending to omit the bad about them and focusing on the good. Mr. Smith has actually reconstituted here a loose variant of the New Left line. And New Left attitudes are influencing newsmen, he says. "The New Left," says Smith, "has acquired a grave power over the liberal mind."

This is not a new charge—it is the essence of the public outcry against network news, and it's the essence of the long-standing conservative charges against the newsmen.

Mr. Smith himself, although he's been described as a "conservative" because he supports the war, is, as he says, a leftist—indeed, a semi-Socialist who shares many views with economist John Kenneth Galbraith. He has been one of TV's most ardent fighters for civil rights—too ardent, Smith says, for CBS's tastes, which is one reason why, he adds, he is at ABC today.

He is generally in disagreement with political Conservatives on virtually everything. And, for that matter, he finds it psychologically easier to defend TV news departments than to criticize them. But on this issue of anti-American, pro-New-Left bias in the network news departments, his observations are identical to those coming from the right.

His explanation of the causes of this pattern, however, are quite different from those which emerge from the right. Where conservatives are often inclined to see this pattern as a deliberate, conscious and intellectually potent conspiracy, Mr. Smith sees it as the opposite—as a largely unconscious phenomenon, stemming from intellectual impotence, from such qualities as "conformism," "hypocrisy," "self-deception" and "stupidity."

One of the chief conformist patterns, he says, is the automatic obedience to a convention of negativism in journalism itself, often for self-serving reasons. "As reporters, we have always been falsifying issues by reporting on what goes wrong in a nation where, historically, most has gone right. That is how you win a Pulitzer Prize. This gears the reporter's mind to the negative, even when it is not justified."

But how about the opposite form of bias—a chronic omission of negatives and the unremitting focus on the good in our country's enemies? Here Mr. Smith tackles the New Left influence head on. He attributes it to a mental vacuum in the liberal world:

"Many of my colleagues," he says, "have the depth of a saucer. They cling to the tag 'liberal' that grew popular in the time of Franklin Roosevelt, even though they've forgotten it. They don't know what 'liberal' and 'conservative' mean any more! They've forgotten it because the liberal cause has triumphed."

"Once it was hard to be a liberal. Today it's 'in.' The ex-underdogs, the ex-outcasts, the ex-rebels are satisfied bourgeois today, who pay \$150 a plate at Americans for Democratic Action dinners. They don't know what they stand for any more, and they're hunting for a new voice to give them new bearings."

The search for a "new voice," he says, has catapulted such men into the arms of the New Left: "They want to cling to that thrill of the old days, of triumph, and hard fighting. So they cling to the label 'liberal,' and they cling to those who seem strong—namely, the New Left. The New Left shouts tirades, rather than offering reasoned arguments. People bow down to them, so they have come to seem strong, to seem sure of themselves. As a result, there's a gravitation to them by

the liberals who are not sure of themselves. This has given the New Left grave power over the Old Left."

It is this New Left "power" over many of the nation's liberal reporters, he says, that underlies an anti-American and pro-radical bias in network coverage—and that underlies public anger.

What is the solution to this problem, as envisaged by Mr. Smith?

Let public protest rip, he says. He experiences a twinge of discomfort over the fact that his solution is identical to Mr. Agnew's: "There have been very unpleasant, even threatening, letters," he reports. "But quite literally, what Mr. Agnew suggests is all right."

Public protest, he thinks, will knock these men back into contact with U.S. political realities.

"The networks have ignored this situation, despite years of protest, because they have power. And you know what Lord Acton says about power. It subtly corrupts. Power unaccountable has that effect on people. This situation should not continue. But I wouldn't do anything about it. I would let public opinion and the utterances of the alleged silent majority bring about a corrective. The corrective? Just a simple attempt to be fair—which many people have thrown aside over the last few years."

REPORT ON THE ESTUARY PROTECTION ACT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91-274)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Merchant Marine and Fisheries and ordered to be printed with illustrations:

To the Congress of the United States:

In accordance with Public Law 90-454, the Estuary Protection Act, I submit herewith a report forwarded to me by the Secretary of the Interior. This report, which is the first volume of a seven-volume study prepared by the Department of the Interior, documents the importance of estuaries of our country and the severity of their modification by man. It demonstrates the urgent need for prompt enactment of the bill for a comprehensive Coastal Zone Management System which the Secretary of the Interior submitted to you on November 13, 1969.

RICHARD NIXON.

THE WHITE HOUSE.

TO IMPROVE ADMINISTRATION OF THE GOVERNMENT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91-275)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Government Operations and ordered to be printed:

To the Congress of the United States:

We in government often are quick to call for reform in other institutions, but slow to reform ourselves. Yet nowhere

today is modern management more needed than in government itself.

In 1939, President Franklin D. Roosevelt proposed and the Congress accepted a reorganization plan that laid the groundwork for providing managerial assistance for a modern Presidency.

The plan placed the Bureau of the Budget within the Executive Office of the President. It made available to the President direct access to important new management instruments. The purpose of the plan was to improve the administration of the Government—to ensure that the Government could perform "promptly, effectively, without waste or lost motion."

Fulfilling that purpose today is far more difficult—and more important—than it was 30 years ago.

Last April, I created a President's Advisory Council on Executive Organization and named to it a distinguished group of outstanding experts headed by Roy L. Ash. I gave the Council a broad charter to examine ways in which the Executive Branch could be better organized. I asked it to recommend specific organizational changes that would make the Executive Branch a more vigorous and more effective instrument for creating and carrying out the programs that are needed today. The Council quickly concluded that the place to begin was in the Executive Office of the President itself. I agree.

The past 30 years have seen enormous changes in the size, structure and functions of the Federal Government. The budget has grown from less than \$10 billion to \$200 billion. The number of civilian employees has risen from one million to more than two and a half million. Four new Cabinet departments have been created, along with more than a score of independent agencies. Domestic policy issues have become increasingly complex. The interrelationships among Government programs have become more intricate. Yet the organization of the President's policy and management arms has not kept pace.

Over three decades, the Executive Office of the President has mushroomed but not by conscious design. In many areas it does not provide the kind of staff assistance and support the President needs in order to deal with the problems of government in the 1970s. We confront the 1970s with a staff organization geared in large measure to the tasks of the 1940s and 1950s.

One result, over the years, has been a tendency to enlarge the immediate White House staff—that is, the President's personal staff, as distinct from the institutional structure—to assist with management functions for which the President is responsible. This has blurred the distinction between personal staff and management institutions; it has left key management functions to be performed only intermittently and some not at all. It has perpetuated outdated structures.

Another result has been, paradoxically, to inhibit the delegation of authority to Departments and agencies.

A President whose programs are care-

fully coordinated, whose information system keeps him adequately informed, and whose organizational assignments are plainly set out, can delegate authority with security and confidence. A President whose office is deficient in these respects will be inclined, instead, to retain close control of operating responsibilities which he cannot and should not handle.

Improving the management processes of the President's own office, therefore, is a key element in improving the management of the entire Executive Branch, and in strengthening the authority of its Departments and agencies. By providing the tools that are needed to reduce duplication, to monitor performance and to promote greater efficiency throughout the Executive Branch, this also will enable us to give the country not only more effective but also more economical government—which it deserves.

To provide the management tools and policy mechanisms needed for the 1970s, I am today transmitting to the Congress Reorganization Plan No. 2 of 1970, prepared in accordance with Chapter 9 of Title 5 of the United States Code.

This plan draws not only on the work of the Ash Council itself, but also on the work of others that preceded—including the pioneering Brownlow Committee of 1936, the two Hoover Commissions, the Rockefeller Committee, and other Presidential task forces.

Essentially, the plan recognizes that two closely connected but basically separate functions both center in the President's office: policy determination and executive management. This involves 1) what government should do, and 2) how it goes about doing it.

My proposed reorganization creates a new entity to deal with each of these functions:

—It establishes a Domestic Council, to coordinate policy formulation in the domestic area. This Cabinet group would be provided with an institutional staff and to a considerable degree would be a domestic counterpart to the National Security Council.

—It establishes an Office of Management and Budget, which would be the President's principal arm for the exercise of his managerial functions.

The Domestic Council will be primarily concerned with *what* we do; the Office of Management and Budget will be primarily concerned with *how* we do it, and *how well* we do it.

DOMESTIC COUNCIL

The past year's experience with the Council for Urban Affairs has shown how immensely valuable a Cabinet-level council can be as a forum for both discussion and action on policy matters that cut across departmental jurisdictions.

The Domestic Council will be chaired by the President. Under the plan, its membership will include the Vice President, and the Secretaries of the Treasury, Interior, Agriculture, Commerce, Labor, Health, Education and Welfare, Housing and Urban Development, and Transportation, and the Attorney General. I also intend to designate as members the Director of the Office of Eco-

conomic Opportunity and, while he remains a member of the Cabinet, the Postmaster General. (Although I continue to hope that the Congress will adopt my proposal to create, in place of the Post Office Department, a self-sufficient postal authority.) The President could add other Executive Branch officials at his discretion.

The Council will be supported by a staff under an Executive Director who will also be one of the President's assistants. Like the National Security Council staff, this staff will work in close coordination with the President's personal staff but will have its own institutional identity. By being established on a permanent, institutional basis, it will be designed to develop and employ the "institutional memory" so essential if continuity is to be maintained, and if experience is to play its proper role in the policy-making process.

There does not now exist an organized, institutionally-staffed group charged with advising the President on the total range of domestic policy. The Domestic Council will fill that need. Under the President's direction, it will also be charged with integrating the various aspects of domestic policy into a consistent whole.

Among the specific policy functions in which I intend the Domestic Council to take the lead are these:

- Assessing national needs, collecting information and developing forecasts, for the purpose of defining national goals and objectives.

- Identifying alternative ways of achieving these objectives, and recommending consistent, integrated sets of policy choices.

- Providing rapid response to Presidential needs for policy advice on pressing domestic issues.

- Coordinating the establishment of national priorities for the allocation of available resources.

- Maintaining a continuous review of the conduct of ongoing programs from a policy standpoint, and proposing reforms as needed.

Much of the Council's work will be accomplished by temporary, ad hoc project committees. These might take a variety of forms, such as task forces, planning groups or advisory bodies. They can be established with varying degrees of formality, and can be set up to deal either with broad program areas or with specific problems. The committees will draw for staff support on Department and agency experts, supplemented by the Council's own staff and that of the Office of Management and Budget.

Establishment of the Domestic Council draws on the experience gained during the past year with the Council for Urban Affairs, the Cabinet Committee on the Environment and the Council for Rural Affairs. The principal key to the operation of these Councils has been the effective functioning of their various subcommittees. The Councils themselves will be consolidated into the Domestic Council; Urban, Rural and Environment subcommittees of the Domestic Council will be strengthened, using access to the Domestic Council staff.

Overall, the Domestic Council will provide the President with a streamlined, consolidated domestic policy arm, adequately staffed, and highly flexible in its operation. It also will provide a structure through which departmental initiatives can be more fully considered, and expert advice from the Departments and agencies more fully utilized.

OFFICE OF MANAGEMENT AND BUDGET

Under the reorganization plan, the technical and formal means by which the Office of Management and Budget is created is by re-designating the Bureau of the Budget as the Office of Management and Budget. The functions currently vested by law in the Bureau, or in its director, are transferred to the President, with the provision that he can then re-delegate them.

As soon as the reorganization plan takes effect, I intend to delegate those statutory functions to the Director of the new Office of Management and Budget, including those under section 212 of the Budget and Accounting Act, 1921.

However, creation of the Office of Management and Budget represents far more than a mere change of name for the Bureau of the Budget. It represents a basic change in concept and emphasis, reflecting the broader management needs of the Office of the President.

The new Office will still perform the key function of assisting the President in the preparation of the annual Federal budget and overseeing its execution. It will draw upon the skills and experience of the extraordinarily able and dedicated career staff developed by the Bureau of the Budget. But preparation of the budget as such will no longer be its dominant, overriding concern.

While the budget function remains a vital tool of management, it will be strengthened by the greater emphasis the new office will place on fiscal analysis. The budget function is only one of several important management tools that the President must now have. He must also have a substantially enhanced institutional staff capability in other areas of executive management—particularly in program evaluation and coordination, improvement of Executive Branch organization, information and management systems, and development of executive talent. Under this plan, strengthened capability in these areas will be provided partly through internal reorganization, and it will also require additional staff resources.

The new Office of Management and Budget will place much greater emphasis on the evaluation of program performance: on assessing the extent to which programs are actually achieving their intended results, and delivering the intended services to the intended recipients. This is needed on a continuing basis, not as a one-time effort. Program evaluation will remain a function of the individual agencies as it is today. However, a single agency cannot fairly be expected to judge overall effectiveness in programs that cross agency lines—and the difference between agency and Presidential perspectives requires a capacity in the Executive Office to evaluate

program performance whenever appropriate.

The new Office will expand efforts to improve interagency cooperation in the field. Washington-based coordinators will help work out interagency problems at the operating level, and assist in developing efficient coordinating mechanisms throughout the country. The success of these efforts depends on the experience, persuasion, and understanding of an Office which will be an expeditor and catalyst. The Office will also respond to requests from State and local governments for assistance on intergovernmental programs. It will work closely with the Vice President and the Office of Intergovernmental Relations.

Improvement of Government organization, information and management systems will be a major function of the Office of Management and Budget. It will maintain a continuous review of the organizational structures and management processes of the Executive Branch, and recommend needed changes. It will take the lead in developing new information systems to provide the President with the performance and other data that he needs but does not now get. When new programs are launched, it will seek to ensure that they are not simply forced into or grafted onto existing organizational structures that may not be appropriate. Resistance to organizational change is one of the chief obstacles to effective government; the new Office will seek to ensure that organization keeps abreast of program needs.

The new Office will also take the lead in devising programs for the development of career executive talent throughout the Government. Not the least of the President's needs as Chief Executive is direct capability in the Executive Office for insuring that talented executives are used to the full extent of their abilities. Effective, coordinated efforts for executive manpower development have been hampered by the lack of a system for forecasting the needs for executive talent and appraising leadership potential. Both are crucial to the success of an enterprise—whether private or public.

The Office of Management and Budget will be charged with advising the President on the development of new programs to recruit, train, motivate, deploy, and evaluate the men and women who make up the top ranks of the civil service, in the broadest sense of that term. It will not deal with individuals, but will rely on the talented professionals of the Civil Service Commission and the Departments and agencies themselves to administer these programs. Under the leadership of the Office of Management and Budget there will be joint efforts to see to it that all executive talent is well utilized wherever it may be needed throughout the executive branch, and to assure that executive training and motivation meet not only today's needs but those of the years ahead.

Finally, the new Office will continue the legislative reference functions now performed by the Bureau of the Budget, drawing together agency reactions on all proposed legislation, and helping develop legislation to carry out the President's

program. It also will continue the Bureau's work of improving and coordinating Federal statistical services.

SIGNIFICANCE OF THE CHANGES

The people deserve a more responsive and more effective Government the times require it. These changes will help provide it.

Each reorganization included in the plan which accompanies this message is necessary to accomplish one or more of the purposes set forth in Section 901(a) of Title 5 of the United States Code. In particular, the plan is responsive to Section 901(a)(1), "to promote the better execution of the laws, the more effective management of the Executive Branch and of its agencies and functions, and the expeditious administration of the public business;" and Section 901(a)(3), "to increase the efficiency of the operations of the Government to the fullest extent practicable."

The reorganizations provided for in this plan make necessary the appointment and compensation of new officers, as specified in Section 102(c) of the plan. The rates of compensation fixed for these officers are comparable to those fixed for other officers in the Executive Branch who have similar responsibilities.

While this plan will result in a modest increase in direct expenditures, its strengthening of the Executive Office of the President will bring significant indirect savings, and at the same time will help ensure that people actually receive the return they deserve for every dollar the Government spends. The savings will result from the improved efficiency these changes will provide throughout the Executive Branch—and also from curtailing the waste that results when programs simply fail to achieve their objectives. It is not practical, however, to itemize or aggregate these indirect expenditure reductions which will result from the reorganization.

I expect to follow with other reorganization plans, quite possibly including ones that will affect other activities of the Executive Office of the President. Our studies are continuing. But this by itself is a reorganization of major significance, and a key to the more effective functioning of the entire Executive Branch.

These changes would provide an improved system of policymaking and coordination, a strengthened capacity to perform those functions that are now the central concerns of the Bureau of the Budget, and a more effective set of management tools for the performance of other functions that have been rapidly increasing in importance.

The reorganization will not only improve the staff resources available to the President, but will also strengthen the advisory roles of those members of the Cabinet principally concerned with domestic affairs. By providing a means of formulating integrated and systematic recommendations on major domestic policy issues, the plan serves not only the needs of the President, but also the interests of the Congress.

This reorganization plan is of major importance to the functioning of modern

government. The national interest requires it. I urge that the Congress allow it to become effective.

RICHARD NIXON.

THE WHITE HOUSE, March 12, 1970.

INCREASING THE NUMBER OF POSITIONS OF OFFICIAL REPORTERS TO COMMITTEES AND POSITIONS OF EXPERT TRANSCRIBERS TO OFFICIAL COMMITTEE REPORTERS

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 91-905) on the resolution (H. Res. 865) increasing the number of positions of official reporters to committees and positions of expert transcribers to official committee reporters and ask for immediate consideration of the resolution.

The Clerk read the resolution, as follows:

H. RES. 865

Resolved, That, effective upon enactment of this resolution, there shall be paid out of the contingent fund of the House, until otherwise provided by law, compensation for the employment of two additional official reporters to committees of the House of Representatives and two additional expert transcribers to official committee reporters, to be appointed in the same manner, and to receive the same rate of compensation, as the other official reporters to House committees and other expert transcribers to official committee reporters.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

IN DEFENSE OF THE AMERICAN FARMER

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

Mr. OBEY. Mr. Speaker, I am rising in this House today to speak on a subject of great concern to me, and of the greatest importance to the American people and to this Nation's economy. I am speaking because I am not only concerned, but because I am worried. And, I am worried because there seems to be a growing misunderstanding and lack of appreciation—by the public and the present administration—for the role America's farmer's play in the growth of our country.

There has been much discussion recently about the farm problem, and some of my colleagues and certainly many of their constituents seem to feel that a solution to the farm problem is to withhold Government payments from our farmers. This in turn—their story goes—would save the Government billions of dollars and substantially lower the housewives' cost of groceries.

I would like to point out to my colleagues, that this simple solution—ending farm payments—is no solution at all; Americans are getting a bargain in food purchases in comparison with other nations; and that an end to our present farm programs would bring chaos to

rural America and eventually to our economy as a whole.

FARMING OUR BIGGEST INDUSTRY

I say this first of all because although some urban residents undoubtedly do not realize it, the fact is that agriculture is still our Nation's No. 1 industry. It employs 5 million workers and its assets total \$298 billion, equal to about two-thirds of the current assets of all corporations in the United States.

To be sure our farm population today is only slightly over 5 percent of our total population. But farmers are responsible for buying about \$37 billion in production goods and services per year. The commercial farmer buys about 5 percent of our total steel production, about \$1.6 billion of our petroleum products or 11 percent of the total sold. He buys enough rubber for his cars and tractors to put tires on 7.5 million cars, and it has been estimated that his purchases are the basis for about 6 million jobs in machinery, chemical and other supply industries. And his products, in turn, are the basis for processing and marketing industries which provide an estimated 14 to 16 million jobs.

DO NOT BLAME FARMERS FOR INFLATION

While the farmer's importance to our economy is generally underrated, his relationship to our increasing cost of living is certainly overrated.

Today the consumer spends only 16.5 percent of his take-home pay to buy food, compared with 20 percent in 1960. In Western Europe the comparative figure is 25 percent to 30 percent, and in the Soviet Union 45 percent to 50 percent. In Asia the consumer pays 75 percent to 80 percent of his disposable income for food.

But it is too often the farmer who is blamed for the increase in the price of bread, or cornflakes or hamburger. It is almost like a litany.

"Who pays for the price increase?" we're asked.

"The consumer," we're told.

"But who gets the blame," I ask.

"The farmer—almost always the farmer."

And what of the prices our farmers are receiving?

Today less than 5 cents of every dollar we spend on everything goes to the farmer for food, as against 10 cents as recently as 1949.

The farmer's share of the retail food dollar was 39 cents in 1968. That compares with 47 cents in 1950. He sells his wheat at 1942 prices and his livestock at 1952 prices.

The true story of course is that it is not the farmer but the "middleman" who is gaining most from any increase in food prices. The farmer provides our consumers with food. It is the middleman who transports it, and wraps it and displays it in tune to the demands of the consuming public.

COST-PRICE SQUEEZE

Every beginning course in general economics uses agriculture as the classic case of "inelastic demand," consumer demand which does not change significantly in response to increases or decreases in price. I think they would be

far better off using our farm sector as the classic example of an industry caught in a cost-price squeeze.

In 1947 the realized gross farm income was \$34.1 billion, and the realized net income was \$17.1 billion.

In 1968 the realized gross farm income was \$51 billion, but the realized net income was only \$14.7 billion, almost \$3 billion less than it was about a quarter of a century ago.

The U.S. Department of Agriculture Handbook shows that the farmers have been caught in a vicious cost-price squeeze since 1953. In the past 10 years interest rates have gone up 300 percent and taxes about 200 percent. The parity ratio which describes the relationship between the prices paid by farmers and the prices received by them is equal to its lowest level since 1933.

Anyone would be hard pressed to show from these figures, Mr. Speaker, that the farmer is getting rich on either government subsidies or anything else.

The parity ratio I mentioned above is about 75 percent. In what other area—industry, labor, the professions or government—would people work for 75 percent of what they are worth.

I think we can safely say in no other industry are we likely to find this situation. And in no industry, including agriculture, should workers have to accept such a disparity. So it is time that we all pay respects to the tremendous job that our farmers are doing in supplying the food and fiber for the Nation, and indeed for a hungry world.

I think it is up to us in Congress and other elected offices throughout the country to periodically remind our citizens that they cannot continue to take their abundant supply of quality food for granted. More importantly, we in Government cannot act as if we could ignore the importance of the farming industry in this Nation.

Food shortages, world hunger, and malnutrition in this country, and even the ever-present pictures of busy, overcrowded, and polluted cities are a daily reminder that we must continue to support our farm industry and encourage our farmers to remain in business.

Does the shopper realize how high prices would rise if large numbers of family farmers decided to "hang up their spikes," and food production were concentrated in the hands of a few growers.

Do our businessmen realize how beneficial the farmer is to our balance of payments? Do they realize, in fact, that the only thing which keeps our balance of payments from going even more heavily in the red is the exportation of food, grown by 5 percent of our population?

Do our city officials realize how their already burdensome problems would be multiplied if larger numbers of farmers decided to migrate to our overcrowded cities?

Do our citizens remember that the Great Depression of 1929 was preceded by an agricultural depression and that the recession of 1957-58 was also preceded by a depression in agriculture?

Do they realize that taking huge amounts of land out of production as

some have suggested would probably reduce farm income more than it would reduce Federal expenditures for farm programs? This income drop would cause untold chaos in rural America.

And, if Government support programs were ended, do they realize that farm income would be reduced a full 20 percent, precipitating just the kind of rural depression which caused this Nation severe economic difficulties in the past?

And why, Mr. Speaker, are payments in support of our farmers considered "subsidies" when Federal payments to airlines or railroads or publishing houses are not?

How can the farmer and farm programs be used as whipping boys in attempts to correct excessive Government spending when we are spending billions of dollars for a supersonic transportation airplane, for space shots, and to finance pork barrel projects in our foreign aid program?

What we should be doing is taking positive steps to assure farmers some stability in their business, and at the same time assure the consumer that he will continue to have an adequate supply of quality food.

And it is at this point, Mr. Speaker, when we must look at just who is doing what for the farmer.

COALITION FARM BILL

In the Congress more than 50 Members of the House and Senate, including myself, have cosponsored the so-called coalition farm bill, a bill supported by 27 different farm organizations which includes some income improvement provisions and extends the commodity programs authorized by the Food and Agriculture Act of 1965. Never before have so many farm organizations spoken with one voice. And they are speaking with the experience of many years in agriculture. This bill is not the result of bureaucrats who are trying to tell the farmers what works and what does not.

ADMINISTRATION NEGLECT

When we look at the Executive, the record of the past year is a mixed one at best, and I am sure the farmers are going, and have a right, to expect far better treatment in the years ahead. In fact, in some cases the record of the administration is absolutely dismal. For example:

DAIRY PRICE SUPPORTS

The administration did not raise dairy price supports for manufacturing milk to 90 percent of parity as authorized by law on April 1, 1969.

That decision not to raise the \$4.28 hundredweight price support which is now about 78.5 percent of parity to the full 90 percent will cost dairy farmers an estimated \$400 million in a 12-month period. While raising the price support for milk would not be inflationary because prices paid for milk are now above the support level, it would put a floor on the price for milk and prevent a deflationary impact on dairy farmers when prices go down during the spring and early summer months. I have asked the Secretary of Agriculture to raise the support level in the past, and I again urge

him now to rectify the decision which he made last April 1.

ADVANCE PAYMENTS

The administration decided to eliminate advance payments under the feed grain program.

Just as I did not support the original proposal by the Johnson administration to reduce the advance payment rate from 50 to 25 percent in 1969, I strongly object to the decision of the present administration to abolish advance payments completely in 1970. This move will cost farmers many thousands of dollars in interest if they seek money from lending institutions to buy seed, fertilizer, fuel, and other items for spring planting which they were previously able to purchase with nearly \$400 million they received as advance payments. The elimination of advance payments was a budgetary gimmick used by the administration to shove money from one fiscal year to another and come up with a "paper cut" in the budget. The result of this decision has been a 14-percent reduction from a year earlier in the number of signups for the feed grain program. It will undoubtedly impose a hardship on many farmers. Because I believe the decision was an unwise one, I have introduced legislation to require the Secretary of Agriculture to make advance payments to producers under the feed grain program.

IMPORT QUOTAS

The administration has not stopped the evasion of the import quotas which our Nation has for dairy products.

This is a longstanding problem. Dairy products have been subsidized by foreign governments importing cheese into this country. At the present time New Zealand is importing large quantities of Monterey cheese to this country although many persons believe it is just another variety of an American-type cheese. Farmers do not expect the Government to cut off all dairy imports, but certainly we should move swiftly to enforce our present laws and prevent evasion of it, evasions which have allowed large amounts of chocolate milk crumb, Monterey cheese and imports selling for just over 47 cents per pound to squeeze American dairy products out of the market.

TAX-LOSS FARMING

The administration has not come to grips in any way with the tax loss and hobby farmer or with the corporate invasion of agriculture.

Hobby and tax-loss farmers are in farming to avoid taxes, not to make a profit. They milk the Treasury for upwards of \$600 million per year by claiming tax losses on farming operations. Many of these Hollywood farmers are accepting grants-in-aid payments from the U.S. Department of Agriculture as if they were legitimate farmers, when they are only in the business for tax purposes. I have introduced legislation and believe with its passage Congress could take a first step in protecting the family farmer from the unfair competition he now faces from large corporations which are looking for tax breaks. My bill would make the tax-loss hobby

farmers ineligible to receive agricultural grants-in-aid or farm price support program payments. It would not penalize the family farmer who may legitimately incur losses, but it certainly will affect the so-called farmer who loses at least \$30,000 in a 5-year period and who cannot show that he is in farming with an expectation of making a profit. The legitimate farmer who must make a profit in order to survive should not be expected to compete against the tax-loss farmer who has no intention of making a profit—especially if that tax-loss farmer is given a built-in advantage by our own tax laws.

COOPERATIVES

The administration and some segments of the Congress show antipathy toward cooperatives at best, and downright hostility at worst.

During the congressional debate on the Tax Reform Act, some persons attempted to include provisions which would have required cooperatives to return part of their dividends in cash, and would have forced them to redeem all dividend certificates in cash after 15 years. While a number of us from rural districts were able to ultimately eliminate these provisions completely, there was no indication from the Treasury or Commerce Departments that this move was an unwise one and potentially harmful, if not fatal, to many cooperatives throughout rural America. The taxation of cooperatives was carefully reviewed by the Congress in 1962. But, while some cooperatives need reforming, we should not destroy the cooperative movement in the process. Before any new action is taken in this area, I would hope that more research could be done and all concerned persons would have an opportunity to present their views to their elected officials.

ACP AND SPECIAL MILK PROGRAMS

The administration has presented a budget for the next fiscal year which eliminates the ACP and special milk programs, and may even decrease farm income.

Just when the importance of preserving our natural resources is becoming fully recognized, the President has proposed the elimination of all funds for the ACP or agricultural conservation program. Water erosion is a great environmental hazard, sending large amounts of silt flowing into streams and lakes with much resultant damage. How can we expect farmers to be stewards of the soil by themselves. Our farmers already pay thousands of dollars out of their own pockets for terracing, contour farming and other erosion practices. While the President is calling in his environmental message for more cropland to be used for open space and recreation and for the reforestation of idled farmland, it is ironic that he is calling for the abolishment of a program which helps our farmers to conserve our soil and water and wildlife.

The President's budget also eliminates a program which last year provided milk for some 17 million schoolchildren. I am in total and complete disagreement with the President's recommendation in this matter. I know President Johnson pro-

posed the elimination of this program a year ago, but President Nixon is just as wrong in proposing it now as President Johnson was then. When food, nutrition, and health are uppermost in our minds, and when studies show that even children from the wealthiest of families have been found to be nutritionally deficient, it is hardly the time to eliminate programs which help to meet the nutritional needs of millions of schoolchildren at a cost of \$104 million, less than half the subsidies the President has requested for the SST this year.

And lastly is the educated concern by some persons that budget reductions of \$150 million in the feed grain program and \$386 million for "other price-support operations" may decrease farm income by as much as \$1 billion. The U.S. Department of Agriculture itself states that its activities in 1971 will be directed only toward "maintaining" farm income, not increasing it. How much longer can the farmer afford to just maintain, let alone have a decrease in his income when inflation and increasing costs are constantly taking their toll.

So, Mr. Speaker, while we do not have a farm program before us in the Congress which the President and the Secretary of Agriculture are willing to call their own, we can judge them best on their actions in the past. And I think the actions I attempted to outline for you are clear justification for concern by those of us who care about our farmers and rural America.

I am not saying there is a concerted attempt by the President to institute policies which are harmful to the 5 percent of our population in agriculture. Secretary of Agriculture Hardin realizes, as he said a few months ago, that "rural and small town America offers opportunity and hope for a better life for all of us."

But perhaps it is because their numbers are relatively small or their problems so easily misunderstood that our farmers always seem to bear the brunt of Government actions when our economy is in trouble.

In the next few months we will be giving consideration to various but significant proposals pertaining to agriculture. I think the Congress and the Executive will do well to look at these proposals not as a means to end the farm problem but as an opportunity to look at our farmers' problems and to seek ways to help those farmers gain a larger share of the wealth of this country.

And I make this appeal especially to my urban colleagues.

Just because there are abuses of the farm program, such as large diversion payments to certain individuals, we cannot use this as an excuse to throw out the whole farm program. To do so would be as irresponsible as ending medicare which helps all elderly people because we are having serious administrative problems with it. I do not think we would be willing to do that, and I do not think we should be willing to scuttle the whole farm program either.

City legislators say, and rightly so, that all Americans are responsible for helping to solve city problems. I ask them to re-

member that it is also true that every Member of this House has a similar obligation to those in rural America. I ask you not to use the farmer as the whipping boy for the shortcomings of Government in many other areas. There are too many legitimate targets for you to do so.

Just as a start, in meeting our obligations to rural America, the Government should take the following actions:

First. Raise the price support for milk to the full 90-percent parity. And I have once again asked the Secretary of Agriculture, in a telegram today, to do so.

Second. Require the Secretary of Agriculture to make advance payments to producers under the feed grain program, and make the program permanent.

Third. Take adequate measures to stop the evasion of our dairy import regulations.

Fourth. Pass legislation to deal with the tax-loss and the hobby farmer.

Fifth. Assure the maintenance of viable cooperatives in rural America.

Sixth. Appropriate adequate funds for the agricultural conservation program.

Seventh. Make the school milk program permanent.

Eighth. Strengthen the farmers' bargaining position.

Much more than this must be done, but this is the absolute minimum required of the Congress and the administration and it is required now.

POLLUTION: THE PLUNDERING OF OUR ENVIRONMENT

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

Mr. VANIK. Mr. Speaker, on April 22, students in practically every institution of higher education and millions of students in secondary schools throughout the Nation will be conducting a day of study and discussion on the overwhelming pollution problems which threaten to reduce the livable areas of our modern world. Discussions are scheduled to be held at Case Western Reserve University, Cleveland State University, Notre Dame College, Ursuline College, and Kent State University.

At University School, the Cleveland Council of Independent Schools, including Laurel, Hathaway Brown, University School, and Hawken, will convene at a conference on April 22, to inform the students of the problems that man is creating in his own environment and, secondly, make students aware of what they can do to help this deteriorating situation. The program will include participants from industry, science, and government.

On March 24, John Carroll University is sponsoring a full day conference on the "Environmental Problems of the Lake Erie Basin" which will include the keynote address by Edwin J. Skoch, assistant professor of biology at John Carroll University and conference coordinator. Other speakers will include: I. M. Korkigian, hydraulic engineer, U.S. Army Corps of Engineers, Detroit, Mich.,

who will speak on "Physical Factors of Lake Erie"; Leonard T. Crook, planning director, Great Lakes Basin Committee, Ann Arbor, Mich., who will speak on "Land and Water Usage"; Herbert E. Allen, chemist, Limnological Research Laboratory, U.S. Commercial Fisheries Bureau, Ann Arbor, Mich., who will speak on "Chemical and Biological Quality."

A discussion and summary will be chaired by Luna Leopold, ecologist, U.S. Geological Survey, Washington, D.C., and will include on the panel: Mr. Korkigan, Mr. Crook, and Mr. Allen. The dinner speaker will be the Honorable James R. Smith, Assistant U.S. Secretary of the Interior.

Those "concerned" about this problem should include every American. It is not surprising that the efforts to fight pollution are substantially organized by American youth. The young people of America realize that pollution of all types is closing in on the environment which we once believed was unlimited.

No part of America is secure and safe from environmental destruction. The future growth of California is clouded by the cruel smog that has already devastated the San Fernando Valley and has moved halfway up the San Joaquin. Inversions in desert areas between mountains have contaminated large desert areas in Arizona and New Mexico.

The dead waters of pollution which fill Lake Erie threaten to spread their blight. Paper and petrochemical pollution have ruined vast portions of the Gulf of Mexico. Biloxi and Gulfport are has-been resort places. San Francisco Bay vies with the Santa Barbara Channel in oil and industrial pollution. The great rivers of America—the Hudson, the Susquehanna, the James, the Mississippi, the Ohio, the Sacramento—are open sewage drains into the sea. Our own Cuyahoga River ranks among the most filthy of America. The pollution density of the Cuyahoga River is just about the highest in the world.

Pollution is rapidly closing in on the last places in America where the air is clear and the water is good.

The alarm has been sounded, but all is not yet lost. I am among those who believe we can control the encroachment of pollution and reverse its course in time to save the land and the waters of America before we are overwhelmed. While we are confounded with the awesome problem of Lake Erie pollution, our geography is more encouraging on the problem of air pollution. Since we are on the Great Lakes Plain, the prevailing westerly winds disperse and scatter our polluted air—except for occasional stationary inversions which suffocate.

EARLY EFFORTS

My interest in these problems goes back almost 30 years when I represented in city hall those citizens of Cleveland who lived on the east bank of the Cuyahoga River and suffered almost inhumane conditions of industrial air pollution which etched window glass within 2 years, which eroded the Clark Avenue Bridge several times over. Through community action groups, we cried for help and support which never came. We hired

our own experts while city authorities ratified and approved existing levels of pollution as "tolerable and acceptable." The Academy of Medicine heard our complaint and dutifully filed it. We knew there would be no real chance for relief until pollution spread into the countryside.

RESPONSIBILITY DIVIDED

Although responsibility for these problems is a multigovernment responsibility, it becomes increasingly apparent that State and local governments are not effective in meeting the problem. The municipal pollution of the Great Lakes is the result of apathy and inadequate planning at the State level. Industrial pollution of Lake Erie and the Great Lakes has substantially resulted from State protection. The State of Ohio has granted permits to pollute which have prevented cities and local governments from interfering to save their environments. Local governments have vacillated, weighing pollution control enforcement against the industrial threat of plant shutdown with resulting unemployment. There are and there have been sufficient local laws and authority to restrain every form of pollution abuse. As far as industrial pollution is concerned, the threat to move away from a community which is vigilant and alert on air and water pollution can be made real as long as there are other communities in America which are hospitable to pollution.

PROFITS IN POLLUTION

Competitive advantages in production based upon a community's indifference to pollution is unfair. Profits generated through pollution are dirty profits and the polluters must be exposed for what they do to the Nation and its people.

Until recent years, practically nothing has been spent to meet the pollution problem. Local governments provided surveillance services with practically no enforcement. If Cleveland attacked a polluting industry, it could always threaten to move to another place. Only recently did the State of Ohio recognize the water pollution problem by loaning funds to local governments from the \$100,000,000 set-aside for water pollution control in the State bond issue adopted several years ago.

AIR POLLUTION

Congress has been legislating on the air pollution problem since 1955, the year I came to Congress. The law was considerably amended in 1963. The Air Quality Act of 1967 first established a program of State standards with Federal criteria. Federal spending which totals \$330 million to date was primarily directed toward research and State action. The January 20 hearing which I addressed in Cleveland was a State hearing to develop State standards. At this hearing, I advocated Federal air quality standards and opposed the establishment of pollution zones of lesser standards. I also advocated the establishment of new Federal authority to approach the industrial pollution problem on an industry-by-industry basis. Under this plan, the same requirements would apply to a steel mill or an oil refinery or a paper mill—wherever located. This is

the only way to eliminate the profit in pollution and the competition between communities based on lax antipollution enforcement.

WATER POLLUTION PROBLEMS

In the water pollution effort, the Federal Government has done considerably more. Federal expenditures up to the present time have exceeded \$2 billion. As of December 31, 1969, Federal grants have totaled \$1.5 billion for 9,807 public waste treatment projects. Congress has appropriated \$800 million for this fiscal year for which the President requested only \$214 million. Despite urgent needs, the administration has announced it will only spend \$450 million of the \$800 million provided by Congress. At the present time, there are over 7,535 new applications for Federal assistance for water pollution control. These desperately needed projects represent a backlog of \$9.2 billion.

In response to this need, the President has recommended a \$4 billion Federal assistance program which is no more and, in fact, less than what Congress is presently willing to do.

Present Federal programs consist of research and grants for local public waste disposal systems. Nothing has been allocated for removal of existing pollutants in critically contaminated bodies of water like Lake Erie. The lake bottom is filled with slowly dissolving pollutants which continue to contaminate the fresh water flow. These pollutants must be removed either by flushing them out to sea—or by the slow, costly process of dredging or aeration.

BREAKTHROUGH

Last year, I was successful in obtaining congressional approval for the first legislative recognition of the disastrous Lake Erie pollution problem. Both the House and the Senate have approved a \$20 million authorization for Lake Erie and the Great Lakes problem. A House-Senate conference is seeking to resolve the appropriation.

The first Federal moneys for the Great Lakes problem was, in a significant measure, the result of the splendid testimony before the House Public Works Committee of the 22d Congressional District high school students from Shaker Heights, Cleveland Heights, Laurel, Hawken, Hathaway Brown and University School on March 4, 1969—the first successful teach-in to occur on this subject in America.

THE FEDERAL POLLUTOR

As a result of the first water pollution conference in Cleveland in May 1965, I was the first Member of Congress to protest the Federal Government's own contribution to pollution by the dumping of dredged material into the Great Lakes. At that time, I charged that the Army Engineers were helping to foul Lake Erie while other Federal agencies, such as the Public Health Service, were spending millions to investigate the source of lake pollution. "When these materials, including undissolved pollutants, are dumped, the contamination spreads throughout the lake."

The Corps of Engineers first denied that these dredgings contributed measurably to the lake pollution problem.

A United States Public Health Service study confirmed my protest. A limited diking program to contain only 38 percent of the dredged materials was begun in 1967 in an area adjoining the Burke Lakefront Airport. In 1968 the diked area was considerably expanded to include all dredged materials through 1971, at which time the diked area will be filled.

It has been my intention that the White House order all Federal agencies to take the lead in abating pollution including a total nationwide diking program for dredged materials.

In my study of the President's 1971 budget, I was distressed to find no mention of any funds allocated for the construction of any dikes. If we are to solve this problem, the essential resources must be included in the supplementary budget.

CALL TO ACTION

The massive Federal program to build new public waste treatment facilities must be matched with vigorous enforcement against municipal and industrial polluters. The action of the Chicago Federal grand jury indicting polluters under an 1899 Federal law indicates what can be done under existing law when there is a will.

To save Lake Erie, I have proposed the establishment of a water pollution disaster fund with 25 percent of all Federal pollution control funds earmarked specifically to meet the problem of high-density pollution, which is interstate and beyond the capacity of local governments. Without this type of funding and special national attention to our dying resource—Lake Erie will not be saved.

To control water pollution by industry, I am proposing legislation which will authorize the Water Pollution Control Administration to set strict standards and specifications for industrial water use. This agency must be empowered to certify uniform water pollution control processes on an industry-by-industry basis. The people of America must be certain that industrial waters are made safe for reuse. I propose that the same authority be granted to control industrial air pollution on an industry-by-industry basis.

The Ways and Means Committee of which I am a member adopted language which I advocated in the tax reform bill of last year which provides for accelerated depreciation of industrial expenditures for pollution control. Wise taxation policies contribute to the establishment of a balanced pollution control program. Every tool must be used in this fight.

The preservation of our environment begins in the neighborhoods of our community. The networks of freeways which riddle our land must be screened by verdant trees and plantings which can absorb noise and noxious fumes. In this way, through intelligent planning, we can marshal the forces of nature to combat our immediate problem of noise and air pollution. Every technique must be used against every form of pollution.

I share the feelings of frustration of those who are tired of rhetoric. Over the past 32 years, I have labored on this problem. I rejoice in the swell of in-

terest which currently exists. This may be our last chance. This time we must win.

RHODESIA—WHY IS RECOGNITION A CRISIS IN U.S. FOREIGN POLICY?

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

Mr. RARICK. Mr. Speaker, it is time for a careful and intelligent review of the policy of the United States in granting or withholding recognition of the governments of foreign powers. Except for the diabolical few who wish to destroy the United States in favor of a world Soviet, all Americans would agree that the primary consideration should be the self interest of the United States.

Basically, where it is in our interest to deal with a foreign government the experience of mankind has shown it to be expedient to exchange diplomatic envoys with such a government. This amounts to diplomatic recognition.

What is a government? Obviously it is necessary that a government—to be recognized as such—must wield an actual and effective sovereignty over the territory it purports to govern. Fictitious sovereignty is not enough, except for the purposes of influencing opinion either at home or abroad.

For example, the United States still recognizes and maintains diplomatic relations with the Baltic republics of Estonia, Latvia, and Lithuania, although they have been seized and incorporated by force into the Soviet Union. As a gesture of disapproval toward the Soviet, this is fine. It has even served the purposes of local politicians seeking an ethnic vote.

But let us not kid ourselves. We could enter into the most ceremonious agreement, bedecked with gold seals and all manner of red ribbons, with the mythical government of Latvia, and still the invited arrival of U.S. Marines at its capital of Riga would be opposed by the Red army of the Soviet Union, which exercises de facto sovereignty over that real estate.

In addition to actual sovereignty, diplomatic recognition requires something else. It implies faith that the effective leadership which controls the land and the people can and will abide by its international agreements, and can and will give the usual safe conduct and protections to citizens of other powers who may be traveling in its domain. In other words, if a territory is firmly controlled by a gang of bandits, there is absolutely no purpose in entering into diplomatic relations with the bandit chief, because he either cannot or will not do what is expected of civilized sovereigns in international relations.

Against this background, we should examine the Republic of Rhodesia.

That its government exercises absolute sovereignty over its territory is beyond dispute. As a self-governing colony it did so for decades, and as an independent nation, recognizing the titular sovereignty of the queen it has done so for years.

The Smith government has won the unquestioned loyalty of the great majority of Rhodesians, of all races, and has maintained under difficult conditions a civilization which is the envy of much of the world. Like the United States, the Republic of Rhodesia represents the continuing growth and development of the English system of freedom under law which has made us the very model of freedom under law.

There is no question about either its desire or its ability to fulfill its role as a civilized government of a civilized nation. Agreements made will be kept. Obligations incurred will be honored. American citizens traveling in Salisbury will be safer than in Washington.

I know, for I have seen both.

We are given three basic reasons for refusing to grant diplomatic recognition to Rhodesia, all of them false, as I will demonstrate.

First, we are told that we must honor the sanctions on that country which were imposed by the United Nations organization. Let us look honestly at these sanctions, from either the point of view of objective evaluation of their validity or from the point of view of the interest of the United States.

Objectively, the sanctions were either the conniving of the Soviet, manipulating the black puppets of the 42 so-called emerging nations which make up a significant and controllable bloc in the General Assembly, or they were the petulant pouting of spiteful children who are going to spit on the pie if they cannot have it to eat.

The idea that peaceful Rhodesia—nonaggressive and with no announced threat to its neighbors—is a threat to world peace—because some other nation may make an aggressive attack on Rhodesia—is the kind of poppycock that thinking Americans are sick of hearing. This is like saying that a law-abiding home is a dangerous threat to law and order in the community because some criminal may rob or burglarize it, therefore, to preserve public peace it must be burned down.

From the point of view of the United States, and although our treaty obligations are the law of the land under our Constitution, the actions of the United Nations organization or any of its organs, no matter how prestigious, are binding on us only if we choose to be bound. In some instances it suits our domestic political purposes or our international relations to be bound, and we ratify the U.N. organization decree by our acceptance. In other cases, where it does not fit the policy of the United States, we have many convenient ways of avoiding the impact of U.N. organization mandates.

For example, Israel is in violation of repeated mandates by the Security Council to withdraw within its own borders and cease its aggressive military operations against its neighbors. As a member of the Security Council as well as of the United Nations Organization, we should apply the same standards to the violation of these mandates as to any other, but instead we are aiding and abetting their repeated daily violation. Not only

do we give financial support to Israel, through tax-free bonds enjoyed by no other nation, but we actually manufacture and sell to the Israelis the weapons with which to continue their transgressions against U.N. organization authority.

It has been suggested by some critics of our very elastic interpretation of our obligations to the United Nations organization that the Rhodesians would fare better if there were more Rhodesians voting in New York. I offer no opinion on this idea.

Nor is Israel the only such example of our highly variable standard.

Red China is actually at war with the United Nations organization—or with the United States if you desire to pierce the thin veil of illusion. Remember Korea?

But in Warsaw, our Ambassador chatters happily over tea with Mao's Ambassador, while we seek some way to work out an acceptable—to the Soviet Union, that is—method of diplomatic recognition.

Second, we are told that we must not offend the United Kingdom by granting recognition to a former colony whose independence does not meet with British Government approval—at least with the dictates of the Socialist Party presently in power.

There may or may not be a good reason for being the rubberstamp endorser of British colonial policy. If there is, it has never been even suggested to the American people or to their representatives in the Congress, much less explained to any of us. I, for one, have had enough of the British willingness to fight to the last American, whether in Rhodesia or elsewhere. I believe the majority of the American people share this view.

We do not find our British brethren anywhere near as solicitous of our feelings as they desire us to be of theirs. While Americans die in combat in Vietnam, ships flying many of the flags of the British Commonwealth sail in and out of the port of Haiphong, trading with the enemy and supplying him with the necessary materiel for his slaughter of Americans. Despite the threat to the United States from the presence of Soviet missiles and missile bases in Castro Cuba, our Canadian friends, a nation of the British Commonwealth, carry on a sustaining trade with Havana.

Third, it has been drummed into American ears for years that there is something bad about the Government of Rhodesia, and about the Government of South Africa, because these nations are ruled by civilized white men rather than savage Negroes. A false corollary of this propaganda line is that something must be wrong with the "democracy" in these lands, since where the savages manifestly outnumber the civilized men, a one-man one-vote situation would obviously result in a savage and not a civilized government.

A recent report from UNESCO announced that 97 countries of the world have illiteracy rates of 50 percent—and in 20 countries 95 to 99 percent of the inhabitants are illiterate. And, according to UNESCO, the situation contrary to public opinion has grown worse in some countries.

In short, we are urged not to recognize a government using the criterion of whether or not its internal political processes accord with some intellectual's theories of "democracy."

Let us examine our foreign policy from this angle, and demolish once and for all this totally inane and dishonest argument.

If we were to honestly accept this as a standard of whether or not we recognize a foreign government, we should at once withdraw our Ambassadors from half the nations of the earth. Diplomatic relations should be broken at once with the Soviet Union, as well as its satellites Poland, Czechoslovakia, Hungary, Rumania, Bulgaria, and even Yugoslavia and Albania. If we listen to the complaints of certain dissidents in Northern Ireland, we might even have to withdraw our recognition of the United Kingdom because of the suppression claimed by the Irish.

Any government which resulted from a coup—or for that matter, from an election not to our liking—would be beyond the pale and diplomatically ostracized.

Examining the continent of Africa is indeed revealing.

Dealing with the African nations generally credited with being the oldest and most stable, Ethiopia and Liberia, let us examine their government policies, and the welfare of their inhabitants. Incidentally, these are two particularly good nations to commence our tour of Africa, since they are the plaintiffs before the World Court in the case of the South-west Africa dispute, where they were thrown out of court for having no case, a matter referred to by the leftist press as a technicality.

Ethiopia is the private preserve of a little chief who won all of the marbles in the game by winning a tribal war when the former chief passed to his ancestors. He thereupon acquired such typically African titles as "King of Kings" and even "Lion of Judah"—a title which arises from a long legend of a bastard son of the Biblical Queen of Sheba, a gift from the Biblical Solomon.

Ethiopia is an absolute monarchy. Not too long ago, some of the subjects attempted to change this situation during the absence of their monarch. Their attempted takeover was led by one of the sons of the little Emperor. It was a fatal error, because he dashed home and settled the demonstration by a prompt and efficient hanging—without trial—of all of the dissenters from the palace walls. He spared his son, for reasons not entirely clear, since the son will not inherit the crown. He will have to fight for it with the other tribal chiefs, as did his father. The spoils of political victory in Ethiopia go only to the leader of the strongest gang.

Ethiopia is a favorite of the United Nations organization and furnished troops in its war on the non-Communist Christian, Moise Tshombe, of Katanga. These Ethiopian troops were guilty, by the sworn eyewitness testimony of numbers of Catholic priests, mostly Irish, of atrocities on helpless civilians which even made the bloodthirsty Congolese look moderate. They are accused now of atrocities against the Somali, whose territory they were given by the United

Nations organization, but these accusations receive no consideration, since the Somali are not of Negro extraction.

Of course, we recognize Ethiopia, furnish it with money by the barrel, with modern fighters—and bomber aircraft—and with all of the other weapons of land warfare. The peace-loving Israelis, due to their historic fondness for the Queen of Sheba myth, furnish the tactical advisers to train both the Ethiopian Army and its Air Force.

Liberia is a stepchild of the United States—created by another generation of intellectuals—the abolitionists—the civil rights leaders of a century ago and their fuzzy-headed followers.

The idea that Negroes who desired to return to Africa should be permitted to do so was good then, and it is good now. The thought that they would take with them the benefits of an education and an exposure to civilization which their race had never before known was a happy thought. The ultimate dream that these civilized free Negroes would then civilize the natives and build a happy and civilized black country simply did not mature.

Liberia has been economically propped up by the United States since its inception. Like their brethren who did not return to Africa, the Liberian Negroes found the continued and ever-increasing demand for such charity far preferable to work as a way of life. Therefore, they did not work. And we have not shut off the dole.

The returned natives did know one thing, however. They kept firm control of Liberia. They established their own aristocracy, and did not mingle with the indigenous black population. Neither did they permit any white person to become a Liberian citizen.

So Liberia is a pure racist state—a state which denies not only the right to vote, but citizenship itself to anyone who is not a Negro. Is it not strange that this kind of racism does not make it immoral to recognize, and even support Liberia?

Liberians have another accomplishment to their credit. The indigenous population, as was embarrassingly demonstrated to the world before the World Court by the South African lawyers, is the most illiterate in all of Africa. The natives are far more abused by their aristocratic high yellow overlords than their brethren ever were by any colonial European power.

The Bishop of Liberia—American born—was just murdered. It seems that a demented native mistook him for some of the ruling aristocracy. But there is a compensation. The current President of the General Assembly of the United Nations organization is a female Liberian. This is the coming Soviet World.

Of course, Africa in the past decade must include a cursory visit to the Congo—the Belgian Congo, that is.

Here the advent of independence was the advent of total and bloody anarchy. An orgy of rape, murder, and looting led to the secession of the only viable part of the nation, Katanga. This province was led by a Christian—a friend of Western civilization—so the United Nations organization went to war. The carnage was unbelievable. Not only did the blacks of the Congo revert to savagery, but the so-called civilized African armies which

operated under the blue banner of the U.N. organization did the same.

During the years of bloodshed many Americans died. Most of them were Christian missionaries—some of them Catholic nuns. The natives particularly liked nuns, who afforded all kinds of sport before they were butchered. The frequent technique applied here was gang rape, followed by butchery, and then by a community feast on the remains. Well-authenticated eyewitness stories of living white women being sawed apart on a buzz saw exist—as well as the then enjoyed sport of throwing priests to the crocodiles to be eaten alive.

But the Government of the United States recognizes and aids the Congo—whose government is now run as an absolute possession of a former sergeant of the gendarmerie who could read and write. This qualification, uncommon among his fellows, made him the commanding general of the army when independence came. The army, of course, made him President. These details do not interfere with our recognition of this government.

Ghana, a former British colony which was a showcase at the time of its recognition as an independent member of the Commonwealth, is a good example of savages turned loose with the tools of civilization.

A Communist jailbird, partially educated in the United States, became top dog. Although his official title was only President, with typical African imagination he concocted for himself the more impressive title of "Redeemer" and insisted on being venerated as a deity. Kwame Nkrumah had remarkably little difficulty with dissidents—after he jailed the opposition by the hundreds without the slightest formality suggesting a trial.

Under this kind of leadership—apparently highly to be desired on the sole ground that it was neither white nor civilized—wealthy Ghana promptly went bankrupt. Of course, it seems that certain of its gold reserves wound up in numbered accounts in Swiss banks, and the Redeemer lived in the style to which he aspired. Gold-plated Cadillacs, pleasure yachts, and even golden beds for his favorite mistresses ate rather heavily into the assets with which this emerging nation had emerged.

The Minister of Justice of this regime—like the Liberian today, became President of the General Assembly of the United Nations organization, apparently a status symbol highly sought among these toy states and tolerated by the members of responsible governments under the rationale that as representatives of smaller countries they can easier create an image of impartiality.

While the Redeemer was on a state visit or a party confab to Communist China, the army took over the country, only to find the treasury already empty. The Minister of Justice, ex-President of the U.N. organization General Assembly was jailed in his palatial estate. He counted himself fortunate that he was not eaten.

We still recognize Ghana, and maintain diplomatic relations with one of its near neighbors, Guinea, to which the Redeemer sought sanctuary, became

"Co-President" and busily plans for the subjugation—with American arms, money, and men—of such places as Rhodesia, South Africa, Angola, and Mozambique, so that he can attain his destiny of being "Redeemer" of all of Africa—unless Jomo Kenyatta or Haile Selassie has the opportunity to exploit a white army first.

Nigeria was the richest of the British colonies whose independence was recognized by London, its government being black enough to suit the politicians in power at the time.

It has been in the news recently—a little matter of a war or a rebellion or a civil disorder in Biafra. The current high chief of Nigeria is one Major General Gowon—a major general because he promoted himself to that rank after he had led a successful coup. He is politely referred to by the liberal press as the "chief of state" rather than as a dictator, nor is his government called a dictatorship.

The embarrassing reports by civilized observers of the typical African orgy of looting and rape in conquered Biafra, as well as the tales of massive starvation were promptly denied by Gowon—and the Communist Poles on the observation team. It should be understood that these denials are not dishonest from the point of view of the Nigerian natives—it is just that they feel the white men take an un-African view—a racist attitude—of such orgies.

When Gowon overthrew his predecessor, one Major General Ironyi, poor Ironyi was actually eaten by the victorious tribe. He, too, had become a major general by his own order after he had overthrown, but not eaten, his predecessor.

Another former British colony, now an independent and emerging nation with the blessing of the government in London, is Kenya—the land of the Mau Mau.

Most Americans remember the Mau Mau for their wholesale murders and their obscene oathings. Robert Ruark's book, *Uhuru*, is a highly accurate account of these goings-on. Many of our people also remember that the head Mau Mau was one Jomo Kenyatta, who was convicted of these crimes under British justice, and imprisoned.

Upon independence, he was pardoned and returned to the land, where he is now President Kenyatta—a moderate. But an unfortunate thing happened to the opposition on the way to the last election—its leader was murdered, and Kenya is now a one-party emerging dictatorship. Maybe this is British revenge.

The unfortunate Asians who by hard work have earned things which the natives want are relentlessly persecuted, the land is a police state, and the Mau Mau are again oathing in the jungle.

We recognize Kenya, grant Kenyatta foreign aid, and even occasionally make sorry little sounds when the British refuse to let the Kenya Asians, now British subjects, enter Britain—not because of their race, but simply because they are Asian.

Our tour of Africa takes us next to Tanzania—which is Communist from the word go. It began its independent life

by a total bloody slaughter of literally thousands of Arabs on the island of Zanzibar—simply because they were Arabs. Its capital is the staging area for communism in East Africa, and from there the Red terrorists move to their assaults on Rhodesia, South Africa, Angola, and Mozambique.

Surprisingly, Tanzania is not regarded as a threat to world peace by the United Nations organization. It is the resisting victim, not the assailant, who is responsible for the ensuing violence. If this sounds like Marxist logic, it is.

Zambia is Rhodesia's northern neighbor—and one of the bases from which the terrorist assaults on her people have been launched. In Washington this week, the Ambassador of Zambia, in a letter to the editor of a local newspaper, claimed very boldly that if the British were to make a military attack on Rhodesia, they could win handily. He demanded such an attack.

This sabre rattling would be serious if it came from a nation which owned a sabre. This is a land where it takes 7,000 employees to misrun some 600 miles of railroad—and where the drunken employees pose such a problem that there are more breath analyzers than there are trains.

Zambia has a little trouble in organizing itself. Sitting on the world's richest copper deposits—run by a hand-picked, former bank employee—this country suffers such great unemployment, it has been forced to import Red Chinese coolies for a labor force.

Throughout this entire Gilbert and Sullivan comedy runs the same theme. In Africa, full diplomatic recognition, huge sums of American tax dollars, and kowtowing and scraping are accorded the comic opera tribal states, totally incapable of anything but a tribal existence. Civilized nations—Christian, and the inheritors of Western culture and civilization—are held up to scorn and ridicule.

If this were not serious, it would be humorous. But it is deadly serious. The location of southern Africa makes it one of the geographical keys to today's world. The mineral wealth of the continent makes it a key to the future of man. And the domestic tranquillity of these United States is the key to the survival, not only of American civilization and liberty, but to the entire concept of freedom which is the accomplishment of Western, Christian man.

That our Government is on a suicidal course is not an accident.

That we alter that course is imperative. If our present leaders fail to do so, their successors will.

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. VANIK, for 15 minutes, today; to revise and extend his remarks and include extraneous matter.

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

Mr. FARBERSTEIN, for 30 minutes, today.

Mr. GONZALEZ, for 10 minutes, today.
Mr. RARICK, for 30 minutes, today.

EXTENSION OF REMARKS

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

(The following Members (at the request of Mr. SCHADEBERG) and to include extraneous matter:)

Mr. LANGEN.
Mr. STEIGER of Wisconsin in two instances.
Mr. GUDE.
Mr. STEIGER of Arizona.
Mr. ASHBROOK in two instances.
Mr. TAFT in two instances.
Mr. BROWN of Ohio in two instances.
Mr. SCHERLE in two instances.
Mr. HUNT.
Mr. HALL.
Mr. NELSEN.

(The following Members (at the request of Mr. OBEY) and to include extraneous matter:)

Mr. MOLLOHAN in two instances.
Mr. JACOBS.
Mr. EDWARDS of California in two instances.
Mr. ROSENTHAL in five instances.
Mr. OTTINGER.
Mr. ANNUNZIO in six instances.
Mr. MONTGOMERY.
Mr. FISHER in four instances.
Mr. GRIFFIN in two instances.
Mr. FLOOD in two instances.
Mr. O'NEILL of Massachusetts.
Mr. THOMPSON of New Jersey.
Mr. MATSUNAGA.
Mr. GONZALEZ.
Mr. RARICK in four instances.
Mr. RYAN in two instances.
Mr. SCHEUER.
Mr. HELSTOSKI in two instances.
Mr. KOCH.
Mr. TUNNEY.

ADJOURNMENT

Mr. OBEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 43 minutes p.m.), under its previous order, the House adjourned until Monday, March 16, 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:

1770. A communication from the President of the United States, transmitting proposed supplemental appropriations and other provisions for the fiscal years 1969 and 1970 (H. Doc. No. 91-272); to the Committee on Appropriations and ordered to be printed.

1771. A communication from the President of the United States, transmitting proposed supplemental appropriations and other provisions for the fiscal years 1969 and 1970, together with amendments to the requests transmitted in the budget for the fiscal year 1971 (H. Doc. No. 91-273); to the Committee on Appropriations and ordered to be printed.

1772. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a draft of proposed legislation to amend the act of July 22, 1969, to increase the limitation on fiscal year 1970 budget outlays; to the Committee on Appropriations.

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. HAYS: Committee on House Administration. House Resolution 865. Resolution increasing the number of positions of official reporters to committees and positions of expert transcribers to official committee reporters (Rept. No. 91-905). Ordered to be printed.

Mr. STAGGERS: Committee on Interstate and Foreign Affairs. H.R. 10138. A bill to amend section 211 of the Public Health Service Act to equalize the retirement benefits for commissioned officers of the Public Health Service with retirement benefits provided for other officers in the uniformed services (Rept. No. 91-906). 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. BROOKS:

H.R. 16443. A bill to amend the Federal Property and Administrative Services Act of 1949 in order to establish Federal policy concerning the selection of firms and individuals to perform architectural, engineering, and related services for the Federal Government; to the Committee on Government Operations.

By Mr. WIDNALL:

H.R. 16444. A bill to require that certain financial institutions maintain certain records, and file certain reports, require the persons exporting or importing large amounts of currency or the equivalent file reports, and for other purposes; to the Committee on Banking and Currency.

By Mr. DINGELL:

H.R. 16445. A bill to amend the Fish and Wildlife Coordination Act to prohibit the issuance of Federal permits authorizing water resources development by non-Federal public and private agencies until such agencies reimburse the U.S. Fish and Wildlife Service for related investigations required by such act; to the Committee on Merchant Marine and Fisheries.

H.R. 16446. A bill to amend the Fish and Wildlife Coordination Act, as amended, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. DOWNING:

H.R. 16447. A bill to authorize a program of exploratory fishing for the purpose of assisting in the development and utilization of species of fish suitable for industrial uses, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. FRASER:

H.R. 16448. A bill to establish a National Metropolitan Development Bank to provide an alternative source of credit to State and local governments for the purpose of financing public and quasi-public facilities of all types, and for other purposes; to the Committee on Banking and Currency.

By Mr. KLEPPE:

H.R. 16449. A bill to modify the comprehensive plan for the Missouri River Basin with respect to certain bank protection and reclamation works; to the Committee on Public Works.

By Mr. McDADE:

H.R. 16450. A bill to amend the Land and Water Conservation Fund Act of 1965, as amended, and for other purposes; to the Committee on Government Operations.

H.R. 16451. A bill to authorize the Council on Environmental Quality to conduct studies and make recommendations respecting the reclamation and recycling of material from solid wastes, to extend the provisions

of the Solid Waste Disposal Act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 16452. A bill to amend the Clean Air Act so as to extend its duration, provide for national standards of ambient air quality, expedite enforcement of air pollution control standards, authorize regulation of fuels and fuel additives, provide for improved controls over motor vehicle emissions, establish standards applicable to dangerous emissions from stationary sources, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 16453. A bill to amend the Federal Water Pollution Control Act, as amended; to the Committee on Public Works.

H.R. 16454. A bill to amend the Federal Water Pollution Control Act, as amended; to the Committee on Public Works.

H.R. 16455. A bill to establish an Environmental Financing Authority to assist in the financing of waste treatment facilities, and for other purposes; to the Committee on Public Works.

H.R. 16456. A bill to amend the Federal Water Pollution Control Act, as amended, to provide financial assistance for the construction of waste treatment facilities, and for other purposes; to the Committee on Public Works.

By Mr. MELCHER:

H.R. 16457. A bill to amend title 5, United States Code, to prohibit the sale or other distribution to the public by the Secretary of the Treasury of lists of names and addresses under his jurisdiction and control, and for other purposes; to the Committee on the Judiciary.

By Mr. CHARLES H. WILSON:

H.R. 16458. A bill to amend section 4005 of title 39, United States Code, to restore to such section the provisions requiring proof of intent to deceive in connection with the use of the mails to obtain money or property by false pretenses, representations, or promises; to the Committee on Post Office and Civil Service.

By Mr. ADDABBO:

H.J. Res. 1131. Joint resolution creating a Joint Committee on Classified Information; to the Committee on Rules.

By Mr. ALBERT (for himself, Mr. PUCINSKI, Mr. SAYLOR, and Mr. PATTEN):

H.J. Res. 1132. Joint resolution to establish a Joint Committee on Environment and Technology; to the Committee on Rules.

By Mr. MORSE:

H.J. Res. 1133. Joint resolution to repeal legislation relating to the use of the Armed Forces of the United States in certain areas outside the United States and to express the sense of the Congress on certain matters relating to the war in Vietnam, and for other purposes; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. CLARK:

H.R. 16459. A bill for the relief of George Nicolaros; to the Committee on the Judiciary.

By Mr. EDMONDSON (by request):

H.R. 16460. A bill for the relief of the estate of Maj. Gen. William P. T. Hill, deceased; to the Committee on the Judiciary.

H.R. 16461. A bill for the relief of Eliza Backwater Proctor; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, 414. The SPEAKER presented a petition of Ray Ward, New York, N.Y., relative to redress of grievances, which was referred to the Committee on the Judiciary.