

CONFIRMATIONS

Executive nominations confirmed by the Senate April 20, 1970:

U.S. AIR FORCE

The following officers for appointment as Reserve commissioned officers in the U.S. Air Force to the grade indicated, under the provisions of chapters 35 and 837, title 10, of the United States Code:

To be major general

Brig. Gen. I. G. Brown, **xxx-xx-xxxx** FG, Arkansas Air National Guard.

To be brigadier general

Col. John J. Pesch, **xxx-xx-xxxx** FG, Maine Air National Guard.

The following officers to be placed on the retired list, in the grade indicated, under the provisions of section 8962, title 10, of the United States Code:

In the grade of lieutenant general

Lt. Gen. Thomas S. Moorman, **XXXX** FR (major general, Regular Air Force), U.S. Air Force.

Lt. Gen. Kenneth E. Pletcher, **xxx-xx-xxxx** FR (major general, Regular Air Force Medical), U.S. Air Force.

Maj. Gen. Alonzo A. Towner, **xxx-xx-xxxx** FR, Regular Air Force Medical, for appointment as surgeon general of the Air Force, in the grade of lieutenant general, for the period beginning from May 1, 1970, and ending on September 30, 1972. This nomination is made under the provisions of section 8036, title 10, of the United States Code.

IN THE AIR FORCE

The nominations beginning Lawrence M. Johnson, to be captain, and ending Albert W. Zukatis, to be 2d lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on March 17, 1970; and

The nominations beginning William F. Nugent, to be lieutenant colonel, and ending Lt. Col. Robert W. Lamb, to be permanent professor, U.S. Air Force Academy, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on March 24, 1970.

IN THE ARMY

The nominations beginning Charles A. Krebs, Jr., to be 2d lieutenant, and ending Ralph C. Zychowicz, to be 2d lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on March 13, 1970.

IN THE MARINE CORPS

The nominations of Albert F. Schoepper, to be colonel, and Dale L. Harpham, to be major, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on April 1, 1970.

HOUSE OF REPRESENTATIVES—Monday, April 20, 1970

The House met at 12 o'clock noon.

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

Remember the day in which you came out of the land of slavery; for it was by a strong hand that the Lord brought you out.—Exodus 13: 3.

O Lord our God, and God of our fathers, we greet Thee at the beginning of another week and on the eve of the Passover of our Hebrew brethren. As Thou didst lead the children of Israel out of the house of bondage into the promised land of liberty, so do Thou lead us into a new day of greater justice, of larger freedom, and of a finer spirit on the part of all our people.

Cleanse the hearts of men of the passions of hate and strife, of greed and lust for power, and fill them with faith and hope and love. Speed the Passover of the future when injustice shall cease, intolerance shall vanish, and freedom and peace shall reign forever. Hasten the day when all men shall learn that they are brothers and with joy proclaim Thee the God and Father of us all.

And we thank Thee for the safe return of our astronauts.

In Thy holy name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, April 16, 1970, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 3544. An act to amend the Arms Control and Disarmament Act in order to extend the authorization for appropriations; and

S. 3685. An act to increase the availability of mortgage credit for the financing of urgently needed housing, and for other purposes.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 743) entitled "An act to authorize the Secretary of the Interior to construct, operate, and main-

tain the Touchet division, Walla Walla project, Oregon-Washington, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JACKSON, Mr. CHURCH, Mr. MOSS, Mr. ALLOTT, and Mr. JORDAN of Idaho to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 2062) entitled "An act to provide for the differentiation between private and public ownership of lands in the administration of the acreage limitation provisions of Federal reclamation law, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JACKSON, Mr. CHURCH, Mr. MOSS, Mr. ALLOTT, and Mr. JORDAN of Idaho to be the conferees on the part of the Senate.

SALUTE TO APOLLO 13 ASTRONAUTS

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

Mr. McCORMACK. Mr. Speaker, on behalf on the House of Representatives I wish to extend my hearty congratulation to astronauts James A. Lovell, Jr., Fred W. Haise, Jr., and John L. Swigert, Jr., upon their return from their perilous journey. The prayers and hopes of every Member of this body, as those of the American people, rode with these talented and courageous men every hour of their perilous return trip to earth. I salute them for an unmatched display of fortitude and the remarkable level of skill which they displayed throughout their trying experience. Their performance has been in the finest tradition of the American Nation. But in a larger sense their ordeal has been that of all mankind. The entire world without regard to political or geographical divisions literally held its breath during the past week, pushing aside momentarily the mundane things which divide the human occupants of this globe, and transfixed its eyes and hopes on these men, humanity's representatives on the 20th cen-

tury frontier—outer space. All Americans should be truly grateful for the expressions of hope and offers of assistance which emanated from so many nations during what was truly our hour of national travail.

There may be a small minority who will urge that we pull back in our space efforts. This is not my position. Neither am I convinced will it be the view of the Congress or the overwhelming majority of the American people. This country has committed itself to exploration of space as one of highest national priority. We have done so not as a matter of national chauvinism, but rather in the interests of all mankind. The frontier of the remaining years of the 20th century and, yes, the 21st century, lies in space. The space program which we have pursued during the past decade has been eminently successful and its ultimate rewards will be enjoyed by the entire world. Let us profit from this one failure and go on to greater successes in the future. To do anything less would be an abdication of this Nation's responsibilities as the scientific leader of the world, and a betrayal of the pioneer traditions of our forefathers.

Again, as Speaker of the House of Representatives, I extend my hearty congratulations upon the safe return to earth of astronauts James A. Lovell, Jr., Fred W. Haise, Jr., and John L. Swigert, Jr.

Mr. GERALD R. FORD. Mr. Speaker, would the distinguished Speaker yield?

Mr. McCORMACK. I will be glad to yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, I commend the distinguished Speaker for the beautiful and richly deserved tribute to the three astronauts who successfully concluded their mission despite the unfortunate disappointments during the mission itself.

All of us sat, watched, and listened to their historic return and, thank goodness and thank God, they were brought back safely. All of us are happy and proud that they were.

I share likewise the views of the distinguished Speaker in reference to our space program. It is one of the great achievements of our Nation.

I had the privilege of working with the distinguished Speaker on the select committee when the program was initially begun back in 1958. The distinguished Speaker at that time was chairman of the House select committee and did an outstanding job in developing the charter of the National Aeronautics and Space Agency. The accomplishments of that group of pioneers in NASA have made a superlative contribution to the prestige and scientific progress of the United States in the last decade.

I extend to the astronauts, to their families, and to all connected with the mission the heartiest congratulations from all Members of the House of Representatives.

Mr. McCORMACK. I appreciate very much the remarks of my distinguished friend from Michigan.

PRIMARY ELECTION IN ALABAMA

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

Mr. FLOWERS. Mr. Speaker, the 1970 Democratic Party primary in my State of Alabama, is set for May 5, and I am amused and amazed at the apparent interest shown by the eastern press, nationally syndicated columnists, certain elements of both national political parties, and a particular agency of the Federal Government.

I am amused, Mr. Speaker, that this primary election is the subject of so much national interest and concern. Furthermore, I am amazed, Mr. Speaker, that outside persons or agencies may be trying to influence the outcome.

We do not need a syndicated national columnist alluding to or speculating about an alleged Internal Revenue Service investigation of prominent political figures in our State, nor do we think the IRS should conduct any such investigations with political motivations. The timing would certainly indicate they are not in the regular course of that agency's work.

Let me say one more word about the editorials and reports concerning our election which have appeared in outside press sources: They must be authored by persons with little knowledge of Alabama politics and voters. The enthusiastic efforts of those with an outside interest in securing the defeat of a former Governor who was also a Presidential candidate could most likely have an effect contrary to their intent. We are independent people in Alabama, and fully capable of deciding for ourselves the man who is to be our Governor for the next 4 years without the intervention of any outsiders.

CONDUCT OF JUSTICE DOUGLAS

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

Mr. WYMAN. Mr. Speaker, I am today introducing a resolution identical to that introduced by me in this body on April 16 to establish a select committee to study

certain allegations regarding the activities and conduct of Associate Justice William O. Douglas. I do this to include the names of several Members who were inadvertently omitted from last Thursday's resolutions through no fault of their own.

There are now 110 cosponsors of this resolution requesting that a select committee undertake this investigation.

When such a substantial segment of the entire House of Representatives undertake to cosponsor legislation for a select committee whose life by the terms of the resolution would be limited to 90 days, it is reason to grant a rule and permit the House to vote to determine whether or not this shall be done. I certainly hope the distinguished gentleman from Mississippi who chairs the Rules Committee, will set House Resolution 922 for hearing at the earliest possible opportunity.

CONSENT CALENDAR

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

ADDITIONAL FINANCIAL ASSISTANCE FOR ICE AGE NATIONAL SCIENTIFIC RESERVE, WIS.

The Clerk called the bill (H.R. 4172) to authorize the Secretary of the Interior to provide additional financial assistance for development and operation costs of the Ice Age National Scientific Reserve in the State of Wisconsin, and for other purposes.

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

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

There was no objection.

**GOLD AND SILVER ARTICLES—
CONSUMER PROTECTION**

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

Mr. PELLY. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

AMENDING UNITED STATES CODE TO BROADEN AUTHORITY OF SECRETARIES OF MILITARY DEPARTMENTS TO SETTLE CERTAIN ADMIRALTY CLAIMS ADMINISTRATIVELY

The Clerk called the bill (H.R. 16417) to amend title 10, United States Code, to broaden the authority of the Secretaries of the military departments to settle certain admiralty claims administratively, and for other purposes.

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

H.R. 16417

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 10, United States Code, is amended as follows:

(1) The section heading for section 4802, and section 4802(a), are amended to read as follows:

"§ 4802. Admiralty claims against the United States

"(a) The Secretary of the Army may settle or compromise an admiralty claim against the United States for—

"(1) damage caused by a vessel of, or in the service of the Department of the Army or by other property under the jurisdiction of the Department of the Army;

"(2) compensation for towage and salvage service, including contract salvage, rendered to a vessel of, or in the service of, the Department of the Army or to other property under the jurisdiction of the Department of the Army; or

"(3) damage caused by a maritime tort committed by an agent or employee of the Department of the Army or by property under the jurisdiction of the Department of the Army."

(2) Chapter 451 is amended by striking out the following item in the analysis:

"4802. Damage by United States vessels; towage and salvage of United States vessels."

and inserting the following item in place thereof:

"4802. Admiralty claims against the United States."

(3) The text of section 4804 is amended to read as follows:

"(a) The Secretary of the Army may settle, or compromise, and receive payment of a claim by the United States for salvage services performed by the Department of the Army. Amounts received under this section shall be covered into the Treasury.

"(b) In any case where the amount to be received by the United States is not more than \$10,000, the Secretary of the Army may delegate his authority under subsection (a) to any person designated by him."

(4) Section 7622(a) is amended to read as follows:

"(a) The Secretary of the Navy may settle, or compromise, and pay in an amount not more than \$1,000,000, an admiralty claim against the United States for—

"(1) damage caused by a vessel in the naval service or by other property under the jurisdiction of the Department of the Navy;

"(2) compensation for towage and salvage service, including contract salvage, rendered to a vessel in the naval service or to other property under the jurisdiction of the Department of the Navy; or

"(3) damage caused by a maritime tort committed by any agent or employee of the Department of the Navy or by property under the jurisdiction of the Department of the Navy."

(5) The section heading for section 9802, and section 9802(a), are amended to read as follows:

"§ 9802. Admiralty claims against the United States

"(a) The Secretary of the Air Force may settle or compromise an admiralty claim against the United States for—

"(1) damage caused by a vessel of, or in the service of, the Department of the Air Force or by other property under the jurisdiction of the Department of the Air Force;

"(2) compensation for towage and salvage service, including contract salvage, rendered to a vessel of, or in the service of, the Department of the Air Force or to other property under the jurisdiction of the Department of the Air Force; or

"(3) damage caused by a maritime tort committed by any agent or employee of the Department of the Air Force or by property

under the jurisdiction of the Department of the Air Force."

(6) Chapter 951 is amended by striking out the following item in the analysis:

"9802. Damage by United States vessels; towage and salvage of United States vessels."

and inserting the following item in place thereof:

"9802. Admiralty claims against the United States."

(7) The text of section 9804 is amended to read as follows:

"(a) The Secretary of the Air Force may settle, or compromise, and receive payment of a claim by the United States for salvage services performed by the Department of the Air Force. Amounts received under this section shall be covered into the Treasury.

"(b) In any case where the amount to be received by the United States is not more than \$10,000, the Secretary of the Air Force may delegate his authority under subsection (a) to any person designated by him."

(8) The text of section 7365 is amended to read as follows:

"The Secretary of the Navy, or his designee, may consider, ascertain, adjust, determine, compromise, or settle and receive payment of any claim by the United States for salvage services rendered by the Department of the Navy."

Sec. 2. (a) The section heading for section 646, and section 646, title 14, United States Code, are revised to read as follows:

"§ 646. Admiralty claims against the United States

"(a) The Secretary may consider, ascertain, adjust, determine, compromise, or settle, and pay in an amount not more than \$100,000, an admiralty claim against the United States for—

"(1) damage caused by a vessel in the Coast Guard service or by other property under the jurisdiction of the Department in which the Coast Guard is operating;

"(2) compensation for towage and salvage services, including contract salvage, rendered to a vessel in the Coast Guard service or to other property under the jurisdiction of the Department in which the Coast Guard is operating; or

"(3) damage caused by a maritime tort committed by any agent or employee of the Department in which the Coast Guard is operating or by property under the jurisdiction of that Department.

"(b) Upon acceptance of payment by the claimant, the settlement or compromise of a claim under this section is final and conclusive notwithstanding any other law.

"(c) If a claim under this section is settled or compromised for more than \$100,000, the Secretary shall certify it to Congress."

(b) Chapter 17 of title 14, United States Code, is amended by striking out the following item in the analysis:

"646. Claims for damages occasioned by vessels."

and inserting the following item in place thereof:

"646. Admiralty claims against the United States."

Sec. 3. Section 9 of the Act of March 9, 1920, as amended (41 Stat. 527, as amended; 46 Stat. 749) is amended by striking out the words "having control of the possession or operation of any merchant vessel".

With the following committee amendment:

On page 6, line 15, strike "46 Stat. 749" and insert "46 U.S.C. 749".

The committee amendment was agreed to.

(Mr. DONOHUE asked and was given permission to revise and extend his remarks at this point.)

Mr. DONOHUE. Mr. Speaker, H.R.

16417 provides for amendments to statutes providing for administrative settlement of admiralty claims and salvage claims. Its provisions are based on the recommendations of the Department of the Navy in an executive communication. In addition, the bill contains language recommended by the Department of Transportation in behalf of the Coast Guard and by the Department of Justice.

The amendments to sections in title 10, title 14, and the Suits in Admiralty Act add language making it possible to settle admiralty claims within the full range of admiralty jurisdiction now provided in the Federal courts. In 1960, the Suits in Admiralty Act was amended to clarify this jurisdiction as to suits against the United States, however, parallel amendments were not made to the sections providing for administrative settlement prior to suit. This bill makes those parallel amendments.

The amendments concerning administrative settlement of admiralty claims were originally proposed only as to sections 4802, 7622, and 9802 of title 10. As has been noted, parallel amendments are included in this bill as to the Coast Guard in section 646 of title 14 and as to section 9 of the Suits in Admiralty Act. Accordingly, a discussion of the amendments to title 10 will serve to explain the purpose and scope of the amendments. The Secretaries of the military departments have the authority to settle claims for damage caused by a vessel. The amendments authorize the settlement of claims of an admiralty nature for damages caused by departmental agents and employees or caused by property of the department.

Claims based on damages caused by departmental agents or by property of a department fall within the admiralty jurisdiction of the Federal courts and suit is permitted in such cases under the Suits in Admiralty Act (46 U.S.C. 741-752); however, the settlement authority found in sections 4802 and 9802 of title 10 is limited to claims for "damage caused by a vessel of, or in the service of" the Army in the case of section 4802 or the Air Force under section 9802. Section 7622 concerns the Navy and the settlement authority under that section is limited to claims for damage caused by a vessel in the naval service. These sections are included in title 10 to provide the authority for the expeditious settlement of admiralty claims.

Settlements under the authority of these sections provide a means of avoiding unnecessary litigation. Settlement of this type also provides a means of eliminating unnecessary delay and expense to both the injured party and the Government. As was stated in the committee report, the executive communication notes that the present law is deficient in that it is not possible to settle all claims that are presently cognizable under the Suits in Admiralty Act. In 1960 the Suits in Admiralty Act was amended to clarify the jurisdiction of the district courts in these very situations. The 1960 amendment, added by the Act of September 13, 1960 (Public Law 86-770, sec. 3, 74 Stat. 912), amended section 2 of the Suits in Admiralty Act (46 U.S.C. 742) by pro-

viding that actions can be brought against the United States or a corporation owned by the United States in instances where a proceeding in admiralty could be maintained "if a private person or property were involved." This jurisdiction therefore extends to the full range of admiralty cases which might have been maintained had a private person or property been involved rather than the Government or its agents and employees or property. The legislative history of the 1960 amendment serves to emphasize this point. The Senate report (S. Rept. 1894, 86th Cong., 2d sess.) which accompanied H.R. 5396, which was enacted as Public Law 86-770, noted that, while the original Suits in Admiralty Act provided for an action against the United States in cases where an admiralty proceeding might have been maintained if privately owned vessels or cargo had been involved, it did not mention private persons and property, generally. The report pointed out that litigants had difficulty in determining their rights to bring actions against the United States because of uncertainty and obscurity in the language of the law defining the jurisdiction of the courts. Accordingly, the Senate committee recommended the amendment to section 2 of the Suits in Admiralty Act and stated concerning the revised language:

It restates in brief and simple language the now existing exclusive jurisdiction conferred on the district courts, both on their admiralty and law sides, over cases against the United States which could be sued on in admiralty if private vessels, persons, or property were involved.

Whereas, this amendment was made to section 2 of the Suits in Admiralty Act, parallel amendments were not made to sections 4802, 7622 and 9802 of title 10 so as to provide for the same authority for settlement of admiralty claims by the military departments within the statutory monetary limits fixed in those sections.

With the amendments to the three sections, 4802, 7622, and 9802 of title 10, recommended by the Navy, it will also be possible to settle or compromise admiralty claims against the United States for damage caused by property other than vessels. Several examples will serve to illustrate the nature of these claims. Damage to private vessels could be caused by the improper handling of pier fenders or camels alongside a military pier, or by such fenders or camels while floating free in a slip or harbor after breaking loose from their moorings. A claim might result from damage attributable to Government structures surrounded by navigable waters such as artificial islands or structures which might not be lighted or properly lighted. Damage caused by negligent operation of airplanes, helicopters, and drones on navigable waters also could be included as examples of property whose use could give rise to claims. Finally the committee has been advised that it is possible that lost or sunken ordnance could cause damage to fishermen's nets or vessels and give rise to claims which could be considered under the language added by the bill.

The bill would also provide for amendments to the three sections permitting

the settlement of admiralty claims for damage caused by maritime torts committed by departmental agents or employees. For example, Navy civil service personnel are employed to pilot commercial ships into and out of some harbors, as well as berthing and unberthing commercial ships at Navy installations. Should the negligence of such a pilot cause damage to the commercial ship it could not be settled under the present provisions of section 7622, but with the amendments added by this bill such a claim could be considered and settled. Another example of damage by personnel would be damage caused to a commercial ship by negligence of civil service longshoremen. Damage could also be caused to private property or a person by negligence of Government personnel operating on or from a structure which is not a vessel such as a platform for scientific observation and research or ocean data acquisition equipment. Personnel could also cause damage to a commercial ship in the operation of a gantry or shoreside operated crane or train.

As amended by the bill, sections 4802 (a) (3), 7622(a) (3), and 9802(a) (3) all provide for settlement authority as to damage caused by a maritime tort attributable to "property under the jurisdiction of" a military department. This provision is intended to provide for the authority to settle claims based on damage to property caused by the improper packaging or marking of Navy cargo. It would also cover a case where an unseaworthy cargo container or package permitted a longshoreman to fall through an outer covering and injure himself.

Of course, the examples outlined above do not cover all the factual situations which could produce potential litigation and claims which could be settled under the amendments added by the bill. They are merely intended to provide an indication of the types of claims which would be included in the scope of the proposed provisions. They also serve to emphasize the fact that there is serious deficiency in the existing provisions of the law and therefore that there is practical need for the amendments contained in this bill.

At the hearing held on the bill, H.R. 15623, on February 26, 1970, the representatives of the Coast Guard pointed out that section 646 of title 14 provides similar authority for the settlement of admiralty claims based on damage arising from Coast Guard activity to that contained in sections 4802, 7622, and 9802 of title 10. It was further pointed out that section 646 of title 14 should contain the same provisions concerning the settlement of admiralty claims as the sections of title 10 relating to the settlement of admiralty claims by the Secretaries of the military departments. In a report to the committee on the earlier bill, the Coast Guard recommended an amendment which would follow the form of those contained in the bill with reference to the Army, Navy, and Air Force. It also provides that the limitation on claims authority be raised from \$25,000 to the more realistic sum of \$100,000. The bill H.R. 16417 embodies the language

recommended by the Coast Guard making this amendment to section 646.

At the same hearing, the representative of the Justice Department pointed out that, in a similar manner, section 9 (46 U.S.C. 749) of the Suits in Admiralty Act, providing for arbitration, compromise, or settlement of claims, still contains language which limits the authority to settle admiralty claims to departments or corporations "having control of the possession or operation of any merchant vessel." The witness observed that this limitation has a similar effect as those described in relation to the military departments and the Coast Guard in that the authority is tied to claims arising in connection with vessels and does not appear to extend to admiralty claims for damage associated with property or personnel.

Accordingly, the Department of Justice recommended that section 9 of the Suits in Admiralty Act (41 Stat. 527; 46 U.S.C. 749) be amended by striking out the words "having control of the possession or operation of any merchant vessel." The report of the Department of Justice noted that while the original bill, H.R. 15623, would fill existing gaps in settlement authority of the military departments, it left unchanged similar gaps in the admiralty claims settlement authority of other departments. In recommending the amendment to section 9 of the Suits in Admiralty Act (46 U.S.C. 749), the Department of Justice noted that this is the section which provides basic authority for administrative settlement of admiralty claims by other departments of Government.

While the section specifically authorizes the settlement of claims in which suit might be brought under sections 2, 4, and 10 of that act, it can only be exercised by agencies having control of the possession or operation of a merchant vessel. One department restricted in this manner is the Department of Agriculture when it is barred from settling a claim relating to the cargo of a vessel even though the claim could give rise to a suit under section 2 of the Suits in Admiralty Act. At the hearing the Justice Department witness pointed out that civilian departments such as the Department of Agriculture ship cargo and perform services which can give rise to claims suable under the Suits in Admiralty Act. The committee has therefore determined that the same need exists for the elimination of the restrictive language in the general settlement authority of section 9 of that act as there is for the amendments providing parallel authority in sections in titles 10 and 14 concerning the settlement of admiralty claims by the military departments and the Coast Guard.

The executive communication observed that prior to the 1960 amendment of the Suits in Admiralty Act, a limited amount of settlement authority existed under the tort claims provisions of title 28. This was removed when the act was amended since section 2680 of title 28 expressly bars claims for which a remedy is provided by the Suits in Admiralty Act. The tort claims administrative settlement authority at that time was limited to claims of \$2,500 or less and obviously existed only because of the failure to include

language in the Suits in Admiralty Act providing full jurisdiction over admiralty actions. This deficiency was remedied by the 1960 amendment. As has been stated, the committee views the amendments provided in this bill as a logical parallel to the 1960 amendment.

The bill H.R. 16417 also provides for amendments to sections of title 10 providing for the settlement of claims for towage and salvage services. Sections 4802, 7622, and 9802 of title 10 presently provide authority to the Secretaries of the military departments to settle claims against the United States for compensation for towage and salvage service, including contract salvage rendered to a vessel of, or in the service of, their respective military departments. This language does not provide authority for the settlement of similar claims for towage and salvage service rendered in connection with other property of a military department. The bill would correct this deficiency by authorizing the Secretary of a military department to settle claims of this type by adding amendments to sections 4802 (a) (2), 7622(a) (2), and 9802(a) (2). As is pointed out in the communication, developments since 1944 in the law applicable to salvage claims have disclosed a trend which provides for salvage awards on a broader scope than merely for services rendered to vessels. At the hearing on the bill, the witness in behalf of the Air Force pointed out that the present provisions do not permit the payment of salvage claims by the Air Force for the salvage of property of that department which may be the subject of salvage. One example cited at the hearing was one of drone aircraft which may come down in the ocean and be found by fishermen. The committee was also advised that claims have been made for other properties that have been jettisoned from aircraft such as tip tanks or cargo. This provision will not change existing practices followed by the Navy where the Commander of Military Sea Transportation Service settles and pays salvage claims against military government cargo shipped in ocean transportation.

The bill provides for similar amendments to sections 4804, 7365, and 9804 of title 10 concerning salvage claims asserted by the United States for salvage services performed by a military department. Here again the amendment is to provide for the settlement of salvage claims for salvage services rendered for other property as well as vessels. This, of course, is a similar provision to that proposed as amendments to the three sections concerning salvage against the United States. This is accomplished by eliminating a restriction that the Secretaries would be authorized to settle claims "for any vessel." This deletion broadens the authority of the Secretary of a military department to settle such claims.

The bill provides for amendments to section 4804 and 9804 authorizing the Secretaries of the Army or the Air Force to delegate his authority to settle claims of the United States for salvage service performed by his department when the amount to be received is less than \$10,-

000. This is accomplished by designating the present language of the sections, as amended, as subsection (a) and adding a new subsection (b) granting authority to the respective Secretaries to delegate this authority in this manner. The executive communication observes that the Secretary of the Navy presently has the authority to designate another person to settle this type of a claim. Since the Secretary of the Army and the Secretary of the Air Force do not have the statutory authority to delegate this settlement function, the amendments to the two sections will grant this authority as defined in the amendment.

The proposed legislation would also delete from the affected Army and Air Force settlement provisions the present wording to the effect that the settlement authority of the Secretary concerned is under the direction of the Secretary of Defense. The Secretary of Defense has this authority without specific provision in these sections. Elimination of the wording, therefore, does not lessen the authority of the Secretary of Defense. There is no such wording in the Department of the Navy provisions, and in practice the Departments of the Army, Navy, and Air Force coordinate their admiralty policies.

The recommendations contained in the executive communication and in the reports of the Department of Justice and the Department of Transportation provide a clear basis for the amendments contained in this bill. The authority to settle claims under these sections is exercised in accordance with the principals of admiralty law. These amendments are intended to make it possible to fully consider admiralty claims for administrative settlement in accordance with these principals and judicially established precedents. These amendments fill an obvious need and are a logical extension of the presently effective provisions for administrative settlement. The committee urges favorable consideration of the bill.

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

AUTHORIZING SHERMAN, TEX., TO CONSTRUCT A BARRIER IN DENISON DAM (LAKE TEXOMA), RED RIVER, TEX. AND OKLA., FOR PROVIDING A MUNICIPAL AND INDUSTRIAL WATER SUPPLY

The Clerk called the bill (H.R. 15207) to provide for a modification of the project for Denison Dam (Lake Texoma), Red River, Tex. and Okla., authorized by the Flood Control Act of 1938, and for other purposes.

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

Mr. HALL. Mr. Speaker, reserving the right to object, I have just been advised that there are favorable departmental reports. May I ask, Mr. Speaker, if these will be included in the recommendation that this bill do pass by unanimous consent under the Consent Calendar?

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

Mr. HALL. I am glad to yield to the gentleman.

Mr. ROBERTS. The copy of the letter which we delivered to you will be made a part of the Record.

Mr. HALL. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

Mr. ROBERTS. I thank the gentleman.

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

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

H.R. 15207

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the project for Denison Dam (Lake Texoma), Red River, Texas and Oklahoma, authorized by the Flood Control Act of 1938 (52 Stat. 1215), as amended, is hereby modified to provide that the city of Sherman, Texas, is authorized to construct a barrier dam across the Big Mineral Arm of Lake Texoma so as to create a subimpoundment of not to exceed ninety-five thousand acre-feet, for the purpose of providing a municipal and industrial water supply in an amount not to exceed fifty-two thousand acre feet annually. The city of Sherman shall reimburse the United States the costs, allocable to an amount of storage in Lake Texoma equal to that in the subimpoundment, in accordance with the provisions of the Water Supply Act of 1958, as amended (43 U.S.C. 390 (b)-(f), including the loss in power revenues attributable to the subimpoundment.

Sec. 2. The location and plans for the barrier dam shall be submitted to the Chief of Engineers and the Secretary of the Army for approval prior to construction in accordance with section 9 of the Act of March 3, 1899 (33 U.S.C. 401).

Sec. 3. Prior to construction of the barrier dam, the city of Sherman shall agree in writing to (a) provide satisfactory means for the transferral of small pleasure craft to and from the subimpoundment and Lake Texoma; (b) obtain any necessary State water rights required for use of the stored waters; (c) hold and save the United States free from all damages due to construction, operation, and maintenance of the barrier dam and subimpoundment; and (d) operate and maintain the barrier dam and subimpoundment in accordance with regulations issued by the Secretary of the Army.

With the following committee amendments:

Page 2, line 4, immediately after the word "costs" insert the following: ", as determined by the Secretary of the Army, acting through the Chief of Engineers."

Page 2, line 21, after the semicolon strike out "and".

Page 2, line 24, strike out the period and insert in lieu thereof the following: "; and (e) pay the costs of any alterations or relocations of Federal facilities necessitated by the subimpoundment."

The committee amendments were agreed to.

(Mr. ROBERTS asked and was given permission to revise and extend his remarks at this point and to include a letter.)

Mr. ROBERTS. Mr. Speaker, Denison Dam and Lake Texoma were constructed and are maintained by the Corps of Engineers pursuant to Public Law 766, 75th Congress, in accordance with House Document 541, 75th Congress.

Public Law 85-146, 85th Congress, authorized the Corps of Engineers to contract with the city of Sherman, Tex., for the storage of 41,000 acre-feet of water in Lake Texoma. Studies by the city and the

Corps of Engineers indicate that Lake Texoma, as it now exists is not a suitable source of water supply for municipal use. However, the studies do show that the isolation of Big Mineral Arm from Lake Texoma with a suitable dam would provide around 70,000 acre-feet of high-quality surface water for the domestic and industrial uses of the city of Sherman.

In March 1967 the city of Sherman, Tex., requested from the Corps of Engineers, permission to construct a water supply dam across the Big Mineral Arm, Lake Texoma. Upon receipt of this request, the corps conducted detailed studies in 1967 and 1968, and determined that a dam across the Big Mineral Arm of Lake Texoma would not appreciably affect the present operations of Denison Dam—Lake Texoma—for the purposes of flood control, hydroelectric power and recreation. Because of the urgent needs of the city of Sherman, Tex., the Tulsa District Corps of Engineers recommended that the city be granted permission to construct a water supply dam on the Big Mineral Arm, subject to compliance by the city with certain specified requirements.

Initial indications from the Director of Civil Works, Corps of Engineers, were that construction of the dam would require only the approval of the Secretary of the Army. However, the Chief Counsel, Corps of Engineers, subsequently ruled that this dam would cross a navigable water of the United States and in accordance with section 9 of the act of March 3, 1899 (33 U.S.C. 401), the specific approval of Congress and a Corps of Engineers permit is required before construction can be undertaken.

This bill, H.R. 15207, grants the statutory authority necessary for the construction of this barrier dam.

The city of Sherman is the largest city in Texas totally dependent upon wells for its municipal water supply. It has no surface water source to supply its increasing municipal and industrial needs. The close proximity of Lake Texoma to the city of Sherman would minimize the cost of a transmission line. Population growth to the north and northwest also makes this location desirable as a water supply site.

The enactment of this legislation will result in no costs to the Federal Government. The city will not only pay all costs for the construction, operation, and maintenance of the barrier dam and subimpoundment, but will also reimburse the United States for the cost allocable to an amount of storage in Lake Texoma equal to that in the subimpoundment, including the loss in power revenues attributable to the subimpoundment. This determination will be made by the Secretary of the Army, acting through the Chief of Engineers. The city of Sherman will also be required to reimburse the United States for costs of any relocations of Federal facilities necessitated by the subimpoundment.

The bill also provides for approval by the Secretary of the Army and the Chief of Engineers of the location and plans for the barrier dam. The city of Sherman has already agreed in writing to: First, provide satisfactory means for

transferral of small pleasure craft to and from the subimpoundment and Lake Texoma; second, obtain any necessary State water rights required for the use of the stored waters; third, hold and save the United States free from all damages due to construction, operation, and maintenance of the barrier dam and subimpoundment, and fourth, operate and maintain the barrier dam and subimpoundment in accordance with the regulations of the Secretary of the Army.

It is recommended that H.R. 15207, with committee amendments, be considered favorably.

Mr. Speaker, a letter from the Department of the Army is as follows:

DEPARTMENT OF THE ARMY,
Washington, D.C., April 20, 1970.

HON. GEORGE H. FALLON,
Chairman, Committee on Public Works,
House of Representatives.

DEAR MR. CHAIRMAN: This is in answer to your telephonic request for our views on H.R. 15207, 91st Congress, a bill "To provide for a modification of the project for Denison Dam (Lake Texoma), Red River, Texas and Oklahoma, authorized by the Flood Control Act of 1938, and for other purposes."

This bill, as reported out by your committee, would grant the consent of Congress to the construction by the city of Sherman, Texas, of a barrier dam in Lake Texoma, which is the reservoir formed by the Denison Dam in order to provide a municipal and industrial water supply for the city of Sherman, Texas. Denison Dam and Lake Texoma were constructed and are maintained by the Corps of Engineers.

The first section of the bill provides that the city will reimburse the United States the cost allocable to an amount of storage in Lake Texoma equal to that in the subimpoundment, in accordance with the provisions of the Water Supply Act of 1958, including the loss in power revenues attributable to the subimpoundment.

Section 2 of the bill provides for approval by the Secretary of the Army and the Chief of Engineers of the location and plans for the barrier dam as required by section 9 of the act of March 3, 1899 (33 U.S.C. 401).

Section 3 of the bill requires the city of Sherman to agree in writing to certain requirements before construction of the barrier dam. These requirements are (1) to provide satisfactory means for transferral of small pleasure craft to and from the subimpoundment and Lake Texoma, (2) to obtain any necessary State water rights required for use of the stored waters, (3) to hold and save the United States free from all damages due to construction, operation, and maintenance of the barrier dam and subimpoundment, (4) to operate and maintain the barrier dam and subimpoundment in accordance with regulations of the Secretary of the Army, and (5) to reimburse the United States for costs of any relocations of Federal facilities necessitated by the subimpoundment.

Studies by the city and the Corps of Engineers have indicated that Lake Texoma as it now exists is not a suitable source of water supply for municipal use. However, the studies indicated that the isolation of Big Mineral Arm from Lake Texoma with a suitable dam will provide a substantial volume of high quality surface water for the domestic and industrial uses of the city of Sherman.

The subimpoundment would not appreciably affect the present operation of Denison Dam (Lake Texoma) for the purposes of flood control, hydroelectric power and recreation. The provisions in section 3 of the bill, particularly those concerning the approval of the plans and operation by the Secretary of the Army, and the requirement that the United States be reimbursed for any reloca-

tions of Federal facilities, are considered to adequately protect our interests.

You understand, of course, that this does not necessarily represent the final position of the Department of the Army. Under Departmental practices, official expressions on the merits of proposed legislation are made by the Secretary of the Army only after coordination with the Bureau of the Budget.

Sincerely,

ROBERT E. JORDAN III,
Special Assistant to the Secretary of the
Army (Civil Functions).

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

NAMING THE FEDERAL OFFICE BUILDING AND U.S. COURTHOUSE IN CHICAGO, ILL., IN HONOR OF THE LATE EVERETT MCKINLEY DIRKSEN

The Clerk called the bill (S. 3253) to provide that the Federal Office Building and U.S. Courthouse in Chicago, Ill., shall be named the "Everett McKinley Dirksen Building East" and that the Federal office building to be constructed in Chicago, Ill., shall be named the "Everett McKinley Dirksen Building West" in memory of the late Everett McKinley Dirksen, a Member of Congress of the United States from the State of Illinois from 1933 to 1969.

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

S. 3253

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Office Building and United States Court House at 219 South Dearborn Street in Chicago, Illinois, shall be renamed the "Everett McKinley Dirksen Building East" and that the Federal office building to be constructed at 230 South Dearborn Street in Chicago, Illinois, shall be named the "Everett McKinley Dirksen Building West" in memory of the late Everett McKinley Dirksen, a distinguished Member of the United States House of Representatives from the State of Illinois from 1933 to 1949 and of the United States Senate from 1950 to 1969. Any reference to the Federal Office Building and United States Courthouse at 219 South Dearborn Street in Chicago, Illinois, in any law, regulation, document, record, map, or other paper of the United States shall be deemed a reference to such building as the "Everett McKinley Dirksen Building East". Any reference to the Federal office building to be constructed at 230 South Dearborn Street, Chicago, Illinois, in any law, regulation, document, record, map, or other paper of the United States shall be deemed a reference to such building as the "Everett McKinley Dirksen Building West".

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Federal Office Building and United States Courthouse at 219 South Dearborn Street in Chicago, Illinois, shall be renamed the 'Everett McKinley Dirksen Building' in memory of the late Everett McKinley Dirksen, a distinguished Member of the United States House of Representatives from the State of Illinois from 1933 to 1949 and of the United States Senate from 1950 to 1969. Any reference to the Federal Office Building and United States Courthouse at 219 South Dearborn Street in Chicago, Illinois, in any law, regulation, document,

record, map, or other paper of the United States shall be deemed a reference to such building as the 'Everett McKinley Dirksen Building'."

The committee amendment was agreed to.

Mr. GRAY. Mr. Speaker, it would be impossible for me to list all the attributes of Everett McKinley Dirksen in the short period of time I have on this bill. His life and works are very well known to all. I hope it will suffice to say that the majority of the Republicans and Democrats alike in the U.S. Senate are cosponsors of this legislation to name the Federal building in Chicago after our friend, the late and beloved Senator from Illinois, Ev Dirksen.

Of course, we did not have one objection to the consideration of this legislation before the subcommittee I have the honor of chairing. The Subcommittee on Public Buildings and Grounds of the House Committee on Public Works, our distinguished and able chairman, Mr. FALLON of Maryland, the distinguished gentleman from Illinois, Mr. KLUCZYNSKI, the distinguished minority whip from Illinois, Mr. ARENDS, and other Members of the House have joined in the sponsorship of this legislation. The legislation before us would name the existing Federal building and courthouse at 219 South Dearborn Street in Chicago, Ill., after Mr. Dirksen. A second Federal building now under construction in Chicago will not be named at this time since it is some time away from completion.

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

The title was amended so as to read: "An act to provide that the Federal Office Building and United States Courthouse in Chicago, Ill., shall be named the 'Everett McKinley Dirksen Building'."

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

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

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

There was no objection.

AUTHORIZING SECRETARY OF THE INTERIOR TO PREVENT TERMINATION OF AND TO REINSTATE OIL AND GAS LEASES IN CERTAIN CASES AND CONDITIONS

The Clerk called the bill (S. 1193) to authorize the Secretary of the Interior to prevent terminations of oil and gas leases in cases where there is a nominal deficiency in the rental payment, and to authorize him to reinstate under some conditions oil and gas leases terminated by operation of law for failure to pay rental timely.

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

S. 1193

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 31(b) of the Mineral Leasing Act of 1920 (41 Stat. 450), as amended (30 U.S.C. 188

(b)), is amended by changing the period at the end thereof to a colon and adding the following: "Provided, That if the rental payment due under a lease is paid on or before the anniversary date but either (1) the amount of the payment has been or is hereafter deficient and the deficiency is nominal, as determined by the Secretary by regulation, or (2) the payment was calculated in accordance with the acreage figure stated in the lease, or made in accordance with a bill which has been rendered by him and such figure or bill is found to be in error resulting in a deficiency, the Secretary shall notify the lessee of the deficiency and such lease shall not automatically terminate unless the lessee fails to pay the deficiency within the period prescribed in the notice."

SEC. 2. Section 31(c) of the Mineral Leasing Act of 1920 (41 Stat. 450), as amended (40 U.S.C. 188(c)), is amended to read as follows:

"(c) Where any lease has been or is hereafter terminated automatically by operation of law under this section, for failure to pay rental on or before the anniversary date or for failure to pay the full amount due and the deficiency is not nominal and payment was not made in accordance with the acreage figure stated in the lease or in accordance with a bill rendered by the Secretary and it is shown to the satisfaction of the Secretary of the Interior that such failure was the result of error or neglect on the part of the Department of the Interior, or where any lease has been or is hereafter terminated automatically by operation of law under this section for failure to pay rental on or before the anniversary date, but within twenty days after such date it is shown to the satisfaction of the Secretary of the Interior that such failure was either justifiable or not due to a lack of reasonable diligence on the part of the lessee, the Secretary may reinstate the lease if—

"(1) a petition for reinstatement, together with the required rental, including back rental accruing from the date of termination of the lease, is filed with the Secretary; and

"(2) no valid lease has been issued affecting any of the lands covered by the terminated lease prior to the filing of said petition. The Secretary shall not issue any new lease affecting any of the lands covered by such terminated lease for a reasonable period, as determined in accordance with regulations issued by him. In any case where a reinstatement of a terminated lease is granted under this subsection and the Secretary finds that the reinstatement of such lease will not afford the lessee a reasonable opportunity to continue operations under the lease, the Secretary may, at his discretion, extend the term of such lease for such period as he deems reasonable: *Provided*, That (A) such extension shall not exceed a period equivalent to the time beginning when the lessee knew or should have known of the termination and ending on the date the Secretary grants such petition; (B) such extension shall not exceed a period equal to the unexpired portion of the lease or any extension thereof remaining at the date of termination; and (C) when the reinstatement occurs after the expiration of the term or extension thereof the lease may be extended from the date the Secretary grants the petition."

With the following committee amendments:

Page 2, line 5, after "lease" insert ", or in any decision affecting the lease."

Page 2, line 5, after "bill" insert "or decision".

Page 2, line 6, strike out "figure or bill" and insert in lieu thereof "figure, bill, or decision".

Page 2, line 7, after "deficiency," strike out the remainder of the sentence and insert in lieu thereof "such lease shall not automatically terminate unless (1) a new lease had been issued prior to the date of this

Act or (2) the lessee fails to pay the deficiency within the period prescribed in a notice of deficiency sent to him by the Secretary."

Page 2, beginning on line 14, through page 3, line 6, strike out all of subsection (c) and insert in lieu thereof the following:

"(c) Where any lease has been or is hereafter terminated automatically by operation of law under this section for failure to pay on or before the anniversary date the full amount of rental due, but such rental was paid on or tendered within 20 days thereafter, and it is shown to the satisfaction of the Secretary of the Interior that such failure was either justifiable or not due to a lack of reasonable diligence on the part of the lessee, the Secretary may reinstate the lease if—"

Page 3, line 13, strike out "The Secretary shall not issue" and all the language through page 4, line 8, and insert in lieu thereof language identical to the language stricken but printed as a part of subsection (c) rather than paragraph (2).

The committee amendments were agreed to.

(Mr. ASPINALL (at the request of Mr. SAYLOR) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ASPINALL, Mr. Speaker, the bill before us today, S. 1193, is designed to prevent the automatic termination of Federal oil and gas leases where such terminations are the result of errors of the Federal Government or, in other cases, where the errors were made by the lessee but were justifiable or not due to a lack of reasonable diligence.

Since 1954, when the Mineral Leasing Act was amended, Federal oil and gas leases have terminated automatically upon failure of a lessee to pay either the full amount of the rental due or to pay it timely. The Department of the Interior interpreted this amendment in the strictest sense. It has held that, even where the lessee paid the full amount indicated in a bill issued by the Government, and the bill was in error and resulted in a deficiency, the lease terminated. In other cases where rental was mailed in ample time but the mail was unavoidably delayed, due to such things as fires, earthquakes, storms, or plane or train disasters, and the rental was even 1 day late, the lease was also terminated. A deficiency of even a few cents, in rental payments amounting to several thousand dollars, was likewise held to terminate the lease. In other words, no matter what the cause or how justifiable the error, if the full amount of the rental was not received on time, in a particular office of the Bureau of Land Management, the oil and gas lease was canceled. There were absolutely no exceptions.

As might well be expected, this harsh interpretation resulted in numerous private and public relief bills. Congress partially corrected this situation in 1962 by providing relief for cases occurring between 1954 and 1962. It was thought at that time that many of the inadvertent errors, particularly errors in billing by the Government, could be greatly reduced or eliminated. This has not proven to be the case. Errors in billing by the Government continue as do delays in the mail and other unavoidable errors. Inadvertent and justifiable mistakes on the part of the lessees also continue. These

may be due to the illness of a lessee or to other reasons. In any event, each year numerous private relief bills are introduced. The majority of these that the Committee on Interior and Insular Affairs has reviewed warrant relief. Each year the committee has recommended and Congress has taken favorable action on numerous private relief bills. As I recall, we have brought bills before this body where the rental was short by 15 cents or 20 cents and in many cases the shortage was a few dollars or less. In other situations the rental was mailed in ample time but the letter was misdirected to the wrong office. These are some of the situations that this proposed bill would eliminate.

Under section 1 of the bill if the rental is received on time but is deficient by a small amount or is paid in accordance with a bill issued by the Department and that bill was in error and caused the deficiency, the lessee must be notified by the Secretary of the Interior and if the lessee pays the back rental, the lease does not automatically terminate. This provision will take care of small deficiencies in rental payments by the lessee and any error in billing by the Government.

Section 2 deals with leases which have terminated for a deficiency in rental or for a late payment. In these situations if the back rental is paid within 20 days the lessee may petition the Secretary to reinstate the lease. A reinstatement under this section is not automatic. The Secretary must carefully examine each case and authorize reinstatement only when he is fully satisfied that such action is justified.

The committee is aware that the 20-day limitation on reinstatement of leases will mean that a small percentage of cases, otherwise deserving, will not be afforded relief. There will be a few situations where the back rental is not paid within this time. However, some time limitation is necessary on reinstatements to adequately protect the public interest. The 20-day limitation adopted will do this.

This legislation is needed to give the Secretary of the Interior a certain amount of discretionary authority to reinstate leases and to relieve Congress of the burden of considering many individual private relief bills.

I recommend its enactment.

I would like to add, Mr. Speaker, that essentially similar legislation passed both the House and Senate last Congress. However, a conference was not called to resolve the relatively minor differences and further action was not taken.

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

The Speaker, this concludes the call of the Consent Calendar.

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE ACT

Mr. PERKINS, Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 10666) to establish a National Commission on Libraries and Information Science, and for other purposes.

The Clerk read as follows:

H.R. 10666

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 "National Commission on Libraries and Information Science Act."

SEC. 2. The Congress hereby affirms that library and information services adequate to meet the needs of the people of the United States are essential to achieve national goals and to utilize most effectively the Nation's educational resources and that the Federal Government will cooperate with State and local governments and public and private agencies in assuring optimum provision of such services.

SEC. 3. There is hereby established as an independent agency within the executive branch, a National Commission on Libraries and Information Science (hereinafter referred to as the "Commission").

SEC. 4. The Department of Health, Education, and Welfare shall provide the Commission with necessary administrative services (including those related to budgeting, accounting, financial reporting, personnel, and procurement) for which payment shall be made in advance, or by reimbursement, from funds of the Commission in such amounts as may be agreed upon by the Commission and the Secretary of Health, Education, and Welfare.

FUNCTIONS

SEC. 5. (a) The Commission shall have the primary responsibility for developing overall plans for, and advising the appropriate governments and agencies on, the policy set forth in section 2. In carrying out that responsibility, the Commission shall—

(1) advise the President and the Congress on the implementation of national policy by such statements, presentations, and reports as it deems appropriate;

(2) conduct studies, surveys, and analyses of the library and informational needs of the Nation, including the special library and informational needs of the economically, socially, or culturally deprived, and the means by which these needs may be met through information centers, through the libraries of elementary and secondary schools and institutions of higher education, and through public, research, special, and other types of libraries;

(3) appraise the adequacies and deficiencies of current library and information resources and evaluate the effectiveness of current library and information science programs;

(4) develop overall plans for meeting national library and informational needs and for the coordination of activities at the Federal, State, and local levels, taking into consideration all of the library and informational resources of the Nation to meet those needs;

(5) promote research and development activities which will extend and improve the Nation's library and information-handling capability as essential links in the national communications networks;

(6) submit to the President and the Congress (not later than January 1 of each year) a report on its activities during the preceding fiscal year; and

(7) make and publish such additional reports as it deems to be necessary, including, but not limited to, reports of consultants, transcripts of testimony, summary reports, and reports of other Commission findings, studies, and recommendations.

(b) The Commission is authorized to contract with Federal agencies and other public and private agencies to carry out any of its functions under subsection (a) and to publish and disseminate such reports, findings, studies, and records as it deems appropriate.

(c) The Commission is further author-

ized to conduct such hearings at such times and places as it deems appropriate for carrying out the purposes of this Act.

(d) The heads of all Federal agencies are, to the extent not prohibited by law, directed to cooperate with the Commission in carrying out the purposes of this Act.

MEMBERSHIP

SEC. 6. (a) The Commission shall be composed of fifteen members appointed by the President, by and with the advice and consent of the Senate. Five members of the Commission shall be professional librarians or information specialists, and the remainder shall be persons having special competence or interest in the needs of our society for library and information services. One of the members of the Commission shall be designated by the President as Chairman of the Commission. The terms of office of members of the Commission shall be five years, except that (1) the terms of office of the members first appointed shall commence on the date of enactment of this Act and shall expire three at the end of one year, three at the end of two years, three at the end of three years, three at the end of four years, and three at the end of five years, as designated by the President at the time of appointment, and (2) a member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term.

(b) Members of the Commission who are not in the regular full-time employ of the United States shall, while attending meetings or conferences of the Commission or otherwise engaged in the business of the Commission, be entitled to receive compensation at a rate fixed by the Chairman, but not exceeding the rate specified at the time of such service for grade GS-18 in section 5332 of title 5, United States Code, including travel-time, and while so serving on the business of the Commission away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, and authorized by section 5703 of title 5, United States Code, for persons employed intermittently in the Government service.

(c) (1) The Commission is authorized to appoint, without regard to the provisions of title 5, United States Code, covering appointments in the competitive service, such professional and technical personnel as may be necessary to enable it to carry out its function under this Act.

(2) The Commission may procure, without regard to the civil service or classification laws, temporary and intermittent services of such personnel as is necessary to the extent authorized by section 3109 of title 5, United States Code, but at rates not to exceed the rate specified at the time of such service for grade GS-18 in section 5332 of title 5, United States Code, including travel-time, and while so serving on the business of the Commission away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons employed intermittently in the Government service.

AUTHORIZATION OF APPROPRIATIONS

SEC. 7. There are hereby authorized to be appropriated \$500,000 for the fiscal year ending June 30, 1970, and for each succeeding fiscal year such sums as may be appropriated by the Congress for the purpose of carrying out the provisions of this Act.

The SPEAKER. Is a second demanded?

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

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

There was no objection.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 84]

Adair	Frey	Morton
Addabbo	Fulton, Pa.	Nelsen
Alexander	Fulton, Tenn.	Nix
Aspinall	Gallifanakis	O'Hara
Baring	Gallagher	Ottinger
Barrett	Gaydos	Patman
Belcher	Gettys	Patten
Bevill	Gialmo	Pepper
Biaggi	Gibbons	Philbin
Blackburn	Gilbert	Pickle
Blatnik	Goldwater	Podell
Bow	Green, Oreg.	Pollock
Brock	Green, Pa.	Powell
Brooks	Griffin	Pryor, Ark.
Brown, Calif.	Grover	Pucinski
Brown, Mich.	Gude	Rarick
Buchanan	Hagan	Rees
Cabell	Haley	Rivers
Carey	Halpern	Roe
Casey	Hansen, Idaho	Rooney, N.Y.
Celler	Harrington	Rosenthal
Chappell	Harvey	Rostenkowski
Chisholm	Hastings	Roybal
Clancy	Hébert	Ruppe
Clark	Heckler, Mass.	St Germain
Clay	Helstoski	St. Onge
Conte	Hollifield	Sandman
Conyers	Hosmer	Satterfield
Cowger	Hunt	Scheuer
Crane	Jacobs	Schneebeil
Culver	Jarman	Shipley
Dawson	Jones, N.C.	Snyder
Dickinson	Karth	Springer
Diggs	Kee	Stanton
Dingell	Kirwan	Steiger, Wis.
Dorn	Kleppe	Stevens
Downing	Koch	Stubblefield
Dulski	Lennon	Taft
Dwyer	Long, La.	Teague, Calif.
Eckhardt	Lowenstein	Tunney
Edmondson	Lujan	Udall
Edwards, La.	Lukens	Ullman
Eilberg	McCarthy	Van Deerlin
Evans, Colo.	McDonald,	Waggonner
Fallon	Mich.	Waldie
Farbstein	McMillan	Watkins
Fascell	Mailliard	Watson
Feighan	Mann	Watts
Fish	May	Whalley
Foley	Melcher	White
Ford,	Mize	Wilson, Bob
William D.	Mollohan	Wolf
Fountain	Montgomery	Wright
Fraser	Moorhead	Wylder
Frelinghuysen	Morse	

The SPEAKER. On this rollcall, 267 Members have answered to their names, a quorum.

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

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE ACT

The SPEAKER. The gentleman from Kentucky (Mr. PERKINS) is recognized for 20 minutes.

Mr. PERKINS. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, the bill H.R. 10666 was thoroughly considered by the committee and the Select Subcommittee on Education headed by our colleague, the gentleman from Indiana (Mr. BRADEMAS), who conducted the hearings and, in my judgment, wrote a bill which deserves the praise and the support of every Member of this body.

Mr. Speaker, this legislation was re-

ported favorably by the full committee to the House of Representatives on May 14, 1969—almost a year ago. It was reported by the committee without a dissenting vote. During this period of time I have endeavored to discover whether or not there is any opposition to the legislation. Mr. Speaker, I find none. To the contrary I find almost universal support for this legislation.

The legislation is an outgrowth of extensive study conducted by the National Advisory Committee on Libraries appointed by the President in September 1966. One of the chief recommendations of the National Advisory Committee on Libraries was "the establishment of a continuing Federal planning agency."

The major function of this Commission will be the overall planning and recommendation to Federal and other public and nonpublic libraries and information services of ways and means of sharing resources and developing new capabilities.

Mr. Speaker, we are all deeply concerned about making services and programs conducted by the Government in all fields more effective and more responsive to actual needs. We are concerned about eliminating duplication, overlapping, and waste. The establishment of a permanent Commission with long-range planning goals, a Commission that can advise on how best to coordinate and provide for an interchange between different library systems and information services of material can make Federal dollars expended in the library services field go much further in meeting the public need for a wide range of library type information.

Mr. Speaker, many experts in this field have given their support to this legislation and invite my colleagues' attention to the hearings and committee report where their views are set further in detail.

In summary, H.R. 10666 would authorize the establishment of a National Commission on Libraries and Information Science as an independent agency of the Government. The Commission would be composed of 15 members appointed by the President with the advice and consent of the Senate. Five members would be library and information experts and the remainder would be persons with special competence and interest in this field. The Commission would have the following responsibilities:

First. Advise the President and the Congress on the implementation of national policy;

Second. Conduct studies, surveys, and analyses of the library and informational needs of the Nation, including the library and informational needs of the economically, socially, or culturally disadvantaged, and the means by which these needs may be met through information centers and libraries;

Third. Evaluate current resources and programs;

Fourth. Develop overall plans for meeting these needs, and for the coordination of activities at the Federal, State, and local levels;

Fifth. Promote research and development activities which will extend the Nation's library and information-hand-

ling capability as essential links in the national communications network;

Sixth. Submit to the President and Congress—not later than January 1 of each year—a report on its activities; and

Seventh. Publish other reports and materials as it deems appropriate.

Mr. Speaker, I urge enactment of H.R. 10666. As I have stated this bill is the fruit of the work of the National Advisory Commission on Libraries which was established by President Johnson in 1966 and headed by Douglas M. Knight, president of Duke University. The Commission held 11 meetings and, in addition, conducted 12 hearings in various parts of the Nation. The Commission also developed more than a dozen special studies of various aspects of library service.

In winding up the work of the Advisory Commission, its Chairman pointed out that: "The work we have started can evolve most meaningfully through the combined efforts of many existing and evolving entities, coordinated by the overall planning efforts of our recommended National Commission on Libraries and Information Science. There must be continuing, coordinated study and action in the years ahead—it is an ongoing, never-ending venture."

In my judgment the bill should be passed unanimously.

Mr. DELLENBACK. Mr. Speaker, while I demanded the second, which was ordered, I ask unanimous consent that control of the time be transferred to the gentleman from New York (Mr. REID).

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

There was no objection.

Mr. REID of New York. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Speaker, I call the attention of the gentleman from Kentucky (Mr. PERKINS), the chairman of the committee, to page 6 of the bill:

(2) The Commission may procure, without regard to the civil service or classification laws, temporary and intermittent services of such personnel as is necessary to the extent authorized by section 3109 of title 5, United States Code, but at rates not to exceed the rate specified at the time of such service for grade GS-18 in section 5332 of title 5, United States Code, including traveltime, and while so serving on the business of the Commission away from their homes or regular place of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons employed intermittently in the Government service.

Are those to be employed under the terms of this bill to be Federal employees?

Mr. PERKINS. They are intended to be intermittent employees. Some of them may be permanent Federal employees and others may be not. If the Commission deemed it wise to employ someone with a special skill and he was not a regular civil service employee, they would have the authority to do so.

Mr. GROSS. I understand that distinction.

Mr. PERKINS. I figured he would have the authority.

Mr. GROSS. But the permanent employees, as set forth on page 5—are they to be Federal employees?

Mr. PERKINS. These are the employees of the Commission. They may or may not be permanent. As members of the Commission, they could be permanent or they may not be.

Mr. GROSS. What was the intent of the committee?

Mr. PERKINS. The intent of the committee was to give the Commission the latitude necessary to carry out its functions.

Mr. GROSS. This is to be a permanent Commission?

Mr. PERKINS. This is a permanent Commission.

Mr. GROSS. Are they not to have permanent employees?

Mr. PERKINS. I would think there would be permanent employees. There may be others that may not be permanent employees.

Mr. GROSS. Then why did the committee fail to conform to the public law which requires that in the establishment of a new Commission, a new agency, or a new department of Government, the number of employees, their duties, their pay, and an estimate of the man-hours of work be set forth?

Nowhere in this bill or in the report—particularly in the report—is there any such conformance with the public law.

Mr. PERKINS. We set this up as an independent agency, and the Commission has the latitude to determine the number of employees needed, and in cooperation with the civil service law, they would make that determination.

Mr. GROSS. Apparently I am not coming through loud and clear to the chairman of the committee. The public law requires that in the establishment of a new agency of the Government, there be an estimate of the number of employees, job descriptions, compensations, and an estimate of the man-hours of work that will be required. There has been no conformance with the public law in this report.

Mr. PERKINS. I think we comply with the laws here. We set up an independent Commission, and they have got to have latitude to hire an employee, the personnel needed to carry out their functions.

Mr. GROSS. Will the gentleman show me where there has been any conformance with the public law in this report? I do not want to spend all my life on this subject, but will the gentleman show me where it is to be found in the report?

Mr. PERKINS. It is not in the report, but it is intended that we adhere to the civil service laws for every permanent employee.

Mr. GROSS. Let me ask the gentleman a further question. There is a two-sentence statement on the part of the Department of Health, Education, and Welfare. I do not know whether it is in support of this legislation or not. I think this is the strangest communication from a vitally affected agency of the Government that I have ever read in a report.

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

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

Mr. BRADEMAS. Mr. Speaker, the position of the Department of Health, Education, and Welfare is that they support a national advisory commission, called here the National Commission on Libraries and Information Science. They did not agree with the Committee on Education and Labor which establishes a commission independent of and not within the Department of Health, Education, and Welfare. The Health Education, and Welfare Department wanted to have the commission located in the Department of Health, Education, and Welfare.

The SPEAKER. The time of the gentleman from Iowa has expired.

Mr. REID of New York. Mr. Speaker, I yield the gentleman from Iowa 5 additional minutes.

Mr. GROSS. Mr. Speaker, then why was it not so stated in the report?

Mr. BRADEMAS. Mr. Speaker, I think it is very clear, if the gentleman will look at the hearings. As a matter of fact, in my own remarks I shall certainly allude to that fact.

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

Mr. GROSS. I yield very briefly to the gentleman from Kentucky.

Mr. PERKINS. Mr. Speaker, there is no necessity for the report to deal in particulars, as the gentleman from Iowa has suggested. We have a ceiling here of \$500,000. The commission has never come into existence. The Commission when it is appointed, will make the determination as to the number of employees, those who will be needed as permanent employees, and whether some will be placed just on a per diem basis for special assistance.

Mr. GROSS. The gentleman has already said that some of these will be permanent employees. Let me say to the gentleman, the amount of money has nothing to do with conforming to the public law, which requires a statement such as I previously set forth in the establishment of a new agency, department, or commission of Government.

Of course, the Appropriations Committee could cut that amount and thereby hold down the employment. We are all aware of that.

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

Mr. GROSS. I yield to the gentleman from North Carolina, the chairman of the Subcommittee on Manpower of the House Post Office and Civil Service Committee.

Mr. HENDERSON. I thank the gentleman for yielding.

This is not clear to me, and I believe the record should be made clear as to whether or not the allocation for the permanent employees of the Commission, who will be Federal Government employees and within the supergrade levels of 16, 17, and 18, will be made by the Civil Service Commission under the usual and known procedures understood by the subcommittee on which the gentleman in the well and I serve, or whether or not the Commission will appoint them without regard to the civil service lists and the procedures followed by the Civil Service Commission.

I certainly cannot tell, from the report.

Mr. GROSS. Of course, neither the gentleman from North Carolina nor the gentleman from Iowa can tell from the report on this bill because there is no estimate and, therefore, no indication of the number.

Mr. HENDERSON. If the gentleman will yield further, perhaps an answer from the committee chairman or the sponsor of the bill could clarify this, in the absence of that clarification.

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

Mr. GROSS. Just for an answer to this simple question: Are they going to get the supergrades from the Civil Service Commission, or how do they propose to get them?

Mr. PERKINS. Let me answer the distinguished gentleman. I have seen dozens of pieces of legislation brought to the floor just like this legislation.

On page 5 of the report, at the bottom of the page, we say the Commission is authorized to appoint "without regard to provisions of title 5, United States Code, covering appointments in the competitive service."

Mr. GROSS. Yes; I can read.

Mr. PERKINS. That is such personnel as may be necessary.

Mr. GROSS. Please do not take all of my time.

Mr. PERKINS. That is to make sure that they have the latitude to procure the personnel who can carry out the job.

Mr. GROSS. Of course, that is no answer to the question propounded by the gentleman from North Carolina (Mr. HENDERSON).

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

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

Mr. HALL. I appreciate the gentleman's yielding.

I simply want to substantiate the lack of compliance with Public Law 86-910 as required in the report of the committee. Insofar as the Librarian of Congress is concerned, in the last paragraph of his letter, on page 5 of the report, he quotes exactly the same sentence with regard to the provisions of title 5, United States Code as the gentleman from Kentucky, and says that he doubts if they would be eligible for Federal benefits such as the life insurance, retirement, and so on.

Mr. GROSS. That is right.

Mr. HALL. Although his—the Librarian of Congress—interest in this is not the same as our interest, in that he is interested only in whether they could recruit personnel for this Commission. I submit that the seven reasons listed should themselves automatically be handled by the Library of Congress.

Mr. GROSS. The gentleman from Kentucky says they may be permanent employees or they may be intermittent employees, but he says there are going to be some permanent employees, which the Librarian of Congress does not say.

Mr. HALL. If they are intermittent employees they will not be eligible except under the clause for the per diem rate which, as he says in his own statement, amounts to \$136 a day, plus ex-

penses. If they are permanent employees they are certainly not eligible for that rate of pay.

Mr. PERKINS. I will agree with that statement by Dr. HALL.

Mr. GROSS. Mr. Speaker, I could support a bill that provided for a temporary commission to make a 2 or 3 year study and offer recommendations for the improvement of the Nation's library facilities in connection with educational resources and information. But I have no intention of establishing in perpetuity another national commission with open end authority as to spending and employment. This can very well be opening the door to empire building at its worst.

This bill should never have been brought to the House floor under suspension of the rules which precludes the offering of a single amendment. Moreover, there is nothing to indicate that the administration supports this legislation. Although it authorizes a fiscal year appropriation of \$500,000, those Members of the House who believe in fiscal responsibility should take note of the fact that there is not one word of approval or endorsement from the Bureau of the Budget.

The SPEAKER. The time of the gentleman from Iowa has expired.

Mr. PERKINS. Mr. Speaker, I yield 15 minutes to the distinguished gentleman from Indiana (Mr. BRADEMAS).

Mr. BRADEMAS. Mr. Speaker, the bill before the House, H.R. 10666, to establish a National Commission on Libraries and Information Science, comes to the House from the Committee on Education and Labor with a unanimous vote of that committee.

I believe it is significant that there was no opposition to the bill.

Moreover, 25 Members of that committee of both parties are cosponsors of the bill we are today considering. I wish to express my appreciation to those Members of our committee for their cosponsorship of this bill.

In particular, they are the distinguished chairman of the committee (Mr. PERKINS), the distinguished ranking minority member of the subcommittee which handled this bill, the gentleman from New York (Mr. REID), as well as Mr. THOMPSON of New Jersey, Mr. DENT, Mr. PUCINSKI, Mr. DANIELS of New Jersey, Mr. O'HARA, Mr. CAREY, Mr. HAWKINS, Mr. WILLIAM D. FORD, Mr. HATHAWAY, Mrs. MINK, Mr. SCHEUER, Mr. MEEDS, Mr. BURTON of California, Mr. GAYDOS, Mr. AYRES, Mr. QUIE, Mr. BELL of California, Mr. ESCH, Mr. STEIGER of Wisconsin, Mr. COLLINS, Mr. LANDGREBE, and Mr. HANSEN of Idaho and myself.

The list is limited to 25 only because the rules of the House so limit the sponsorship of a given bill. In all fairness to other Members who have also given their support to this legislation, I should mention H.R. 10667, an identical bill to the one under consideration, which bears the names of the gentleman from New York (Mr. POPELL), the gentlemen from Kentucky (Mr. STUBBLEFIELD and Mr. WATTS), the gentleman from New Jersey (Mr. FRELINGHUYSEN), and the gentleman from Washington (Mrs. MAY).

These distinguished colleagues are also sponsors of the bill which, I hope the House will approve today.

Mr. Speaker, I recite these names in order to indicate the broad support for the bill before us.

Mr. Speaker, establishment of a National Commission on Libraries and Information Science would fulfill one of the major recommendations of the National Advisory Commission on Libraries which was initiated by President Johnson in 1966, under the chairmanship of Douglas Knight, former president of Duke University.

That Commission, after some 20 months of hearings and careful study of the Nation's library needs, resources, and problems, made its report to the Secretary of Health, Education, and Welfare on July 1, 1968.

The report of the Advisory Commission dealt with a number of the basic problems facing libraries and library users in our country, but central to its recommendations was the following paragraph:

In order to implement and further develop the national policy of library services for the nation's needs, the most important single measure that can be undertaken is the establishment of a continual Federal planning agency. It is noteworthy that almost all representatives of library, scholarly, scientific and other professional associations who testified before the National Advisory Commission on Libraries gave high priority in their recommendations to the creation of such a Federal planning agency.

The bill before the House today would create a 15-member National Commission on Libraries and Information Science, to be appointed by the President with the advice and consent of the Senate. The Commission members would be appointed for 5-year staggered terms, with the terms of three members expiring each year. They would be paid only on a "when actually employed" basis.

The Commission is established as an independent agency within the executive branch, and not as I indicated in my colloquy with the gentleman from Iowa as the Secretary of Health, Education, and Welfare requested within that Department, but is authorized to obtain administrative support services from the Department of Health, Education, and Welfare, with the Department to be reimbursed out of the funds appropriated for the Commission. The Commission is made independent in order to enable it to speak its views freely, and not serve as a rubber stamp for any particular executive agency.

The bill authorizes annual appropriations for the expenses of the Commission, not to exceed \$500,000 per year.

The Commission's responsibilities will lie in the area of planning, conducting research on the Nation's library and information needs, evaluation of resources and programs presently being brought to bear to fulfill these requirements, and advising the President, Congress, and the library and information science world on what is needed to make these resources adequate to meet our national needs.

The Commission, Mr. Speaker, will not be an operating agency. It will have no control over any of the Federal library

or information science programs, nor will it in the slightest degree seek to bring the network of State, local, school, university, and special libraries and information science operations into any sort of single framework. Its role will be advisory.

However, we can expect, from the advice the Commission develops, from the research it conducts, from the insights it can bring to bear, to emerge with a better system of library services and a more effective and economical use of information resources in the United States.

We hear much about the population explosion, and the fact that by the year 2000 we will have some 300 million people in the United States and the impact of this burgeoning population upon almost everything we do. The simple fact that the number of library users, the number of consumers of information is expanding at an enormous rate, poses serious problems to our libraries and to information science activities generally.

But, an even more pressing problem is the knowledge explosion. Research and creative intellectual activity in every area of human knowledge is proceeding at an unprecedented speed and there can be no question but that the rate of this growth will itself continue to climb.

To make the best possible use of our information resources, to start now to develop plans for coping, not with today's problems alone, but with the problems of tomorrow and next year and the next decade—this will be the primary task of the proposed National Commission.

When the Commission is appointed and after it has begun to bring together the results of the research which it conducts or encourages other agencies and non-governmental entities to conduct, it can make its recommendations to Congress and to the President.

Then, armed with a thoughtful and well-grounded view of the overall needs of the Nation and of all the technological possibilities, Congress will be better equipped to make whatever changes need to be made in the legislation on which present Federal library activities and library support programs are based.

The establishment now of the National Commission may very well, Mr. Speaker, save us many, many times its small cost in future years as we give thought to extending and perhaps amending such legislation as the Library Services and Construction Act, title II of the Higher Education Act, and title II of the Elementary and Secondary Education Act, and titles III and IX of the National Defense Education Act, and the legislation establishing the Library of Congress, the National Medical Library, and the National Agricultural Library.

But the results of the Commission's work will not be valuable to Congress alone. It will be of inestimable worth to the magnificent system of State and local public libraries, to the college and university libraries, to the special libraries, to the law libraries, and to all the various organizations, Federal and non-Federal, public and private, operating in the information science field. These organizations, and consumers of their stores of information, will be the imme-

diately and continuing beneficiaries of the research and planning the Commission undertakes and the recommendations it will make.

I would like, Mr. Speaker, to make two other points. First, with regard to the membership of the Commission. The bill provides that five of the 15 members shall be librarians or information scientists.

I was deeply impressed during the hearings on this legislation to note, not only from the witnesses who testified, but in many of the letters we received, the strong endorsement by the library and information science professions themselves of the concept that the Commission should not be dominated by those professions. The bill does set aside one-third of the seats on the Commission for those professions, and their professional input to the work of the Commission will be invaluable. But the Commission will be taking a broader view of library and information science needs. It will not, as the report says, be talking for these professions to the Nation, but for the public about these professions.

I want, therefore, to commend the librarians and information scientists who testified before our committee for emphasizing the fact that it is the user, and not the supplier of knowledge, whose interests must be kept paramount.

My final point is a personal one. I would not try to select one outstanding name among the 20 distinguished Americans who served on the National Advisory Committee on Libraries, and to extend to him any special share of the credit for the work done by that Commission. These 20 men and women, educators, librarians, information scientists, and civic leaders, each deserves immeasurable credit for their contributions. But one member of that Commission, who also served as a witness before our committee, does merit special mention in this place at this hour. I refer, of course, to our former colleague, the distinguished gentleman from Alabama, Carl Elliott.

Those of us who had the great good fortune to serve with Carl Elliott during his years in the House know of the unexcelled contribution he made here to Federal library activities. The recommendation of the National Advisory Commission, which this bill seeks to implement, comes to the House with the strong support of Carl Elliott. There are not many things I can say which speak more persuasively for this bill than that.

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

Mr. BRADEMAS. I am glad to yield to my colleague, the gentleman from North Carolina.

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

Mr. Speaker, I would ask the gentleman from Indiana who recommended this section 6(c)(1) that the committee appoint in the competitive service without regard to the provisions of title V, United States Code, the professional and technical personnel? I presume these are permanent employees of the commission?

Mr. BRADEMAS. I cannot tell the gentleman whether any particular person recommended the section to which he refers because this was in the draft bill

which was originally put together by the staff, but I can tell the gentleman that it is not, in response to his earlier question, the intention of our committee to stipulate that permanent employees of the commission should not be subject to the rules and regulations of the Civil Service Commission, which I think is the gentleman's concern.

Mr. HENDERSON. I thank the gentleman for his response.

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

Mr. REID of New York. Mr. Speaker, I yield myself 6 minutes.

Mr. Speaker, I rise in support of H.R. 10666, a bill to establish a National Commission on Libraries and Information Science.

Mr. Speaker, the establishment of this Commission as a continuing Federal planning agency was the principal recommendation of the National Advisory Commission on Libraries which submitted its report to the President in October 1968.

"Libraries are the banks of our educational system," President Nixon reminded the Nation when he opened National Library Week in 1969. "They are a summing up of past achievement and a stimulant to future progress," the President continued, adding that "never have our libraries played a more important role in our campaign against ignorance and for fullness of educational opportunity."

The enactment of H.R. 10666, Mr. Speaker, will affirm, in the language of the bill, "that library and information services adequate to meet the needs of the people of the United States are essential to meet national goals and to utilize most effectively the Nation's educational resources, and that the Federal Government will cooperate with State and local governments and public and private agencies in assuring optimum provision of such services."

The bill establishes a National Commission on Libraries and Information Science which would have the primary responsibility for developing overall plans to meet the needs of the American people for library and information services, and for advising public and private agencies on the recommended policies it has developed.

The National Commission would carry out these responsibilities by analyzing the informational needs of the Nation, including the special needs for library and informational services of the economically, socially, and culturally disadvantaged; by determining how these needs may best be met; by evaluating current resources and programs; by promoting necessary research and development activities; by developing overall plans for meeting needs for library and information services, which would include coordination of activities at the Federal, State, and local levels; and by advising Congress and the President of the extent to which national policies are being carried out.

The Commission would be composed of 15 members appointed by the President and confirmed by the other body. Five would be librarians or information

specialists. One member would be designated as chairman, and each appointee would serve for 5 years, with three seats filled each year.

The bill would authorize an appropriation of \$500,000 for the next fiscal year and the same amount for subsequent years.

In testimony before the Select Subcommittee on Education just a year ago, Roger H. McDonough, president of the American Library Association, indicated the ALA's support of the legislation. Referring to the report of the Advisory Commission, he said that its "first and most important single recommendation that must be implemented is the establishment of a permanent National Commission on Libraries and Information Science as a continuing Federal agency for broad planning and coordination."

Mr. McDonough continued:

The need of the Nation for library services and resources is bigger than what is encompassed in the legislation already in effect and programs in operation. The Commission will not be a new layer placed on existing layers of governmental activity. It will instead be concerned with evaluating all library and information activities both within and without the government and proposing measures to mitigate deficiencies found to exist.

Mr. Speaker, I would particularly like to call attention to the bipartisan character of this legislation and to thank the Chairman of our subcommittee, the gentleman from Indiana (Mr. BRADEMAS), for his unstinting helpfulness throughout, and to note that this bill has been introduced and strongly supported by Mr. AYRES, Mr. QUIE, Mr. BELL of California, Mr. ESCH, Mr. STEIGER of Wisconsin, Mr. COLLINS, Mr. LANDGREBE, and Mr. HANSEN of Idaho, among others.

Finally, I would note that one of the distinguished members of the National Advisory Commission on Libraries was a constituent of mine, Mr. Theodore Waller.

Mr. Speaker, in response to the gentleman from Iowa (Mr. GROSS), who has made, I think, a very valid point, I would like to assure the gentleman that the conference and any conference report relative to this bill will only be reported back to the House as far as I am concerned if it is fully consistent with Public Law 86-910, and which contains language appropriate thereto.

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

Mr. REID of New York. I will be happy to yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I thank the gentleman for that assurance. Now I would like to ask the gentleman whether this \$500,000 per year appropriation for the funding of this Commission from now into eternity was budgeted?

Mr. REID of New York. The answer to that question is in the negative.

Mr. GROSS. It is not?

Mr. REID of New York. That is my understanding.

Mr. GROSS. I thank the gentleman.

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

Mr. REID of New York. I yield to the gentleman.

Mr. HUTCHINSON. I note from the re-

port that this bill was reported by the committee on May 14, 1969. That is 11 months ago. I wonder if the gentleman can explain where this bill has been for 11 months?

Mr. REID of New York. It has been pending in the Rules Committee. We had hoped that the bill would have been brought up earlier but it was not, due to the press of the Legislative Calendar.

Mr. HUTCHINSON. But it was reported by the committee a year ago in 1969?

Mr. REID of New York. On May 14, 1969—that is correct.

Mr. HUTCHINSON. So for 11 months it has been somewhere between the committee and the floor?

Mr. REID of New York. That is correct. I share the gentleman's concern. I wish our legislative calendar would move more rapidly on occasion.

Mr. HUTCHINSON. As I read the text of the bill, it is provided that a half million dollars or thereabouts is to be appropriated for the current fiscal year 1970 and for each fiscal year thereafter such sums as may be appropriated by the Congress. It is open ended; is that correct?

Mr. REID of New York. That is correct.

Mr. HUTCHINSON. So for all practical purposes, it is wholly an open-ended proposal since you do not expect any appropriation to be made for the current fiscal year?

Mr. REID of New York. I had hoped that there would be an appropriation for the current fiscal year 1970 and subsequently as much as may be appropriated. I do think there is a clear need for this. I would say to the gentleman that the administration feels that there is need for the Library Commission and I would hope that such differences as may exist over this, and budgetary support for this, would be resolved by the conference, if not before.

Mr. HUTCHINSON. I thank the gentleman.

Mr. MILLER of Ohio. Mr. Speaker, will the gentleman yield?

Mr. REID of New York. I yield to the gentleman.

Mr. MILLER of Ohio. The bill says under "Authorization of appropriations" in section 7, that there are hereby authorized to be appropriated \$500,000 for the fiscal year ending June 30, 1970, which is correct.

Now are we assuming we are authorizing only to this level and that the Commission would still have a half million dollars? Or are we saying that next year we will be asked for \$3 million—six times that amount—because there is one-sixth?

Mr. REID of New York. The amount is \$500,000 for this fiscal year. As I said to the gentleman, I would hope that the differences over the bill would be resolved in conference and with the Budget Bureau, along with agreement on adequate appropriations for the remainder of this fiscal year.

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

Mr. REID of New York. I yield to the gentleman.

Mr. BRADEMAS. I would assume, of course, it would not be reasonable to anticipate that the full amount of the authorization for the fiscal year to which the gentleman refers would be appropriated this year, but that we could get some modest amount of that modest amount to get going on the program.

Mr. REID of New York. I thank the gentleman.

Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. COLLINS).

Mr. COLLINS. Mr. Speaker, as one of the cosponsors I want to add one or two words on this bill. The Committee on Education is a very controversial committee in itself, it is interesting to note that this bill came out with a unanimous endorsement.

The thing that we like about it particularly is the fact that we are creating an independent agency here, an agency that will be completely independent and it will make a study of this entire subject in a fair and impartial manner.

It says in one of the key provisions "to appraise the adequacies and deficiencies of the current library and information resources and evaluate the effectiveness of the current library and information science programs."

As important as the subject of libraries is in the field of education, this program has a great deal of merit in the fact we are able through this independent agency to go in and make a complete and thorough study of libraries.

Mr. Speaker, I completely endorse the program. I think it is a progressive bill.

Mr. PERKINS. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. PUCINSKI).

Mr. PUCINSKI. Mr. Speaker, I rise in support of this legislation and am proud to be one of its cosponsors.

I was the principal sponsor of the Library Extension Service Act. It has improved library services immensely in this country. I want to congratulate the chairman of our committee, Mr. PERKINS, for bringing this bill to the floor, and the gentleman from Indiana (Mr. BRADEMAS), for his initiative in bringing this legislation to the attention of the Congress.

One of the things that is most important about this bill is the fact that we now address ourselves to the question of information services. It is really pathetic, when we consider the question how difficult it is for citizens to get information even though we have the best press, radio and television in the world. Where does a citizen go to get information on the great knowledge explosion which is sweeping the country? We are living in an era when we are witnessing the greatest knowledge explosion in the history of mankind. More scientific journals, more research material is being generated today than ever before in the history of civilization. The whole world is becoming more complex. Yet in community after community, a citizen who tries to keep up with this information for whatever his needs are usually has to rely on the average newspaper "morgue" in his community as his best source of information. He must ask that newspaper's library for information because he can not get it any place else.

I tell you, gentlemen, that this is an historic bill. It addresses itself to the

question of trying to provide for the citizens of this country the machinery and the facilities which the citizens and their children need to get the kind of information they desire.

I think it is a good bill. I would like to call to the attention of my colleagues that whatever this Commission finds and whatever this Commission recommends, it is still going to have to come up for final approval by the Congress. This is no blank check to an independent agency to go off in all sorts of directions. This is a bill that sets up responsibilities, guidelines, and directions for the Commission. But the Congress, both through the authorization procedure and through the appropriation procedure continues to have complete control over expenditures, and if I know the mood of this House, I do not think this House will approve any appropriation that will not meet the highest test of the needs of the country.

So I think that this legislation, enabling the creation of this Commission to propose an orderly system of library services and information services, is the most reasonable and intelligent way to approach this problem in an era where there is a great problem of information dissemination.

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

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

Mr. GROSS. If the gentleman has discovered any traits of economy in this House lately, he is more divining than the gentleman from Iowa. I have not discovered the Congress headed on any economy bent.

Mr. PUCINSKI. The gentleman from Iowa himself is a pillar of economy. I listen with great interest every day to what he says here on the subject of economy. The gentleman from Iowa is the greatest example we know of and I might add that very often I follow the gentleman's suggestions for economy.

Mr. GROSS. I thank the gentleman, but my wishes do not seem to prevail in this case. Let me ask the gentleman if this Commission is to make recommendations, why carry it on into eternity? This is open-ended.

Mr. PUCINSKI. This is a good permanent oversight commission of professional people in this field of library and information services.

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

Mr. REID of New York. Mr. Speaker, I yield myself 1 minute. I say to the Members of the House that, in my judgment, this is a major bill. There is clear need for an overall policy on libraries and information in America.

Progress has been made in providing library services for all Americans:

In the past 4 years, 1,250 public services for all Americans:

In the past 4 years, 1,250 public community libraries were constructed with Federal assistance;

In the last 2 years, more than 20 million people have been added to those served by federally assisted public community libraries;

In the first 3 years of operation of title II of ESEA, 43 million elementary and

secondary schoolchildren have been provided with 70 million books and audio visual teaching aids; 62,000 school libraries have been expanded and 3,600 new ones established;

Some 2,000 college and university libraries have been improved with assistance under the Higher Education Act.

But we still need far greater funding for the years ahead than the House has enacted for the four major library programs for fiscal year 1971. For public library services and construction, elementary and secondary school library resources, and college library resources, we have appropriated less than one-third of the amounts authorized.

Yet, the need for library services and equipment remains great: In 1968, the Office of Education estimated that it would require a lump sum expenditure of \$1.6 billion to stock school libraries optimally. Just to make up the backlog of space required to construct centralized school libraries where they did not exist in 1961 would require \$2.145 billion. About 40,000 schools—or 40 percent of the total of public elementary schools—still lack libraries.

Funds appropriated in fiscal year 1969 provided 9 million books and filmstrips to elementary and secondary school children—or about one book or one filmstrip for every five children participating in the title II program. Yet the standard is three filmstrips per pupil and 10 library books per student—about 50 times what we are now providing. The total number of volumes of books needed to bring school libraries up to standard is estimated to be 425 million.

The National Advisory Commission on Libraries termed "enormous" the needs of schools for books, library materials, staff, and facilities. "The implementation of a national plan to raise elementary and secondary school libraries to full and continuing adequacy," the Commission reported, "will require far better data on school libraries than are now available."

Outside of schools, more than 15 million Americans—or 7 percent of the population—lack access to public library services.

According to a 1965 inventory of library needs, 4-year colleges had a total of 56 million books, while the standard was 104 million books—just about twice as many as college libraries now have. Testimony only last year indicated that 80 percent of the predominantly black 4-year colleges fall below acceptable library standards, and not a single 2-year predominantly black college meets the minimum standard for number of library volumes.

Mr. Speaker, so urgent are the needs for library and information services, and so vital are these services where they are presently available, that we need a continuing body to advise us regularly of gaps, overlaps, and serious unmet needs. Although we have enacted many statutes affecting libraries and information services, we have never been provided with comprehensive information that would enable us to determine the relative needs for Federal action. This is central to education and it is central, I believe, to the quality of our life and our civilization, and I urge support of the bill.

Mrs. MINK. Mr. Speaker, I rise in sup-

port of H.R. 10666, a bill to establish a National Commission on Libraries and Information Science, and for other purposes.

This measure is recommended by the House Committee on Education and Labor, of which I am a member, and it enjoys wide support among the library community of this Nation even though one of the functions of the Commission will be to take a critical look at present procedures of our libraries.

We are seeking action on this legislation at a time when the awesome new flood of knowledge and information threatens to engulf us all. Members of Congress are as aware as anyone of the tremendous increase in the volume of reports, books, and other information-containing materials of every description. Our libraries are asked to store this flood of information for us, and then produce specific items on request. Obviously, this is a challenging task, and one that will require our best efforts and ingenuity over the years ahead.

Fortunately, we are also experiencing rapid developments in such technological fields as computer science and electrostatic reproduction. The new technology offers opportunities for libraries to successfully cope with the information flow, if only we take advantage of these advances. The proposed Commission will help greatly in making this utilization possible.

For the first time, this legislation spells out a national library policy which frankly states that our goal is an adequate library system. By voting for the bill we will say: "The Congress hereby affirms that library and information services adequate to meet the needs of the people of the United States are essential to achieve national goals and to utilize most effectively the Nation's educational resources and that the Federal Government will cooperate with State and local governments and public and private agencies in assuring optimum provision of such services."

I think that all of us would agree that it will be extremely important for the Nation's librarians that Congress go on record in support of this goal. It is imperative that we take full recognition of the role that libraries have, and their contribution to our Nation.

The Commission to be created under the act will have the primary responsibility for developing overall plans for, and advising the appropriate governments and agencies on, the policy previously stated. It is worth noting that we have deliberately avoided making the Commission part of any existing agency of government having functions in the library field. As a completely independent entity, it will be able to make recommendations free of undue pressure from any source.

There are many government efforts already underway in this field, and it was felt advisable that these be given advice and direction by a permanent long-range planning agency. The Commission will not take over any of the operational programs now underway, but will serve instead as a coordinating body, seeking to advise the Congress, the

President, and the library and information science professions generally on how to make the best use of existing resources, and on new proposals to add to those resources.

Finally, we have sought to provide membership in the Commission which will bring to bear not only the best talent within the library profession, but the informed thinking of those who use libraries as well. To insure that it is not dominated by the profession, only one-third of its membership may be from the library and information science community.

Ideally, as the report on the bill states, the Commission will serve, not to speak for libraries and information science to the public, but to speak about them, for the public. In short, this legislation will be consumer-oriented, if you will, but will have available the necessary professional input.

The envisioned cost of this legislation is quite modest in view of the potential benefits, and I strongly urge its adoption.

Mr. COHELAN. Mr. Speaker, I rise in strong support of H.R. 10666, the National Commission on Libraries and Information Sciences Act.

As this Nation advances to new frontiers of knowledge, it is imperative that we constantly make provision for the orderly and systematic collection and dispersal of information. Never before in recorded history have we been so challenged to process and make available literally mountains of information.

It has become of the highest urgency that new techniques be utilized to store and transmit data. The library has been the traditional place to store such data, but we know now that the old methods of collection and dissemination are inadequate for the current task. It is, therefore, imperative that we have concrete plans for handling the new demands of the information sciences.

This bill fills a pressing need. It is the first attempt to have a national commission address itself to this job, which must be done to meet our current and future library needs. This commission was suggested in the report of the National Advisory Committee on Libraries in 1966. If enacted, this bill will establish such a commission. It will be an independent commission charged with the job of taking a new look at our impending needs in the field of information services.

Before closing, Mr. Speaker, I wish to commend the gentleman from Indiana (Mr. BRADEMAS), the distinguished chairman of the Select Committee on Education for his constructive and able handling of this measure. Mr. BRADEMAS continues to be a leader in the field of education. His imaginative and timely handling of this legislation shows his foresight in dealing with problems that effect our total educational process. He is a credit to his district and a most valued Member of this house.

Mr. STEIGER of Wisconsin. Mr. Speaker, one of my first actions in the 91st Congress was the introduction of H.R. 908, to establish a permanent National Commission on Libraries and In-

formation Science. I introduced this legislation to insure continuing inquiry, evaluation, and coordination of our library resources and programs which was begun by the President's Advisory Commission on Libraries.

Shortly thereafter, I joined several of my colleagues on the Education and Labor Committee in introducing a revised version of this legislation.

It must be emphasized that the Commission will not seek to duplicate activities being carried on by other Federal agencies in the library field. Neither will the Commission control or direct the activities of State and local libraries.

The Commission will instead serve as coordinator, and to some extent clearinghouse, for library resources, programs and goals and will make recommendations for improvements in our library services.

I believe this Commission will help all library systems, public and private, do a better job of serving our citizens.

H.R. 10666 would make it possible to interconnect all libraries more closely for the benefit of their users, without infringing on the autonomy or vigor of any individual library.

In an era when the wealth and accessibility of information is vital to progress, I believe a national coordination effort can perform an invaluable service.

Dr. Frederick Burkhardt, the president of the American Council of Learned Societies, stated in his testimony before the committee—

The library and information needs of the nation are so large and critical that a national effort will be needed—an effort that will have to come from both the private and public sectors, on the local, state and federal levels.

I urge the enactment of H.R. 10666 so that we may get underway with the great national effort that is clearly needed if the increasing educational, scientific, industrial, cultural, and recreational needs of our people are to be served by libraries and information systems. Priorities must be selected, plans must be made, and leadership provided. Enactment of this legislation is a first and important step.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Kentucky that the House suspend the rules and pass the bill H.R. 10666.

The question was taken.

Mr. HALL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 261, nays 11, not voting 158, as follows:

[Roll No. 85]

YEAS—261

Abbitt	Andrews, Ala.	Bennett
Abernethy	Andrews,	Berry
Adams	N. Dak.	Betts
Albert	Annunzio	Blester
Anderson,	Arends	Bingham
Calif.	Ashley	Blackburn
Anderson, Ill.	Ayres	Blanton
Anderson,	Beall, Md.	Blatnik
Tenn.	Bell, Calif.	Boland

Bolling	Hathaway	Preyer, N.C.	Frey	Long, La.	Roe	Mr. Barrett with Mr. Baring.
Brademas	Hawkins	Price, Ill.	Fulton, Pa.	Lowenstein	Rooney, N.Y.	Mr. Jarman with Mr. Helstoski.
Brasco	Hays	Price, Tex.	Gallifanakis	Lujan	Rosenthal	Mr. Tunney with Mr. Waldie.
Bray	Hechler, W. Va.	Pucinski	Gallagher	Lukens	Rostenkowski	Mr. Wright with Mr. Kirwan.
Brinkley	Hicks	Purcell	Gaydos	McCarthy	Roybal	Mr. Kee with Mr. Koch.
Broomfield	Hogan	Quile	Gettys	McCloskey	Ruppe	Mr. Rees with Mr. Nix.
Brotzman	Horton	Quillen	Glaimo	McDonald,	St Germain	Mr. McCarthy with Mr. Evans of Colorado.
Brown, Ohio	Howard	Railsback	Gibbons	Mich.	St. Onge	Mr. Lennon with Mr. Snyder.
Broyhill, N.C.	Hull	Randall	Gilbert	McFall	Satterfield	Mr. Molohan with Mr. Whalley.
Broyhill, Va.	Hungate	Reid, Ill.	Goldwater	McMillan	Scheuer	Mr. Feighan with Mr. Fascell.
Burke, Mass.	Hutchinson	Reid, N.Y.	Green, Oreg.	Mailliard	Schneebell	Mr. Gaydos with Mrs. Green of Oregon.
Burleson, Tex.	Ichord	Reifel	Griffin	Mann	Shipley	Mr. Gettys with Mr. Gibbons.
Burlison, Mo.	Johnson, Calif.	Reuss	Grover	Melcher	Snyder	Mr. Griffin with Mr. Haley.
Burton, Calif.	Johnson, Pa.	Rhodes	Mize	Molohan	Springer	Mr. Stubblefield with Mr. Steed.
Burton, Utah	Jonas	Riegle	Haley	Montgomery	Stanton	Mr. Galfianakis with Mr. Taft.
Bush	Jones, Ala.	Roberts	Halpern	Moorhead	Steed	Mrs. Hansen of Washington with Mr. Har-
Button	Jones, Tenn.	Rodino	Hanna	Morse	Steiger, Wis.	ington.
Byrne, Pa.	Kastenmeyer	Rogers, Colo.	Hansen, Idaho	Morton	Stephens	Mr. Stephens with Mr. Satterfield.
Byrnes, Wis.	Kazen	Rogers, Fla.	Hansen, Wash.	Murphy, N.Y.	Stubblefield	Mr. Scheuer with Mr. Edwards of Louisiana.
Caffery	Keith	Rooney, Pa.	Harrington	Nelsen	Taft	Mr. Montgomery with Mr. McMillan.
Camp	King	Roth	Harvey	Nichols	Tunney	Mr. Jacobs with Mr. Ullman.
Carter	Kluczynski	Roudebush	Hastings	Nix	Udall	Mr. Udall with Mr. Watts.
Cederberg	Kuykendall	Ruth	Hébert	Ottinger	Ullman	Mr. Jones of North Carolina, with Mr.
Chamberlain	Kyl	Ryan	Heckler, Mass.	Patman	Van Deerlin	Pryor of Arkansas.
Clark	Kyros	Sandman	Helstoski	Patten	Waggonner	Mr. Rarick with Mr. Mann.
Clausen,	Landgrebe	Saylor	Hollifield	Pepper	Waldie	Mr. Chappell with Mr. Culver.
Don H.	Landrum	Schadeberg	Hosmer	Philbin	Watkins	Mr. Eckhardt with Mr. William D. Ford.
Clay	Langen	Scherle	Hunt	Pickle	Watson	Mr. Fraser with Mr. Hagan.
Cleveland	Latta	Schwengel	Jacobs	Podell	Watts	
Cohelan	Leggett	Scott	Jarman	Pollock	Whalley	
Collins	Lloyd	Sebelius	Jones, N.C.	Powell	White	
Conable	Long, Md.	Shriver	Karth	Pryor, Ark.	Widnall	
Corbett	McClory	Sikes	Kee	Rarick	Wold	
Corman	McClure	Sisk	Kirwan	Rees	Wright	
Coughlin	McCulloch	Skubitz	Kleppe	Rivers	Wydler	
Cramer	McDade	Slack	Koch	Robison		
Cunningham	McEwen	Smith, Calif.	Lennon			
Daniel, Va.	McKneally	Smith, Iowa				
Daniels, N.J.	Macdonald,	Smith, N.Y.				
Davis, Ga.	Mass.	Stafford				
Davis, Wis.	MacGregor	Staggers				
de la Garza	Madden	Steiger, Ariz.				
Delaney	Mahon	Stokes				
Dellenback	Marsh	Stratton				
Denney	Martin	Stuckey				
Dennis	Mathias	Sullivan				
Dent	Matsunaga	Symington				
Derwinski	May	Talcott				
Donohue	Mayne	Taylor				
Dowdy	Meeds	Teague, Calif.				
Downing	Meskill	Teague, Tex.				
Duncan	Michel	Thompson, Ga.				
Edwards, Ala.	Mikva	Thompson, N.J.				
Edwards, Calif.	Miller, Calif.	Thomson, Wis.				
Erlenborn	Miller, Ohio	Tiernan				
Esch	Mills	Vander Jagt				
Eshleman	Minish	Vanik				
Evins, Tenn.	Mink	Vigorito				
Findley	Minshall	Wampler				
Fish	Mizell	Weicker				
Fisher	Morgan	Whalen				
Flood	Mosher	Whitehurst				
Flowers	Moss	Whitten				
Foley	Murphy, Ill.	Wiggins				
Ford, Gerald R.	Myers	Williams				
Foreman	Natcher	Wilson, Bob				
Friedel	Nedzi	Wilson,				
Fulton, Tenn.	Obey	Charles H.				
Fuqua	O'Hara	Winn				
Garmatz	O'Konski	Wolf				
Gonzalez	Olsen	Wyatt				
Gray	O'Neal, Ga.	Wylie				
Green, Pa.	O'Neill, Mass.	Wyman				
Griffiths	Pelly	Yates				
Gubser	Perkins	Yatron				
Gude	Pettis	Young				
Hamilton	Pike	Zablocki				
Hammer-	Pirnie	Zion				
schmidt	Poage	Zwach				
Hanley	Poff					
Harsha						

NAYS—11

Ashbrook	Flynt	Hall
Clawson, Del.	Fountain	Henderson
Collier	Goodling	Passman
Devine	Gross	

NOT VOTING—158

Adair	Cabell	Dingell
Addabbo	Carey	Dorn
Alexander	Casey	Dulski
Aspinall	Celler	Dwyer
Baring	Chappell	Eckhardt
Barrett	Chisholm	Edmondson
Belcher	Clancy	Edwards, La.
Bevill	Colmer	Ellberg
Blaggi	Conte	Evans, Colo.
Boggs	Conyers	Fallon
Bow	Cowger	Farbstein
Brook	Crane	Fascell
Brooks	Culver	Feighan
Brown, Calif.	Daddario	Ford,
Brown, Mich.	Dawson	William D.
Buchanan	Dickinson	Fraser
Burke, Fla.	Diggs	Frelinghuysen

Frey	Long, La.	Roe	Mr. Barrett with Mr. Baring.
Fulton, Pa.	Lowenstein	Rooney, N.Y.	Mr. Jarman with Mr. Helstoski.
Gallifanakis	Lujan	Rosenthal	Mr. Tunney with Mr. Waldie.
Gallagher	Lukens	Rostenkowski	Mr. Wright with Mr. Kirwan.
Gaydos	McCarthy	Roybal	Mr. Kee with Mr. Koch.
Gettys	McCloskey	Ruppe	Mr. Rees with Mr. Nix.
Glaimo	McDonald,	St Germain	Mr. McCarthy with Mr. Evans of Colorado.
Gibbons	Mich.	St. Onge	Mr. Lennon with Mr. Snyder.
Gilbert	McFall	Satterfield	Mr. Molohan with Mr. Whalley.
Goldwater	McMillan	Scheuer	Mr. Feighan with Mr. Fascell.
Green, Oreg.	Mailliard	Schneebell	Mr. Gaydos with Mrs. Green of Oregon.
Griffin	Mann	Shipley	Mr. Gettys with Mr. Gibbons.
Grover	Melcher	Snyder	Mr. Griffin with Mr. Haley.
Mize	Molohan	Springer	Mr. Stubblefield with Mr. Steed.
Haley	Montgomery	Stanton	Mr. Galfianakis with Mr. Taft.
Halpern	Moorhead	Steed	Mrs. Hansen of Washington with Mr. Har-
Hanna	Morse	Steiger, Wis.	ington.
Hansen, Idaho	Morton	Stephens	Mr. Stephens with Mr. Satterfield.
Hansen, Wash.	Murphy, N.Y.	Stubblefield	Mr. Scheuer with Mr. Edwards of Louisiana.
Harrington	Nelsen	Taft	Mr. Montgomery with Mr. McMillan.
Harvey	Nichols	Tunney	Mr. Jacobs with Mr. Ullman.
Hastings	Nix	Udall	Mr. Udall with Mr. Watts.
Hébert	Ottinger	Ullman	Mr. Jones of North Carolina, with Mr.
Heckler, Mass.	Patman	Van Deerlin	Pryor of Arkansas.
Helstoski	Patten	Waggonner	Mr. Rarick with Mr. Mann.
Hollifield	Pepper	Waldie	Mr. Chappell with Mr. Culver.
Hosmer	Philbin	Watkins	Mr. Eckhardt with Mr. William D. Ford.
Hunt	Pickle	Watson	Mr. Fraser with Mr. Hagan.
Jacobs	Podell	Watts	
Jarman	Pollock	Whalley	
Jones, N.C.	Powell	White	
Karth	Pryor, Ark.	Widnall	
Kee	Rarick	Wold	
Kirwan	Rees	Wright	
Kleppe	Rivers	Wydler	
Koch	Robison		
Lennon			

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Adair.	Mr. Farbstain with Mr. Halpern.
Mr. Fallon with Mr. Morton.	Mr. Philbin with Mr. Morse.
Mr. Dulski with Mr. Hastings.	Mr. Moorhead with Mr. Brown of Michigan.
Mr. Colmer with Mr. Belcher.	Mr. Carey with Mr. Clancy.
Mr. Celler with Mr. Robison.	Mr. Addabbo with Mr. Luken.
Mr. Gilbert with Mr. Nelsen.	Mr. Aspinall with Mr. Frelinghuysen.
Mr. Long of Louisiana with Mr. Brock.	Mr. McFall with Mr. McDonald of Michigan.
Mr. Cabell with Mr. Crane.	Mr. Casey with Mr. Lujan.
Mr. Murphy of New York with Mr. Harvey of Michigan.	Mr. Ottinger with Mrs. Heckler of Massachusetts.
Mr. White with Mr. Cowger.	Mr. Waggonner with Mr. Buchanan.
Mr. Brooks with Mr. Burke of Florida.	Mr. Boggs with Mr. Bow.
Mr. Blaggi with Mr. Hosmer.	Mr. Karth with Mr. Hansen of Idaho.
Mr. Daddario with Mr. Conte.	Mr. Dorn with Mr. Dickinson.
Mr. Edmondson with Mr. Frey.	Mr. Podell with Mr. McCloskey.
Mr. Roe with Mr. Hunt.	Mr. Rivers with Mr. Gubser.
Mr. Rostenkowski with Mr. Mize.	Mr. Rosenthal with Mr. Pollock.
Mr. Rooney of New York with Mr. Fulton of Pennsylvania.	Mr. St. Onge with Mr. Kleppe.
Mr. St Germain with Mr. Goldwater.	Mr. Gallagher with Mr. Ruppe.
Mr. Nichols with Mr. Schwengel.	Mr. Patman with Mr. Watkins.
Mr. Hanna with Mr. Dawson.	Mr. Pepper with Mr. Stanton.
Mr. Alexander with Mr. Watson.	Mr. Dingell with Mr. Melcher.
Mr. Hollifield with Mr. Widnall.	Mr. Glaimo with Mr. Steiger of Wisconsin.
Mr. Pickle with Mr. Wold.	Mr. Paten with Mrs. Dwyer.
Mr. Lowenstein with Mr. Conyers.	Mr. Shipley with Mr. Springer.
Mr. Brown of California with Mr. Diggs.	Mr. Ellberg with Mrs. Chisholm.

The result of the vote was announced as above recorded.

The doors were opened.
A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that all Members who may desire to do so may have 5 legislative days in which to extend their remarks.

The SPEAKER pro tempore (Mr. ALBERT). Without objection, it is so ordered. There was no objection.

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor may be discharged from the further consideration of a similar Senate bill (S. 1519) to establish a National Commission on Libraries and Information Science, and for other purposes, and that the bill be considered at this time.

The Clerk read the title of the Senate bill.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, this does not in any way concur in anything?

Mr. PERKINS. No; this is going to conference.

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

There was no objection.
The Clerk read the Senate bill, as follows:

S. 1519

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 "National Commission on Libraries and Information Science Act".

POLICY

SEC. 2. The Congress hereby affirms that library and information services adequate to meet the needs of the people of the United States are essential to achieve national goals and to utilize most effectively the Nation's educational resources and that the Federal Government will cooperate with State and local governments and public and private agencies in assuring optimum provision of such services.

ESTABLISHMENT

SEC. 3. (a) There is hereby established, in the Office of the Secretary of the Department of Health, Education, and Welfare, a National Commission on Libraries and Information Science (hereinafter referred to as the "Commission").

(b) The Department of Health, Education, and Welfare shall provide the Commission with necessary administrative services.

CONTRIBUTIONS

SEC. 4. The Commission shall have authority to accept in the name of the United States grants, gifts, or bequests of money for immediate disbursement in furtherance of the functions of the Commission. Such grants, gifts, or bequests, after acceptance by the Commission, shall be paid by the donor or his representative to the Treasurer of the United States whose receipts shall be their acquittance. The Treasurer of the United States shall enter them in a special account to the credit of the National Commission on Libraries and Information Science for the purposes in each case specified.

FUNCTIONS

SEC. 5 (a) The Commission shall have the primary responsibility for developing or recommending overall plans for, and advising the appropriate governments and agencies on, the policy set forth in section 2. In carrying out that responsibility, the Commission shall—

(1) advise the President and the Congress on the implementation of national policy by such statements, presentations, and reports as it deems appropriate;

(2) conduct studies, surveys, and analyses of the library and informational needs of the Nation, including the special library and informational needs of rural areas and of economically, socially, or culturally deprived persons, and the means by which these needs may be met through information centers, through the libraries of elementary and secondary schools, and institutions of higher education, and through public research, special, and other types of libraries;

(3) appraise the adequacy of library and information resources and services and evaluate the effectiveness of library and information science programs;

(4) develop or recommend overall plans for meeting national library and informational needs and for the coordination of activities at the Federal, State, and local levels taking into consideration all of the library and information resources of the Nation to meet those needs;

(5) advise Federal, State, local, and private agencies regarding library and information sciences;

(6) promote research and development activities which will extend and improve the Nation's library and information-handling capability as essential links in the national communications networks; and

(7) submit through the Secretary of Health, Education, and Welfare to the President and the Congress (not later than January 31 of each year) a report on its activities during the preceding fiscal year.

(b) The Commission is authorized (1) to contract with Federal agencies and other public and private agencies to carry out any of its functions under subsection (a) and (2) to publish and disseminate such reports, findings, studies, and records as it deems appropriate.

(c) The Commission is further authorized to conduct such hearings at such times and places as it deems appropriate for carrying out the purposes of this Act.

(d) The heads of all Federal agencies are, to the extent not prohibited by law, directed to cooperate with the Commission in carrying out the purposes of this Act.

MEMBERSHIP

SEC. 6. (a) The Commission shall be composed of the Librarian of Congress and fourteen members appointed by the President, by and with the advice and consent of the Senate. Not less than five members of the Commission shall be professional librarians or information specialists, and the remainder shall be persons having special competence or interest in the needs of our society for library and information services, at least one of whom shall be knowledgeable with respect to the technological aspects of library and information services and sciences. One of the members of the Commission shall be designated by the President as Chairman of the Commission. The terms of office of members of the Commission shall be five years, except that (1) the terms of office of the members first appointed shall commence on the date of enactment of this Act and shall expire three at the end of one year, three at the end of two years, three at the end of three years, three at the end of four years, and three at the end of five years, as designated by the President at the time of appointment, and (2) a member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term.

(b) Members of the Commission who are not in the regular full-time employ of the United States shall, while attending meetings or conferences of the Commission or otherwise engaged in the business of the Commission, be entitled to receive compensation at a fixed rate by the Secretary, but not exceeding the rate specified at the time of such service for grade GS-18 in section 5332 of title 5, United States Code, including travel-time, and while so serving on the business of the Commission away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, and authorized by section 5703 of title 5, United States Code, for persons employed intermittently in the Government service.

(c) (1) The Commission is authorized to appoint, without regard to the provisions of title 5, United States Code, covering appointments in the competitive service, such professional and technical personnel as may be necessary to enable it to carry out its function under this Act.

(2) The Commission may procure, without regard to the civil service or classification laws, temporary and intermittent services of such personnel as are necessary to the extent authorized by section 3109 of title 5, United States Code, but at rates not to exceed the rate specified at the time of such service for grade GS-18 in section 5332 of title 5, United States Code, including travel-time, and while so serving on the business of the Commission away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons employed intermittently in the Government service.

AUTHORIZATION OF APPROPRIATIONS

SEC. 7. There are hereby authorized to be appropriated \$500,000 for the fiscal year ending June 30, 1970, \$750,000 for the fiscal year ending June 30, 1971, and for each succeeding fiscal year for the purposes of carrying out the provisions of this Act.

AMENDMENT OFFERED BY MR. PERKINS

Mr. PERKINS. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PERKINS: Strike out all after the enacting clause of S. 1519 and insert in lieu thereof the provisions of H.R. 10666, as passed.

The amendment was agreed to.

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

A similar House bill (H.R. 10666) was laid on the table.

PERMISSION FOR COMMITTEE ON RULES TO FILE REPORTS

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

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

There was no objection.

CONFERENCE REPORT ON H.R. 10105, MOTOR VEHICLE SAFETY

Mr. STAGGERS submitted the following conference report and statement on the bill (H.R. 10105) to amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize appropriations for fiscal years 1970, 1971, and 1972, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 91-1008)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10105) to amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize appropriations for fiscal years 1970, 1971, and 1972, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 7, 8, 9, 11, 12, 13, 14, 15, 16, and 19.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 4, 6, 10, 17, and 18; and agree to the same.

Amendment Numbered 3:

That the House recede from its disagreement to the amendment of the Senate numbered 3 and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"Sec. 2. Section 102(4) of the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1391(4)) is amended to read as follows:

"(4) "Motor vehicle equipment" means any system, part, or component of a motor vehicle as originally manufactured or any similar part or component manufactured or sold for replacement or improvement of such system, part, or component or as any accessory, or addition to the motor vehicle, and any device, article, or apparel not a system, part, or component of a motor vehicle (other than medicines, or eyeglasses prescribed by a physician or other duly licensed practitioner), which is manufactured, sold, delivered, offered, or intended for use exclusively to safeguard motor vehicles, drivers, passengers, and other highway users from risk of accident, injury, or death."

And the Senate agree to the same.

Amendment No. 5: That the House recede from its disagreement to the amendment of the Senate numbered 5 and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "at each location where any such manufacturer's vehicles or items of motor vehicle equipment

are offered for sale by a person with whom such manufacturer has a contractual, proprietary, or other legal relationship in a manner determined by the Secretary to be appropriate which may include, but is not limited to, printed matter (A) available for retention by such prospective purchaser and (B) sent by mail to such prospective purchaser upon his request".

And the Senate agree to the same.

That the Senate recede from its amendment to the title of the bill.

The committee of conference has not agreed to the following amendment:

Amendment numbered 2.

HARLEY O. STAGGERS,
JOHN E. MOSS,
JOHN M. MURPHY,
RAY BLANTON,
W. L. SPRINGER,
HASTY KEITH,
JAMES HARVEY,

Managers on the Part of the House.

WARREN MAGNUSON,
VANCE HARTKE,
PHILIP HART,
WINSTON PROUTY,
ROBERT GRIFFIN,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10105) to amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize appropriations for fiscal years 1970, 1971, and 1972, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendment No. 1: This amendment increases the authorization for the National Traffic and Motor Vehicle Safety Act of 1966, other than title III thereof, from \$35,000,000 authorized by the House bill for fiscal year 1971 to \$40,000,000 for such fiscal year. The House recedes.

Amendment No. 3: The House bill amended the definition of "motor vehicle equipment" to include any protective headgear or helmet manufactured, offered for sale, or sold for use by drivers of and passengers on or in motor vehicles. This amendment broadens the definition of "motor vehicle equipment" to include any device, article, or apparel not a system, part, or component of a motor vehicle (other than medicines or eyeglasses prescribed by a physician or other duly licensed practitioner) which is manufactured, sold, delivered, offered, or intended for use wholly or in part to safeguard motor vehicles, drivers, passengers, and other highway users from risk of accident, injury, or death. The House recedes with an amendment which would accept the concept of the Senate amendment but limit it only to those devices, articles, or apparel for use exclusively to safeguard motor vehicles, drivers, passengers, and other highway users from risk of accident, injury, or death.

Amendment No. 4: This amendment is a conforming amendment. The House recedes.

Amendment No. 5: This amendment provides that performance and technical data may be required by the Secretary to be given by the manufacturer to each prospective purchaser of a motor vehicle or item of equipment before its first sale for purposes of other than resale at each location where such manufacturer's vehicles or items of motor vehicle equipment are offered for sale by a person with whom the manufacturer has a contractual, proprietary, or other legal relationship, in an appropriate manner which may include but is not limited to printed matter (A) available for retention by the prospective purchaser and (B) sent by mail to

each prospective purchaser upon his request. The House recedes with an amendment which is the same as the Senate amendment except that the manner in which such performance and technical data is to be furnished to such prospective purchaser is to be determined by the Secretary.

Amendment No. 6: This amendment requires that performance and technical data furnished to the first person who purchases a motor vehicle or item of equipment for purposes other than resale will be furnished at the time of such purchase in printed matter placed in the motor vehicle or attached to or accompanying the item of motor vehicle equipment. The House recedes.

Amendment No. 7: This amendment would revise section 113(c) of the National Traffic and Motor Vehicle Safety Act of 1966 to require notification to the purchaser of a vehicle or of equipment, in the case of failure of the manufacturer to comply with vehicle safety standards, as well as in the case of a defect, and to require a commitment of the manufacturer to cause the failure or defect to be remedied without charge. The Senate recedes.

Amendments Nos. 8 and 9: These amendments are technical. The Senate recedes.

Amendment No. 10: This amendment would authorize the Secretary to establish procedures to be followed by distributors and dealers to assist the manufacturer in securing the information on names and addresses of purchasers required by the subsection which procedures will not however affect the basic obligation of the manufacturer with respect to such records. The House recedes.

Amendment No. 11: This amendment would require with respect to any motor vehicle or item of motor vehicle equipment which falls to comply with motor vehicle safety standards or contains a defect relating to motor vehicle safety that the manufacturer will cause such failure or defect to be remedied without charge. In the case of failure of an inconsequential nature the Secretary is authorized to exempt the manufacturer from these requirements. The Senate recedes. Although the conferees agreed to the elimination of amendments numbered 7 and 11, they all agree that they expect the practice of the manufacturers of remedying without charge failures to comply with motor vehicle safety standards and those defects in motor vehicles and motor vehicle equipment relating to motor vehicle safety to be continued.

Amendments Nos. 12, 13, 14, and 15: These amendments are technical. The Senate recedes.

Amendment No. 16: The House bill authorizes the Secretary of Transportation to plan, design, and construct facilities suitable to conduct research, development, compliance, and other testing in traffic safety (including both highway safety and motor vehicle safety) with the exception that no appropriation can be made involving more than \$100,000 unless the planning, designing, and construction has been approved by resolution adopted in substantially the same form by the committees on Interstate and Foreign Commerce and Public Works of the House and by the committees on Commerce and Public Works of the Senate. A prospectus is required to be submitted for this approval containing pertinent information and provision is made for increased construction costs up to 10 percent. The Senate amendment struck this provision and inserted in lieu thereof authority for an expenditure not to exceed \$10,000,000 for the planning and designing of traffic safety research and test facilities, and \$8,200,000 to plan, design, and construct facilities for testing motor vehicles for compliance with motor vehicle safety standards and for defects. In addition \$3,500,000 was authorized for each of the fiscal years 1971 and 1972 for operation of these facilities.

The Senate recedes. The conferees agreed that there should be the fullest possible cooperation between the Department and the committees and between the committees so that expeditious consideration can and will be given all prospectuses submitted for approval. In the case of projects which are ready to proceed to construction such prospectuses should be submitted by the Department immediately and the conferees expect them to be considered by the interested committees as quickly as possible.

Amendment No. 17: This amendment is technical. The House recedes.

Amendment No. 18: This amendment would extend from April 1, 1970, as provided in the House bill to January 1, 1971, the date for a report on agricultural tractor accidents required by section 8 of the bill. The House recedes.

Amendment No. 19: The House bill provided that in order to facilitate the prompt completion of the agricultural tractor report officials of all Federal departments or agencies are to make available to the Secretary of Transportation, upon his request, data or information in their possession relating to agricultural tractor accidents and to otherwise provide assistance. This amendment struck this provision and substituted for it a requirement that the Secretary of Agriculture with the assistance of other Federal departments or agencies possessing data or information concerning agricultural tractor operations and accidents has to submit to the Secretary by June 30, 1970, his findings and recommendations and these are to be considered by the Secretary of Transportation and incorporated in his report to Congress. The Senate recedes.

The committee of conference has not been able to agree on amendment numbered 2 which struck the authorization contained in the House bill of \$35,000,000 for the National Traffic and Motor Vehicle Safety Act of 1966 for the fiscal year 1972 and which in addition limited the use of \$2,800,000 of the appropriations for fiscal year 1970 only to employment of additional personnel in the National Highway Safety Bureau.

HARLEY O. STAGGERS,
JOHN E. MOSS,
JOHN M. MURPHY,
RAY BLANTON,
W. L. SPRINGER,
HASTY KEITH,
JAMES HARVEY,

Managers on the Part of the House.

MERLIN DIVISION, ROGUE RIVER BASIN PROJECT, OREGON

Mr. JOHNSON of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 780) to authorize the Secretary of the Interior to construct, operate, and maintain the Merlin division, Rogue River Basin project, Oregon, and for other purposes, as amended.

The Clerk read as follows:

H.R. 780

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of providing irrigation water for approximately nine thousand three hundred acres, flood control, area redevelopment, and providing municipal and industrial water supply, fish and wildlife enhancement, and recreation benefits, the Secretary of the Interior, acting pursuant to the Federal reclamation laws (Act of June 17, 1902 (32 Stat. 388), an Act amendatory thereof or supplementary thereto), is authorized to construct, operate, and maintain the Merlin division, Rogue River Basin project, Oregon. The principal works of the division shall consist of

Sexton Dam and Reservoir, diversion and distribution facilities, and drainage facilities.

Sec. 2. Irrigation repayment contracts shall provide with respect to any contract unit, for repayment of the irrigation construction costs assigned for repayment to the irrigators over a period of not more than fifty years, exclusive of any development period authorized by law. Irrigation repayment contracts shall further provide for the assessment and collection of a service charge not less than \$40 per annum for each identifiable ownership receiving irrigation service from and through the works of the Merlin division, such charge to be in addition to the repayment capacity of the lands as determined by the Secretary on the basis of studies of the value of water for full-time family-size farm operations. Construction costs allocated to irrigation beyond the ability of irrigators to repay shall be charged to and returned to the reclamation fund in accordance with the provisions of section 2 of the Act of June 14, 1966 (80 Stat. 200), as amended by section 6 of the Act of September 7, 1966 (80 Stat. 707).

Sec. 3. The conservation and development of the fish and wildlife resources and the enhancement of recreation opportunities in connection with the Merlin division shall be in accordance with the provisions of the Federal Water Project Recreation Act (79 Stat. 213).

Sec. 4. Before the works are transferred to an irrigation water user's organization for care, operation, and maintenance, the organization shall have agreed to operate them in such fashion, satisfactory to the Secretary, as to achieve the benefits to fish and wildlife enhancement, and recreation on which the allocations of costs therefor are predicated, and to operate them in accordance with regulations prescribed by the Secretary of the Army to achieve the benefits to flood control on which the allocation of costs therefor is predicated, and to return the works to the United States for care, operation, and maintenance in the event of failure to comply with the requirements to achieve such benefits.

Sec. 5. Power and energy required for irrigation water pumping for the Merlin division shall be made available by the Secretary from the Federal Columbia River system at charges determined by him.

Sec. 6. For a period of ten years from the date of enactment of this Act, no water from the project authorized by this Act shall be delivered to any water user for the production on newly irrigated lands of any basic agricultural commodity, as defined in the Agricultural Act of 1949, or any amendment thereof, if the total supply of such commodity for the marketing year in which the bulk of the crop would normally be marketed is in excess of the normal supply as defined in section 301(b) (10) of the Agricultural Adjustment Act of 1938, as amended, unless the Secretary of Agriculture calls for an increase in production of such commodity in the interest of national security.

Sec. 7. There is hereby authorized to be appropriated for construction of the works herein authorized the sum of \$28,470,000 (July 1969 prices), plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in the costs of construction as indicated by engineering costs indexes applicable to the type of construction involved therein. There are also authorized to be appropriated such sums as may be required for the operation and maintenance of said works.

The SPEAKER pro tempore. Is a second demanded?

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

The SPEAKER pro tempore. Without

objection, a second will be considered as ordered.

There was no objection.

Mr. JOHNSON of California. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, H.R. 780 is a bill to authorize the Secretary of the Interior to construct, operate, and maintain the Merlin Division, Rogue River Basin project, Oreg. This project will be in Josephine County in the scenic, mountainous areas of southern Oregon. It will accomplish most of the multiple objectives which we expect our public works investment capital to bring about.

Southern Oregon, like many similar areas in the West, and the Appalachian East for that matter, has historically depended on a single industry. In this case, it is the forest products industry. I do not need to remind the House what happens to large areas of our Nation when the only industry available to support the economy falls upon evil times. The latest data available to the Committee on Interior and Insular Affairs shows that the insured unemployment in Josephine County, Oreg., is in the neighborhood of 18 percent of the work force. This means that 18 percent of the work force eligible for unemployment compensation is in a position to draw it unless their eligibility has been exhausted. When one adds this to the chronically underemployed that we find in any society, you have a vivid description of the economic backdrop for the Merlin division.

The project that we will authorize by enactment of H.R. 780 will diversify this economy to the extent that the communities reliance on a single industry will no longer be total and complete. The irrigation of over 9,000 acres of land ideally suited to the production of high-value fruit crops and the forage base for a livestock and dairy industry will change this valley from a tax-dependent to a tax-paying entity.

In short, the combination of working water on heretofore largely idle land will open up the country for in-migrants wishing to share and enjoy the climatic and scenic amenities of the area by providing a base of jobs and employment opportunities together with the water supplies needed for optimum harvest of the recreation potential now underutilized.

The Merlin division plan will consist of a dam on Jumpoff Joe Creek, a major unregulated tributary of the Rogue River. It will furnish the water requirements for 9,260 acres of land designated for service with the added potential for serving 2,000 more acres not yet specifically delineated. It will control floods originating in the basin above the dam, preserve and enhance fish and wildlife and provide a badly needed flat water recreation resource to balance out the recreation opportunities of the area.

Water will be delivered to the lands of the service area through a closed pipe system that will enable sprinkler service to the lands. This concept of distribution minimizes adverse environmental effects that often arise from the existence of open ditches and seepage from such

facilities. Parenthetically, Mr. Speaker, we hope to see more and more such projects throughout our unspoiled rural settings. They save water, they eliminate health and safety hazards, they are less unsightly, and in many cases can be installed at less cost than the traditional open canals with lined perimeters.

The Merlin Division will cost an estimated sum of \$28,470,000 which will be allocated among water resource purposes as follows:

Irrigation	\$23,745,000
Flood control	1,390,000
Fish and wildlife	785,000
Recreation	2,550,000
Total	28,470,000

Costs allocated to irrigation are reimbursable without interest from revenues collected from water users in accordance with their ability to pay and from the net power revenues of the Federal Columbia River power system. In the Merlin division, the irrigators will pay \$22.10 per irrigable acre per year. This amount is the estimated ability to pay on the basis of the use of irrigation water in a family-sized farming enterprise. In addition, each recipient of project water will pay an annual charge of \$40 per year. This schedule of payments by the designated lands will defray irrigation, operation, and maintenance expenses and return \$141,900 annually of the construction costs. In 50 years following a development period of not to exceed 10 years, the owners of designated lands will return \$7,095,000. Power revenues in the amount of \$16,650,000 will be required to return the remainder of the irrigation investment. Such revenues are assured from the Federal Columbia River power system.

Sexton Dam and Reservoir has the capability to yield about 5,200 acre-feet of water over and above that required to serve the 9,260 designated acres. This quantity of water will irrigate an additional 2,000 acres which have not yet been designated. These lands are available in a pattern contiguous to the designated service area and will be identified during postauthorization studies of the Merlin division. This increase in project accomplishment, while necessarily involving some added expense for distribution system extensions, will improve the economic and financial aspects of the project.

Flood control: Flood control in the Merlin division is nonreimbursable in accordance with prevailing policy.

Fish and wildlife and recreation: H.R. 780 provides for development of fish and wildlife enhancement and recreation in accordance with the principles set forth in the Federal Water Projects Recreation Act. Under this legislation, Josephine County, Oreg., will administer, operate, and maintain the recreation facilities, and repay \$503,000 in 50 years at the interest rate specified in the bill. The Oregon State Game Commission will administer, operate, and maintain the fish and wildlife enhancement facilities and repay \$38,500, with interest, in 50 years. The remaining costs allocated to fish and wildlife enhancement and recreation in

the amounts of \$748,500 and \$2,047,000, respectively, are nonreimbursable.

Benefit cost: The Merlin division is properly evaluated at a discount rate of 3¼ percent, which is the rate that was applicable when the project planning report was submitted to the Congress in 1964. At this interest rate, the benefit-cost ratio over a 100-year period of analysis is 1.87 to 1. As a matter of interest, the benefit-cost ratio at the prevailing interest rate of 4½ percent would be 1.30 to 1.

The Merlin division service area is not typical of most Federal reclamation project areas. The area is presently highly subdivided into small residential-type holdings that, although agriculturally oriented, are in reality retirement homes and part-time enterprises for persons otherwise partially employed. At the present time, the designated service area is comprised of about 490 ownerships, averaging about 19 acres each. Of such ownerships 150 are in tracts of less than 5 acres. This trend is projected to continue so that, over the 50-year repayment period, the ownership pattern will average about 652 ownerships. While small tracts in the Rogue River Basin, with its adaptability to high-quality fruit production, can be operated to some commercial advantage, they are not properly considered as family-size farms in the usual and customary sense of that term. Further, in view of the occupancy of such holdings by persons with outside sources of income, here is a noticeable departure from the conditions which normally justify financial assistance to family-size farms in the form of interest-free financing and access to power revenues. The committee amendment increasing the turnout charge to \$40 per year per ownership is designed to augment repayment from the many owners having other sources of income without significantly penalizing the full-time commercial farm operator.

Specific legislative authority is required to commit a portion of the power production of the Federal Columbia River power system to the needs of the Merlin division. The committee understands that the Secretary will establish rates at a level that will return the cost of a pro rata share of the power system investment without interest during the repayment period of the Merlin division.

Traditionally, the Congress has provided, with respect to reclamation projects, that, for a period of 10 years following authorization, the Secretary of the Interior may not deliver water to lands upon which surplus crops, as determined by the Secretary of Agriculture, are being grown. H.R. 780, as amended, includes standard language to this effect.

Mr. Speaker, our committee has held intensive hearings on the Merlin division. In the field and again in Washington we have found no semblance of opposition from any standpoint. It is endorsed by every level of government from the Nixon administration, through the State of Oregon, to the county level. No conservation organization or individual conservationist has raised a voice of dis-

sent. It is by the archaic standards of executive branch evaluation a fairly expensive project. Those of us who have seen it on the ground and studied its economic backdrop are unanimously convinced that this is the kind of project that deserves our support in these times. In short, we have rarely had the opportunity to do so much good with so little whether the Bureau of Reclamation figures say so or not.

I, therefore, urge my colleagues to join with me in my motion to suspend the rules and pass H.R. 780.

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

Mr. JOHNSON of California. I yield to the gentleman from Iowa.

Mr. GROSS. What is the rate of interest on the pay backs?

Mr. JOHNSON of California. As I understand it, as to the rate of interest, there is a standard procedure and this is set at the time of construction by the Secretary of the Interior based upon the costs at that time.

Mr. GROSS. Is that the cost of money to the U.S. Treasury? What is the rate of interest? Can the gentleman give us any idea?

Mr. JOHNSON of California. I would say that this is a figure that comes from long term financing on the part of the Government, probably 15-year financing, and it would be the rate that would be charged for that type of money secured by the Government. Now, the rate that is used in the cost-benefit ratio was 4.78 on this particular project as a going rate.

Mr. GROSS. What is the length of these loans or repayments?

Mr. JOHNSON of California. These would be repaid. The irrigators would repay over a period of 50 years after a 10-year development period. That which is not repaid by the irrigators would be paid by the Columbia River Basin fund at the end of the 50-year period. Prior to the 50-year payout, the Columbia River Basin fund would pay what the irrigators were not able to pay. The irrigators are charged a rate they can afford to pay, and this is a rather high rate, where costs are \$22 per acre per year plus a hookup charge of \$40.

Mr. GROSS. Do I understand this project has practically doubled in cost, from \$16,515,000 to \$28,470,000.

Mr. JOHNSON of California. This project has been before the Interior Department local people for some time, and due to the increased costs and a change in a closed conduit for a supply of water with pressure for sprinkler irrigation, which was a big improvement over the open-ditch facilities, the costs of this have risen to the present figure of \$28,470,000 as of July of last year.

Mr. GROSS. Is this expenditure approved by the Bureau of the Budget?

Mr. JOHNSON of California. Yes; the figures were known to the Bureau of the Budget, and when the Secretary reported, the Bureau of the Budget had no objections to the legislation coming to the Congress for passage.

Mr. GROSS. And does the 75 percent apply that was established a year ago, approximately, by the President as a

freeze on new starts on public works wherein Federal money is used? Is this subject to the 75-percent freeze?

Mr. JOHNSON of California. The 75-percent freeze by the administration is still in effect as it relates to Federal projects. They have released the grant-in-aid moneys that were given to the States for construction projects, and the States are now advertising for projects that were intended. But the Federal projects are being released more or less one at a time at the present time and there is still a holdback on some of the Federal projects.

I might say in this connection on this project, it would pay out something like 85 percent of the cost back to the Federal Government.

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

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

Mr. JOHNSON of California. I yield to the gentleman from Illinois.

Mr. GRAY. Mr. Speaker, I thank the gentleman for yielding. I just want at this point to announce that I have talked to officials downtown and certain members on the Appropriations Committee, and they tell me that they feel certain that the 75-percent freeze to which the gentleman from Iowa referred will be released as of July 1, the beginning of the new fiscal year. Also this is only an authorization bill and would not be affected by that Presidential order.

Mr. JOHNSON of California. I thank the gentleman from Illinois for his contribution.

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

Mr. JOHNSON of California. I yield to the distinguished Speaker.

Mr. McCORMACK. Mr. Speaker, I think the colloquy between the gentleman from Iowa and the gentleman from California is a most interesting one; in fact, one of the most interesting I have ever heard during my years here.

I think we all appreciate the fact that the gentleman from California has presented the case for his bill in a most interesting manner and in a most persuasive manner. I congratulate the gentleman from California.

Mr. JOHNSON of California. I thank the Speaker for his kind remarks.

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

Mr. Speaker, I rise in support of H.R. 780, as amended. This bill authorizes the Secretary of the Interior to construct, operate, and maintain the Merlin division of the Rogue River Basin project, in the State of Oregon.

The proposed Merlin division is a multipurpose water resource development project providing irrigation water, municipal and industrial water, flood control, outdoor recreation, and fish and wildlife enhancement. The principal feature of this division is the Sexton Dam which will create a 39,000-acre-foot storage reservoir. Other features of the division include the construction of two main canals, diversion, closed-pipe distribution, and drainage works. This division will provide irrigation water for some 9,260 acres of which only 260 acres are

now being irrigated. Approximately 2,000 acres of the division area are being dry-farmed with some 7,000 uncultivated acres to be developed, one-half as full-time farms and the remainder in smaller units. Since the natural streamflow is inadequate for irrigation development, the reservoir storage and distribution facilities are necessary.

The estimated cost of constructing the Merlin division is \$28,470,000 with the costs allocated among the project purposes. The Merlin division has a cost-benefit ratio over a 100-year period of 1.87 to 1 at a discount rate of 3¼ percent and a 1.30 to 1 benefit-to-cost ratio at the prevailing interest rate of 4½ percent.

One of the more significant facts concerning this legislation is its precedent-setting features in the Federal reclamation program. The primary justification advance for the construction of the Merlin division is to stimulate the depressed economy of Josephine County, Oreg. This justification is not in keeping with the original and fundamental principles of the Federal reclamation program. In addition, this legislation provides for future development and distribution of municipal and industrial water supplies to an area transiting toward a suburban or part-time farming economy. These facts only illustrate more clearly the need for a general review and reevaluation of the Federal reclamation program and laws.

Mr. Speaker, with notice of the precedent-setting features of this legislation, I urge the rules be suspended and H.R. 780, as amended, be passed.

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

Mr. SAYLOR. I am happy to yield to the gentleman.

Mr. ZWACH. I thank the gentleman for yielding.

I notice on the cost estimates that almost \$24 million is for the purpose of irrigation and for increased agricultural production. Is that not a rather petty appropriation for the areas for increased agricultural production?

Mr. SAYLOR. No; this is not very unusual. Even though there is a large portion of this project allocated to irrigation, the irrigators and power revenues are going to repay about 85 percent of this. This is one of the highest pay backs by irrigation and power users that has been presented to the Congress in many, many years.

Mr. ZWACH. Have many projects been approved with such a high irrigation percentage in the past?

Mr. SAYLOR. Yes, yes. Heretofore they have always been subsidized in some manner, usually by power rates. Here it is estimated that approximately 85 percent of it will have to be subsidized by the surplus revenues from the Columbia River Basin project.

Mr. ZWACH. Flood control, fish and wildlife, and recreation are a very small part of this overall project; is that not true?

Mr. SAYLOR. That is correct, and the majority of these costs are not reimbursable. Congress, in its wisdom, said

these features in this project as in every other project are a national charge against the country.

Mr. ZWACH. I thank the gentleman for yielding.

Mr. MILLER of Ohio. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to the gentleman from Ohio.

Mr. MILLER of Ohio. Mr. Speaker, I notice in the report on page 7 language contrary to remarks expressed; it was stated a few minutes ago that 85 percent of the cost would be paid back by the irrigators. Yet, I see all of the costs allocated to irrigation would be reimbursable without interest. Analysis of the repayment capabilities of the irrigators indicate that they would be able to return \$3,580,000 or approximately 15 percent of the cost allocated to irrigation over a 50-year period following a 10-year development period, which is contrary to the remarks of the irrigators being able to pay back 85 percent.

Mr. JOHNSON of California. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to the gentleman from California.

Mr. JOHNSON of California. To clarify the statement made by our colleague, the gentleman from Ohio (Mr. MILLER), I said that 85 percent of the project would be paid back to the Federal Government. That comes about in two ways. It comes from the irrigators and it will also come from the Columbia River Basin fund as stated in my statement.

Mr. SAYLOR. In other words, it will be repaid by both the irrigators and from power revenues. The question is the source of repayment.

Mr. MILLER of Ohio. I thank the gentleman.

Mr. DON H. CLAUSEN. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to the gentleman from California.

Mr. DON H. CLAUSEN. Mr. Speaker, I want to add my strong support to the passage of this reclamation project located just north of Grants Pass, in the County of Josephine, Oreg.

The Merlin project has developed widespread interest in the area and is looked to as one of the best opportunities, immediately available, to enhance and diversify the economy.

The Irrigation and Reclamation Committee, on which I am proud to be a member, visited this section of Oregon and held indepth hearings and visited the project site along with Representative Barrett, Senator Potts, Josephine County commissioners, and many interested citizens. It became very obvious, from the outset, that these people are placing much of their hope for the future on the construction and completion of this project.

I can fully appreciate their interest and concern because I represent the congressional district just south of this area, across the line in California, and we all fully realize what a shot in the arm, a project of this type, would provide to the economic and tax base of Josephine County. Therefore, I strongly urge the

passage of Mr. DELLENBACK's bill that is designed to help these people help themselves.

Mr. WYATT. Mr. Speaker, I rise in enthusiastic support of this fine Merlin project. The cost-benefit ratio of the project is very favorable. The area is very much in need of the water. It is an excellent reclamation project.

However, I would like principally to address my remarks to the great job done by my Oregon colleague, JOHN DELLENBACK, who has worked so long and hard on obtaining this authorization. As a former member of the House Committee on Interior and Insular Affairs, I know how difficult it is to obtain a new authorization. There is a large backlog of funding, and a natural reluctance for new authorizations. Congressman DELLENBACK let few days go by from the minute he arrived in Congress until the present day without contacting me and other members of the House Interior Committee in regard to the Merlin project. We are all very familiar with it, and due to his dedication and persistence, we finally have a bill to vote on today. Of course, we are grateful to Chairman ASPINALL and to the ranking member, JOHN SAYLOR, and to the chairman of the subcommittee, HAROLD T. JOHNSON, for their consideration of the bill.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the motion of the gentleman from California (Mr. JOHNSON) that the House suspend the rules and pass the bill H.R. 780, as amended.

The question was taken.

Mr. SPRINGER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 271, nays 15, not voting 144, as follows:

[Roll No. 86]
YEAS—271

Abbott	Brinkley	Daddario
Abernethy	Broomfield	Daniel, Va.
Adams	Brotzman	Daniels, N.J.
Albert	Brown, Ohio	Davis, Ga.
Anderson,	Broyhill, N.C.	Davis, Wis.
Calif.	Broyhill, Va.	de la Garza
Anderson, Ill.	Burke, Fla.	Dellenback
Anderson,	Burke, Mass.	Denney
Tenn.	Burleson, Tex.	Dent
Andrews, Ala.	Burlison, Mo.	Derwinski
Andrews,	Burton, Calif.	Downing
N. Dak.	Burton, Utah	Duncan
Annunzio	Bush	Edwards, Ala.
Arends	Button	Edwards, Calif.
Ashbrook	Byrne, Pa.	Erlenborn
Ashley	Caffery	Esch
Ayres	Camp	Eshleman
Beall, Md.	Carter	Evins, Tenn.
Bell, Calif.	Cederberg	Findley
Bennett	Chamberlain	Fish
Berry	Clark	Fisher
Betts	Clausen,	Flood
Blester	Don H.	Flowers
Bingham	Clawson, Del	Flynt
Blackburn	Cohelan	Foley
Blanton	Collier	Ford, Gerald R.
Blatnik	Collins	Foreman
Boggs	Colmer	Fountain
Boland	Conable	Frelinghuysen
Bolling	Corbett	Friedel
Brademas	Coughlin	Fulton, Tenn.
Brasco	Crane	Fuqua
Bray	Cunningham	Garmatz

Gibbons
Gonzalez
Goodling
Gray
Green, Pa.
Griffiths
Gubser
Gude
Hall
Hamilton
Hammer-
schmidt
Hanley
Hansen, Wash.
Harsha
Hastings
Hathaway
Hawkins
Hays
Hechler, W. Va.
Henderson
Hicks
Hogan
Horton
Howard
Hull
Hungate
Hutchinson
Ichord
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Tenn.
Kastenmeier
Kazen
Keith
King
Kluczynski
Kuykendall
Kyl
Kyros
Landgrebe
Landrum
Latta
Leggett
Lloyd
Long, Md.
Lujan
McClory
McCloskey
McClure
McCulloch
McDade
McEwen
McFall
McKneally
Macdonald,
Mass.
MacGregor

Madden
Mahon
Marsh
Martin
Mathias
Matsunaga
May
Mayne
Meeds
Meskill
Michel
Mikva
Miller, Calif.
Mills
Minish
Mink
Minshall
Mizell
Morgan
Morton
Mosher
Moss
Murphy, Ill.
Myers
Natcher
Nedzi
Obey
O'Hara
O'Konski
Olsen
O'Neal, Ga.
O'Neill, Mass.
Passman
Pelly
Perkins
Pettis
Pike
Pirnie
Poff
Preyer, N.C.
Price, Ill.
Price, Tex.
Pucinski
Purcell
Quie
Quillen
Rallsback
Randall
Reid, Ill.
Reid, N.Y.
Reifel
Reuss
Rhodes
Riegle
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rooney, Pa.

NAYS—15

Belcher
Cleveland
Cramer
Delaney
Devine

NOT VOTING—144

Adair
Addabbo
Alexander
Aspinall
Baring
Barrett
Bevill
Biaggi
Bow
Brock
Brooks
Brown, Calif.
Brown, Mich.
Buchanan
Byrnes, Wis.
Cabell
Carey
Casey
Celler
Chappell
Chisholm
Clancy
Clay
Conte
Conyers
Corman
Cowder
Culver
Dawson
Dennis
Dickinson
Diggs
Dingell
Dorn
Dowdy
Dulski

Donohue
Gross
Langen
Miller, Ohio
Monagan
Dwyer
Eckhardt
Edmondson
Edwards, La.
Eilberg
Evans, Colo.
Fallon
Farbstein
Fascell
Feighan
Ford
William D.
Fraser
Frey
Fulton, Pa.
Galifianakis
Gallagher
Gaydos
Gettys
Gialmo
Gilbert
Goldwater
Green, Oreg.
Griffin
Grover
Hagan
Haley
Halpern
Hanna
Hansen, Idaho
Harrington
Harvey
Hébert
Heckler, Mass.
Helstoski
Holifield

Roth
Roudebush
Ruth
Ryan
St. Onge
Sandman
Saylor
Schadeberg
Scherle
Schwengel
Scott
Sebellus
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Iowa
Springer
Stafford
Staggers
Steed
Steiger, Ariz.
Stokes
Stratton
Stuckey
Sullivan
Symington
Talcott
Taylor
Teague, Calif.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Vander Jagt
Vanik
Vigorito
Wampler
Welcker
Whalen
Whitehurst
Whitten
Widnall
Wiggins
Williams
Wilson, Bob
Wilson,
Charles H.
Winn
Wyatt
Wylie
Wyman
Yates
Yatron
Young
Zablocki
Zion
Zwach

Poage
Smith, Calif.
Smith, N.Y.
Teague, Tex.
Wolf

Podell
Pollock
Powell
Pryor, Ark.
Rarick
Rees
Rivers
Roe
Rooney, N.Y.
Rosenthal
Rostenkowski
Roybal
Ruppe

St Germain
Satterfield
Scheuer
Schneebell
Shipley
Snyder
Stanton
Steiger, Wis.
Stephens
Stubblefield
Taft
Tunney
Udall

Ullman
Van Deerlin
Waggoner
Waldie
Watkins
Watson
Watts
Whalley
White
Wold
Wright
Wydler

Mr. Dorn with Mr. Frey.
Mr. Edmondson with Mr. Byrnes of Wisconsin.
Mr. Fascell with Mr. Steiger of Wisconsin.
Mr. Feighan with Mr. Clancy.
Mr. Gallagher with Mr. Pollock.
Mr. Hanna with Mr. Nelsen.

Messrs. TEAGUE of Texas and LANGEN changed their vote from "yea" to "nay."

Mr. MAHON changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

EAST GREENACRES UNIT, RATHDRUM PRAIRIE PROJECT, IDAHO

Mr. JOHNSON of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 9854) to authorize the Secretary of the Interior to construct, operate, and maintain the East Greenacres unit, Rathdrum Prairie project, Idaho, and for other purposes, as amended.

The Clerk read as follows:

H.R. 9854

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of providing irrigation water supplies, providing municipal and industrial water, the conservation and enhancement of fish and wildlife resources, and the enhancement of recreation opportunities, the Secretary of the Interior, acting pursuant to the Federal reclamation laws (Act of June 17, 1902; 32 Stat. 388, and Acts amendatory thereof or supplementary thereto), is authorized to construct, operate, and maintain the East Greenacres unit, Rathdrum Prairie project, Idaho. The principal works of the unit shall consist of wells, regulating reservoirs, the necessary water distribution systems, and related works.

SEC. 2. (a) Irrigation repayment contracts shall provide for repayment of the irrigation construction costs assigned to the irrigators for repayment over a period of not more than fifty years, exclusive of any development period authorized by law. Construction costs allocated to irrigation beyond the ability of irrigators to repay shall be charged to and returned to the reclamation fund in accordance with the provisions of section 2 of the Act of June 14, 1966 (80 Stat. 200), as amended by section 6 of the Act of September 7, 1966 (80 Stat. 707), and from surplus municipal and industrial water revenues as provided by subsection 2(b) of this Act.

(b) Municipal and industrial repayment contracts shall provide for repayment of the construction costs allocated to municipal and industrial water supply, with interest, by the municipal and industrial water users over a period of not more than fifty years from the date that water is first delivered for that purpose, pursuant to contracts with municipal corporations, organizations, or other entities as defined in section 2(g) of the Reclamation Project Act of 1939 (53 Stat. 1187): *Provided*, That contracts for municipal and industrial water service shall provide that annual payments shall continue at the same rates as long as the irrigation repayment contracts are in effect: *Provided further*, That revenues in excess of those required to repay the allocated municipal and industrial water supply costs with interest and the portion of the annual operation, maintenance, and replacement costs allocated

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

The Clerk announced the following pairs:

Mr. Corman with Mr. Wydler.
Mr. Griffin with Mr. Watson.
Mr. Kirwan with Mr. Watkins.
Mr. Tunney with Mr. Whalley.
Mr. Waggoner with Mr. Wold.
Mr. Watts with Mr. Karth.
Mr. Jones of North Carolina with Mr. Helstoski.
Mr. Jarman with Mr. Udall.
Mr. Brown of California with Mr. Clay.
Mr. Hagan with Mr. Harrington.
Mr. Podell with Mr. Nix.
Mrs. Hansen of Washington with Mr. Haley.
Mr. McCarthy with Mr. Eckhardt.
Mr. Rooney of New York with Mr. Rivers.
Mr. Lowenstein with Mr. Diggs.
Mr. Rostenkowski with Mr. Rarick.
Mr. Galifianakis with Mrs. Green of Oregon.
Mr. Pickle with Mr. Murphy of New York.
Mr. Mollohan with Mr. Waldie.
Mr. Ottinger with Mr. Powell.
Mr. Casey with Mr. Ullman.
Mr. Baring with Mr. Jacobs.
Mr. Roe with Mrs. Chisholm.
Mr. William D. Ford with Mr. Dawson.
Mr. Roybal with Mr. Scheuer.
Mr. Satterfield with Mr. Shipley.
Mr. St Germain with Mr. Pryor of Arkansas.

Mr. Fraser with Mr. Conyers.
Mr. Rees with Mr. Stubblefield.
Mr. Gaydos with Mr. St Germain.
Mr. Alexander with Mr. Bevill.
Mr. Dowdy with Mr. Dulski.
Mr. Evans of Colorado with Mr. Kee.
Mr. McMillan with Mr. Mann.
Mr. Montgomery with Mr. Melcher.
Mr. Nichols with Mr. Rosenthal.
Mr. Hébert with Mr. Adair.
Mr. Addabbo with Mr. Harvey.
Mr. Gilbert with Mr. Malliard.
Mr. Philbin with Mrs. Heckler of Massachusetts.

Mr. Farbstein with Mr. Miller of Ohio.
Mr. Fallon with Mr. Bow.
Mr. Gialmo with Mr. Stanton.
Mr. Carey with Mr. Halpern.
Mr. Celler with Mr. Grover.
Mr. Brooks with Mr. Cowger.
Mr. Cabell with Mr. Goldwater.
Mr. Gettys with Mr. Snyder.
Mr. Moorhead with Mr. Fulton of Pennsylvania.

Mr. Dingell with Mr. Conte.
Mr. Patman with Mr. Belcher.
Mr. Pepper with Mr. Dennis.
Mr. Edwards of Louisiana with Mr. Taft.
Mr. Aspinall with Mr. Brown of Michigan.
Mr. Patten with Mrs. Dwyer.
Mr. Eilberg with Mr. Schneebell.
Mr. Barrett with Mr. Hunt.
Mr. Biaggi with Mr. Mize.
Mr. Lennon with Mr. Brock.
Mr. Long of Louisiana with Mr. Dickinson.

Mr. White with Mr. Ruppe.
Mr. Van Deerlin with Mr. Hosmer.
Mr. Wright with Mr. Kleppe.
Mr. Holifield with Mr. Morse.
Mr. Chappell with Mr. Buchanan.
Mr. Culver with Mr. Lukens.

to municipal and industrial water supply shall be returned to the reclamation fund and credited toward the repayment of the construction costs allocated to irrigation which are beyond the ability of the irrigators to repay. Such contracts may be entered into with a qualified entity or entities pursuant to the provision of this Act without regard to the last sentence of subsection 9(c) of the Reclamation Project Act of 1939, supra, and shall be executed before the commencement of construction of the unit.

(c) The interest rate used for purposes of computing interest during construction and, where appropriate, interest on the unpaid balance of the reimbursable obligations assumed by non-Federal entities shall be determined by the Secretary of the Treasury, as of the beginning of the fiscal year in which construction is initiated, on the basis of the computed average interest rate payable by the Treasury upon its outstanding marketable public obligations which are neither due nor callable for redemption for fifteen years from date of issue.

Sec. 3. The provision of lands, facilities, and project modifications which furnish outdoor recreation and fish and wildlife benefits in connection with the East Greenacres units shall be in accordance with the Federal Water Project Recreation Act (79 Stat. 213).

Sec. 4. Power and energy required for irrigation water pumping for the East Greenacres unit shall be made available by the Secretary from the Federal Columbia River power system at charges determined by him.

Sec. 5. For a period of ten years from the date of enactment of this Act, no water from the project authorized by this Act shall be delivered to any water user for the production on newly irrigated lands of any basic agricultural commodity, as defined in the Agricultural Act of 1949, or any amendment thereof, if the total supply of such commodity for the marketing year in which the bulk of the crop would normally be marketed is in excess of the normal supply as defined in section 301(b)(10) of the Agricultural Adjustment Act of 1938, as amended, unless the Secretary of Agriculture calls for an increase in production of such commodity in the interest of national security.

Sec. 6. There is hereby authorized to be appropriated for construction of the works herein authorized and for the acquisition of necessary land and rights the sum of \$4,965,000 (January 1969 prices), plus or minus such amounts, if any, as may be required by reason of changes in the cost of construction work of the types involved therein as shown by engineering cost indexes. There are also authorized to be appropriated such sums as may be required for the operation and maintenance of said unit.

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 9854, to authorize the Secretary of the Interior to construct, operate, and maintain the East Greenacres unit in Idaho. This is a carefully evaluated, imaginatively designed project that is eminently feasible and badly needed in the local area. It meets the severe tests of justification imposed by the prevailing discount rate of 4½ percent and is the first Federal reclamation project to

come before the House that is obliged to withstand that criterion.

The East Greenacres unit is not a large project. In fact, it is a rather small one when measured in dollars and cents and in terms of the acres of land that it will serve. It is, however, large in its capability to bring a better and more secure economic livelihood to the people of the immediate and adjacent areas of Kootenai County, Idaho. This area is presently occupied by people making an effort to stay on the land and extract a livelihood from it. They are, for the most part, trying to farm land with little or no irrigation water and to take from it a feed base sufficient to support a dairy industry. With the East Greenacres unit, they will be able to succeed in this form of farming to their own economic betterment and to the strengthening of the surrounding region.

Basically this is an irrigation project, although it has multiple purpose features worthy of note. Its most unique aspect is the fact that it will develop a water supply from groundwater and distribute it for irrigation and domestic use through a completely closed system. The physical plan will involve drilling and equipping approximately 12 wells. These wells will be grouped in clusters of three or four. Each group of wells will deliver water to an elevated steel tank for distribution to a block of lands. Four such separate systems will comprise the total project. Domestic water will be served through the same lines with irrigation water. During the non-irrigation season when domestic water represents the only demand, pressure will be provided by a small auxiliary pump in each of the four sub-systems.

The project will cost an estimated \$4,965,000 at price levels prevailing in January 1969. It will serve the total water requirement for 5,230 acres of land, and in so doing will supplant the present inadequate service being afforded to 1,770 acres. The existing supply comes from Twin Lakes through natural stream channels and poorly maintained open ditches. The lakes, if operated through their full drawdown range are frequently unable to supply sufficient water for the presently irrigated acreage. In recent months, the irrigators have been restricted by order of the Idaho Supreme Court from operating the lakes through a greater range than 4 feet. This further curtails the water available for irrigation and increases annual shortages.

The action to limit operation of the lakes was brought by riparian owners around the lakes who wish to stabilize the lake levels for recreation and fish and wildlife values. When the well system is installed, the irrigation interest will cede their water rights in Twin Lakes to Kootenai County and abandon diversions for irrigation. This will stabilize the lake levels during the prime recreation season and produce significant public fish and wildlife benefits. Public access will be provided and facilities for public use will be installed.

The cost of the project, when allocated by the conventional procedures in accordance with the benefits to the several purposes are as follows:

Irrigation	\$4,495,000
Municipal and industrial water (domestic)	141,000
Fish and wildlife enhancement...	301,000
Recreation	28,000
Total.....	4,965,000

Reimbursement of the foregoing is required by H.R. 9854 in conformity with law and policy. Irrigation revenues will be returned from revenues derived from irrigation water users, domestic water users and the net proceeds from the power operations of the Federal Columbia River power system. The irrigators will be charged in accordance with their ability to pay, a sum currently estimated at \$13 per acre per year. After defraying operation, maintenance, and replacement expenses, the revenues will repay about \$792,000 of the original construction cost during a term of 50 years following the termination of a development period allowed by law.

Domestic water users will pay an annual flat rate charge of about \$42. Revenues from this source will amortize the municipal water costs at the required rate of interest and produce surplus revenues in the estimated amount of \$73,000 during the repayment period. This surplus is required by the terms of H.R. 9854, as amended, to be used to repay irrigation costs. The rest of the irrigation costs will be met from power revenues, the availability of which is assured by up-to-date studies made by the Bonneville Power Administration.

Fish and wildlife enhancement and recreation cost sharing on the East Greenacres will be in accordance with the requirements of the Federal Water Project Recreation Act. This will require that prior to the start of construction, Kootenai County, Idaho, must agree to operate and maintain the project recreation facilities and repay \$16,700 of the allocated costs with interest as specified in the bill. Remaining recreation and fish and wildlife costs will be nonreimbursable.

Mr. Speaker, the Subcommittee on Irrigation and Reclamation has looked into the East Greenacres unit. Last October, the subcommittee made a field inspection and conducted a field hearing. The members were able to see all facets of the program at first-hand. Of particular interest was an adjacent project based on the same design that is working faultlessly. No opposition appeared at either the field hearings or at the formal hearings conducted in Washington earlier this spring.

This project meets the tests now being imposed, in that it shows a favorable benefit-cost ratio at the discount rate of 4½ percent. It meets the tests of engineering and financial feasibility, but more importantly, it will do a great deal of good for some richly deserving citizens. If the United States is to continue to participate in the development of its land and water resources, and I submit that we must, this is the kind of program that everyone can endorse.

For this reason, Mr. Speaker, I unreservedly support H.R. 9854 and urge the House to suspend the rules and pass it this afternoon.

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

Mr. Speaker, I rise in support of this legislation, H.R. 9854, as amended by the Committee on Interior and Insular Affairs, authorizes the Secretary of the Interior to construct, operate, and maintain the East Greenacres unit, of the Rathdrum Prairie project, in the State of Idaho.

The proposed East Greenacres unit is a multiple-purpose water resource development project providing irrigation and municipal and industrial water supplies, outdoor recreation opportunities and the enhancement of fish and wildlife resources. Development of the East Greenacres unit involves the construction of a water supply system based upon ground water pumping from an abundant ground water aquifer through a closed-pipe pressure distribution system. Such a system will provide irrigation water to 5,270 acres of land and municipal and industrial water.

The estimated construction costs of the East Greenacres unit is \$4,965,000. Project costs are allocated among the reimbursable and nonreimbursable project purposes. The economic analysis of the benefits to costs of the East Greenacres unit indicates that over a 100-year period of analysis and using the current interest rate of 4 $\frac{7}{8}$ percent, the direct benefits will exceed the costs in the ratio of 1.05 to 1.

This legislation is similar to legislation just passed authorizing the Merlin division by extending the original and fundamental purposes of the Federal reclamation laws. Here again, the justification for the legislation is the need to enhance and stabilize the economy of Kootenai County, Idaho, by providing an alternative water supply.

At the present time 1,770 acres of the unit are being irrigated by a surface water system from storage in Twin Lakes. Drawdowns in operation of the lake for water supplies has prompted controversy and litigation. Judicial decision has curtailed the operation of the lake for water supplies and results in the need for the construction of an alternative system.

The general reclamation law is also being extended by this legislation to provide that the use of surplus revenues from the sale of municipal and industrial water shall be made available to assist in the repayment of reimbursement irrigation costs which is beyond the ability of the irrigators to pay.

Mr. Speaker, with notice that this legislation also demonstrates the need for a general review and reevaluation of the Federal reclamation laws, I urge that the rules be suspended and H.R. 9854, as amended, be passed.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California that the House suspend the rules and pass the bill H.R. 9854, as amended.

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

A motion to reconsider was laid on the table.

ADDITIONAL FINANCIAL ASSISTANCE FOR ICE AGE NATIONAL SCIENTIFIC RESERVE, WISCONSIN

Mr. TAYLOR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4172) to authorize the Secretary of the Interior to provide additional financial assistance for development and operation costs of the Ice Age National Scientific Reserve in the State of Wisconsin, and for other purposes, as amended.

The Clerk read as follows:

H.R. 4172

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of October 13, 1964 (78 Stat. 1087) is amended as follows:

(1) Section 3 is repealed.

(2) Section 4 is amended by deleting everything after the word "nonprofit" and inserting the word "corporation."

(3) Section 5 is amended to read as follows:

"Sec. 5. (a) The Secretary is authorized to provide technical assistance to the State of Wisconsin for planning and development of the reserve in accordance with the comprehensive plan.

"(b) In addition to grants made pursuant to the Land and Water Conservation Fund Act of 1965 (78 Stat. 897; 16 U.S.C. 4601-8), the Secretary is authorized to make grants of not to exceed 25 per centum of the actual cost of each development project within the reserve in accordance with the comprehensive plan: *Provided*, That the maximum amount of such grants for all projects shall not exceed \$425,000.

"(c) The Secretary, pursuant to an agreement with the State of Wisconsin, may pay up to 50 per centum of the annual costs of management, protection, maintenance, and rehabilitation of the reserve.

"(d) Whenever the Secretary determines that appropriate management and protection set down in the comprehensive plan are not being afforded the nationally significant values within the reserve or that funds are not being provided on the prescribed matching basis by the State of Wisconsin or other non-Federal sources, he may terminate contributions under this Act."

(4) Section 6 is repealed.

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

Mr. TAYLOR. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, the committee on Interior and Insular Affairs has carefully considered H.R. 4172, a bill involving the Ice Age National Scientific Reserve.

As most Members of the House will recall, legislation dealing with this nationally significant scientific area was first considered during the 88th Congress. At that time we recognized the importance of the events which occurred in Wisconsin about 10,000 years ago. Congress determined in this 1964 Ice Age Act that the area has national significance and that the Government should assist the State of Wisconsin in planning and funding the proposed National Scientific Reserve. At that time Congress authorized \$750,000 to aid the State of Wisconsin in acquiring the land

and directed the Secretary of Interior to help establish a comprehensive plan.

Because of the enactment of the Land and Water Conservation Fund Act, the \$750,000 which we authorized has never been appropriated. The only funds expended pursuant to Public Law 88-655 were those needed to formulate the comprehensive plan for the protection, preservation, and interpretation of the areas recognized. This expenditure amounted to \$50,000.

The comprehensive plan was presented to Congress in 1968, and H.R. 4172 is founded on the basis of that plan and the recommendations submitted to Congress by the Secretary of Interior and the Governor of Wisconsin.

The bill before us today authorizes the Secretary to provide technical assistance to the State of Wisconsin to aid in the planning and developing of the reserve. In addition, because of the national significance of the area, it authorizes grants to be made to help in the development of the reserve for public use.

Under existing law, 50 percent of the development cost could be financed from Wisconsin's share of the land and water conservation fund—that is, if the State saw fit to use its share of these funds for that purpose. Under the terms of this bill, direct appropriations could be made to the Department to finance half of the remaining 50 percent of development costs. This supplementary assistance is limited to no more than a total of \$425,000 for the entire reserve. The bill also provides for 50-50 cost-sharing of the annual operation and maintenance costs of the reserve.

The committee amendment clarifies the terms of the bill. It repeals provisions of the original act which are unnecessary and brings the legislation into line with the comprehensive plan and recommendations approved by the Secretary of the Interior and the Governor of Wisconsin.

Mr. Speaker, the terms of H.R. 4172 are somewhat unusual, but the situation confronting the Congress is almost unique. Here, we have a resource of national importance. Normally, we would be moved to assume a national responsibility for its protection and development, but the State had already made a substantial effort to make it available to the public. The State was willing to allow it to be redesignated as a national area, to provide the necessary administrative personnel to assure its preservation, and to assume the necessary acquisition responsibilities using its own fund and funds it is entitled to under the land and water conservation fund. The national objective, consequently, can be achieved with a relatively modest investment.

Altogether, the direct Federal investment in the reserve is limited to \$425,000—excluding the \$50,000 already expended on the comprehensive plan, plus the annual installments for operation and maintenance—an amount estimated to be approximately \$80,000 yearly.

The President's emphasis on encouraging the States to assume a larger role in protecting the environment and his commitment to expand the Nation's inventory of outdoor areas argue persuasively for the enactment of this legislation.

It was determined by Congress in 1964 that the United States would join hands with the State of Wisconsin in establishing this national scientific reserve. Personally, I believe that it is wise to encourage teamwork between the Federal Government and the States in acquiring and developing recreation areas and scientific areas of this type, and it does not matter so much which unit of government holds title to the land so long as it is properly developed and operated for the benefit of all the people.

Some of our finest national parks and other outdoor areas have been made possible by cooperation between the States and Federal Government. For instance, 40 years ago the States of North Carolina and Tennessee, aided by private gifts, acquired the land for the Smoky Mountains National Park and donated it to the Government to develop and operate, making possible the Nation's most visited national park. Some 20 years ago my home State of North Carolina acquired the Hatteras Seashore Area and donated it to the Government to develop and operate, making possible the Nation's first national seashore area. This type of teamwork is very beneficial.

Except for the interest shown by the State of Wisconsin and actions taken by the State, the Federal Government would be paying the entire bill for this national scientific reserve and most of us would be voting for it. If we treat the State's share of the land and water conservation fund as State money—and it is money that the State can use for any approved outdoor recreation project—then the State of Wisconsin will have paid all of the land acquisition costs on this project and will pay three-fourths of the development costs and will pay one-half of the operating costs. Under this kind of partnership we get more results for each Federal dollar spent.

H.R. 4172 as amended is a reasonable program which I am pleased to recommend to my colleagues and urge its approval by the House.

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

Mr. TAYLOR. I am glad to yield to the gentleman from Missouri.

Mr. HALL. I appreciate the gentleman's yielding. I particularly appreciate the detailed explanation he has made about the legislative background of his proposal.

I want to say that the reason that this particular bill, H.R. 4172, was not considered and perhaps passed under the unanimous consent request on the Consent Calendar is because of a statement in the original legislation itself, which to me at least indicated that we would not be back to the Federal Treasury for additional funds in developing this Ice Age Park. I agree with preserving these relics, and I agree with much the gentleman has said about the need of our national park system. But when it was plainly stated in the act itself that funds therein—and I presume this is applicable—whether they came from the land and water conservation use fund or whether they came from the original \$750,000 appropriation—could be used for acquiring land but could not be used for promotion, upkeep, opera-

tion, or maintenance funds or other things, then it is seemingly strange that we come back here and ask for additional funds for development.

Furthermore, on the day that legislation was considered a question was asked, Will these Federal funds be used for land acquisition? and the answer, in the CONGRESSIONAL RECORD, volume 110, part 17, page 22634, was—

Our committee has been assured that the sum in this bill will be all that is required by the Federal Government for land acquisition—

And so forth.

Therefore, I think it is right and proper that we debate this bill, even under the limited rules of the suspension of the rules where it cannot be amended.

I appreciate the gentleman yielding, and I appreciate any comment he would care to make on these observations.

Mr. TAYLOR. I appreciate the gentleman's comments. He is entirely correct. The original bill did authorize \$750,000 for acquisition—not for development, but for acquisition. It authorized \$50,000 for study and development of this comprehensive plan.

Mr. HALL. Mr. Speaker, if the gentleman will yield on that point, did not the original act go further and say those funds would not be used for development?

Mr. TAYLOR. Let me read the language:

Sec. 4. The comprehensive plan presented by the Secretary to the President of the Senate and the Speaker of the House of Representatives may include such recommendations, if any, as he and the Governor of the State of Wisconsin may wish to make with respect to Federal and State participation in the financing of appropriate interpretive and other public facilities and services within the reserve, include facilities and services to be furnished by such private organizations as the Ice Age Park and Trail Foundation, a nonprofit corporation, but no commitment with respect thereto shall be made by the Secretary and no Federal appropriations shall be available for this purpose.

In explaining that language—and the gentleman called this to my attention a little while ago, and I appreciate that—I did look over the RECORD, and I found that on August 3, 1964, when the ice age bill was considered, there appeared in the CONGRESSIONAL RECORD, volume 110, part 13, page 17805, the following statement made on the House floor by Chairman Aspinall:

H.R. 1096 in no way commits the United States to any share of the upkeep of the Ice Age National Scientific Reserve. Perhaps there will eventually be some arrangement for this, but for the present, there is no commitment and it will take an act of Congress if there is to be one. Section 4 of the bill expressly contemplates a study by the Secretary of the Interior and the Governor of Wisconsin of this matter and for a report back to Congress on it.

Mr. HALL. There is not the slightest doubt, if the gentleman will yield, but what the Congress can and often does do anything, and of course they would have to come back and report to us, as the gentleman knows, on any of these projects regardless of whether we write in the original bill that we will not come

back to the taxpayers for additional support in the long run.

Mr. TAYLOR. Of course, if it is a Federal project, we have responsibility for developing and a continuing responsibility for operation. This has been done in a two-step deal. First, we authorized money for acquisition, which did not have to be spent, because the land and water conservation funds were used, and we authorized money for a comprehensive plan. Now that the plan has been completed, and presented to Congress, this legislation is being considered.

To my way of thinking, the Government is getting a bargain. If the State of Wisconsin had not stepped in and taken its money and bought this land and used its own land and water conservation funds—this project would have cost the Federal Government much more money.

There is an advantage in letting the State operate this reserve because it is near the State-owned facilities. This is stretched out over a 500-mile area, and this arrangement is much more economical. We get the same result with less money.

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

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

Mr. GROSS. Mr. Speaker, the report accompanying this bill indicates the ice age ended 10,000 years ago. Was the gentleman ever in Wisconsin in midwinter?

Mr. TAYLOR. I have been in Wisconsin, but not in midwinter.

Mr. GROSS. If it ended 10,000 years ago, where has this legislation been—on ice, or in the refrigerator, or where?

Mr. Saylor. Mr. Speaker, I yield such time as he may consume to the gentleman from Iowa (Mr. KYL).

Mr. KYL. Mr. Speaker, I am pleased to speak today on behalf of completing the job we started in the Wisconsin glaciation area.

The gentleman from Missouri and my colleague and gentle friend, the gentleman from Iowa, would like to go back in history to the time when this project first came to our attention.

It was proposed that the Federal Government would spend millions of dollars to acquire, as Federal holdings, much of this area which has been preserved by the State and largely with State funds.

The committee has been honest and honorable in selecting this means of making some changes in the original proposal.

I want to remember with this body today what we have in this ice age area, the scientific preserve in Wisconsin.

In the Pleistocene epoch, as the geologists call it, much of this continent was covered with glaciers. As a matter of fact, so much ice was involved in this glaciation that the sea levels actually fell in the interim.

If we were to construct a diorama for educational purposes to demonstrate the total effect of continental glaciation, we could not do that better than we have it naturally accomplished here in Wisconsin. All of the effects of continental glaciation are here.

We have the Kettle Moraine, where

two large moving glaciers, scouring side by side, wind-rowsed the earth into long ranges, much as the plow wind rows the land in our fields.

We have the eskers which were developed by the ice-enclosed streams.

There is a common misconception that glaciers are huge, pure white, clean devices. Actually, they are dirty. They carry untold tons of sand, rock, and other debris.

Sometimes, where a hole melted in the ice, this debris—gravel, rock—poured through and there developed what is known as the kame.

The scientists are still puzzled considerably by the rather oval hills which are called the drumlins, and all these things abound.

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

Mr. KYL. I yield to my friend from Iowa.

Mr. GROSS. I am disappointed to hear the gentleman say what is called the ice age and the ice conditions in Wisconsin are not what they seem to be. I was there last summer. I have been there before. They do not miss charging one for ice cubes. I was in the hope that the gentleman would say that so many million bushels of ice cubes could be dug out of the ground there for the benefit of the tourists like myself who have the opportunity to visit.

Mr. KYL. No; but I can go one better, and seriously, than my friend has in a facetious manner.

As these glaciers moved into this area, of course they hauled with them rocks and elements from all the areas to the North. In fact, in some of these kames and eskers one may find not ice cubes but actually industrial-quality diamonds and other gem stones.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, I hope we can recover something out of this situation for those of us who do not live there.

Mr. KYL. I am trying to convince the gentleman that this is indeed a subject worthy of preservation, because, in addition to all the other effects one can find here, there is the place, of course, where the massive glaciers finally hit the Baraboo Range, where the Wisconsin River for centuries had cut a path through the rock. As the glacier moved up there and was stopped by this great crystalline formation, the river was dammed at both ends and formed a very lovely, very clear and beautiful lake, and the Wisconsin River was diverted by the glaciation around the edge of the Baraboo Range and then on south.

In summary, what we have here is the best place to study continental glaciation we have in this country, and one of the two best that there are anywhere in the world.

It is all here together, including those spots where huge chunks of ice were covered by debris and then gradually, as the ice melted, formed kettle holes from small sizes to lake sizes.

There is a special ecology here that is interesting to students and recreationists, with the maple and the birch and aspen and linden, the pines, the larch, which is

a coniferous tree and which is not an evergreen. There are still bogs, peat bogs, watercress bogs, and so on, with their own ecology, which in some instances are fragile and demand some kind of preservation. The out-wash plains, that final effect of the glaciation, offer some fertile fields for agriculture and otherwise.

Mr. Speaker, this is an area which is most worthy of preservation because of its completeness and because of its uniqueness. I would hope, I would say again to my gentle friend from Iowa, that sometime I might have the pleasure of touring this area with him for no other reason than to fish in some of some lovely areas which abound with finny creatures, for I know of his love for that particular part of our nature.

Mr. Speaker, I thank you for the time you have yielded to me.

Mr. SAYLOR. Mr. Speaker, I rise in support of H.R. 4172, as amended. This bill authorizes the Secretary of the Interior to provide financial assistance for the development, operation, and maintenance of the Ice Age National Scientific Reserve in the State of Wisconsin.

The purpose of this legislation is to assist the State of Wisconsin in preserving, perhaps the most outstanding evidence of the ice age as it touched this continent and this Nation. Located in nine separate units totaling approximately 32,500 acres in the State of Wisconsin is what scientists believe to be the remnants of the last stage of continental glaciation.

In 1964, Congress authorized the Secretary of the Interior, by legislation, to cooperate with the State of Wisconsin to assure the protection, preservation, and interpretation of these nationally significant values. A comprehensive plan for the protection of these values has been developed as authorized in that act, but the appropriation authorizations under that act have not been funded. This is why H.R. 4172 was introduced.

H.R. 4172 does not authorize the appropriation of funds for land acquisition. Funds for the acquisitions of these lands will come directly from the State and the Federal matching funds allocated to the State of Wisconsin from the land and water conservation fund. This bill does authorize the appropriations to assist in the payment of development costs. But this assistance is limited to not more than 25 percent of the cost of an individual project and with an authorized ceiling of \$425,000 for development. In addition to this assistance, the bill also authorizes the Secretary of the Interior to pay up to 50 percent of the annual costs of operation and maintenance. The annual Federal expenditure for these costs are estimated to be \$79,000.

I wish to compliment the State of Wisconsin in its efforts to preserve these significant and important values of our natural heritage which lie within the boundaries of that State. The national and international significance of this natural phenomena cannot be disputed. Its historical importance alone justifies Federal assistance, if not a total Federal commitment to its protection, preservation, and interpretation.

Mr. Speaker, I urge that the rules be suspended and this legislation, as amended, be passed.

Mr. TAYLOR. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin (Mr. KASTENMEIER).

Mr. KASTENMEIER. Mr. Speaker, in 1964, Congress enacted legislation authorizing the establishment of the Ice Age National Scientific Reserve in the State of Wisconsin. Since Wisconsin was already showing an interest in some of the areas within the reserve, and had taken steps to make them available to the public, the 1964 act provided for the formulation of a comprehensive plan between the Secretary of the Interior, in cooperation with State and local governmental authorities in Wisconsin for the protection, preservation, and interpretation of outstanding examples of the 10,000-year-old continental glaciation within the reserve. Thus, the State of Wisconsin was to receive some financial assistance in return for helping the Federal Government meet a goal recognized to be nationally desirable.

A plan was carefully negotiated between the National Park Service and the State of Wisconsin, and filed with the Congress on September 10, 1968. It recommended that the Ice Age National Scientific Reserve should comprise nine detached units totaling 32,500 acres. The largest of the areas to be included are the 15,000-acre Kettle Moraine State Forest in Sheboygan County, the 3,600-acre Campbellsport Drumlins in Fond Du Lac County and the 80-acre Sheboygan Marsh in Sheboygan County, all located within 20 to 30 miles of Milwaukee. In northwestern Wisconsin, within 100 miles of Minneapolis and St. Paul, are the 2,940-acre Bloomer Area and the 920-acre interstate park. Not far from Madison, Wis., is the 8,840-acre Devils Lake State Park in Sauk County.

Other units include the 930-acre Mill Bluff State Park in Monroe and Juneau Counties, the 30-acre Two Creeks Buried Forest in Manitowoc County and 160 acres in the community of Cross Plains which, incidentally, is located in my congressional district.

In addition, this comprehensive plan provided for a cost-sharing formula on the land acquisition, development, and operation of the Ice Age Reserve. Wisconsin is obligated to pay the entire cost of acquiring the land, which has an estimated value of more than \$16 million. The State of Wisconsin already has made significant progress in acquiring land in and adjacent to the Ice Age Reserve areas. The cost of the additional land needed to complete the reserve has been estimated at \$1,150,000 which would be paid by the State of Wisconsin, half through direct State appropriations and the other half to come from Wisconsin's share of the land and water conservation fund. With respect to developing the nine units, Wisconsin will pay 75 percent of the entire cost of \$1,688,000. Of the Wisconsin share, 50 percent will come from the State's grant from the land and water conservation fund, 25 percent from direct State appropriations, and the remaining

25 percent, not to exceed \$425,000, will come from a Federal appropriation to the National Park Service. Regarding the operation of the reserve, Wisconsin and the Federal Government will evenly split the annual costs.

The Department of the Interior report on November 21, 1969, stated that the Department was engaged in a comprehensive study with the Bureau of the Budget dealing with the problems of funding park and recreational programs including programs of assistance to non-Federal public agencies. The Department said it would not be advisable to take a position on a funding proposal such as that involved in H.R. 4172 which, the Department claimed, departed from established formulas. The House Interior Committee, however, rejected the notion that there is a departure from established formulas since the Ice Age National Reserve is a program of national dimensions, rather than a strictly State program. In addition, the problems of funding park and recreational programs should have been resolved when the President, in his congressional message on the environment on February 10, 1970, proposed the full funding in fiscal 1971 of the \$327 million available through the land and water conservation fund for additional park and recreational facilities.

Mr. Speaker, while the Ice Age National Scientific Reserve will include many beauty spots which can be enjoyed by those who visit it for outdoor recreation, the primary value of the reserve is that it includes what is regarded as the best collection of remnants including moraines, eskers, kames, kettleholes, drumlins, swamps, and lakes of the last ice age in the Western Hemisphere. Here is a sample laboratory of a much larger natural museum which is of interest to students of the history of the earth as well as to students of contemporary geology, botany, zoology, and ecology.

The Ice Age National Scientific Reserve will protect and develop these remarkable and outstanding characteristics of the last ice age, and preserve an experience in the natural world which not only can provide the pleasures of healthful activity but can help all Americans better to love their land through understanding.

Mr. Speaker, I strongly urge the adoption of H.R. 4172.

I include the following telegram:

MADISON, WIS.,
April 17, 1970.

HON. ROBERT W. KASTENMEIER,
House Office Building,
Washington, D.C.

DEAR MR. KASTENMEIER: H.R. 4172 which is necessary to implement the Ice Age National Scientific Reserve in Wisconsin will face a crucial test on the House floor Monday, April 20, 1970. This bill has received wide bipartisan support and is strongly endorsed by the Department of Natural Resources and Conservation Groups. Your assistance and support for this bill on the House floor is urgently needed to preserve Wisconsin's geological history.

L. P. VOIGHT,
Secretary, Department of Natural
Resources.

Now, Mr. Speaker, I only wish to compliment our chairman (Mr. TAYLOR) and our full committee chairman (Mr. ASPIN-

NALL), who is not here today, as well as the gentleman from Pennsylvania (Mr. SAYLOR), and the distinguished gentleman from Iowa (Mr. KYL) who, as a scholar on the geologic splendor that we are seeking to preserve here, is paralleled by no one else in the Congress, and also I wish to commend the gentleman from Wisconsin (Mr. REUSS) who is one of our first naturalist colleagues, and who has contributed so much to the realization of this program over the years that he truly deserves to be called the father of the Ice Age National Scientific Reserve.

Mr. Speaker, I hope that the House will overwhelmingly adopt this bill so that we can have the agreement reached between the State of Wisconsin and the Department of Interior on the creation of an Ice Age National Reserve given final and lasting approval.

Mr. REUSS. Mr. Speaker, I rise in support of H.R. 4172, a bill to provide for the development and operation of the Ice Age National Scientific Reserve in Wisconsin.

Legislation looking toward the establishment of the Ice Age National Scientific Reserve was first introduced in 1958. After a careful series of surveys, enactment was recommended by the National Park Service of the Department of the Interior.

Public Law 88-655 of October 13, 1964, set up the Ice Age National Scientific Reserve. The act directed the Secretary of the Interior, in cooperation with the State of Wisconsin, to complete a comprehensive plan for the reserve and to file it when completed with the President of the Senate and the Speaker of the House. The \$50,000 in Federal appropriations provided for the Federal portion of the plan. Section 4 of Public Law 88-655 provided that the comprehensive plan "may include such recommendations, if any, as—the Secretary of the Interior—and the governor of the State of Wisconsin may wish to make with respect to Federal and State participation in the financing of appropriate interpretive and other public facilities and services within the reserve." Such recommendations were to become the subject of supplementary legislation.

The comprehensive plan was carefully negotiated between the National Park Service and the State of Wisconsin, and after full agreement was filed with the Senate and the House on September 10, 1968. Under the comprehensive plan, the Ice Age National Scientific Reserve comprises:

First. Two Creeks Buried Forest, on Lake Michigan 22 miles north of Manitowoc. This 30-acre site, which is privately owned, contains a buried spruce forest that was once covered by the waters of an ancient, much enlarged Lake Michigan before and after two periods of Wisconsin glaciation. Geologists consider this site as the standard for dating ancient artifacts by the carbon-14 method.

Second. Sheboygan Marsh, 15 miles west of the city of Sheboygan. A privately owned, 80-acre parcel next to the 6,503-acre Sheboygan March County Park, it provides the best scenic overlook in the area, which includes what was

once a vast glacial lake. Ultimately, the plan recommends that the whole park be included in the reserve if Sheboygan County elects to take part in the program.

Third. A 15,000-acre segment of the north unit of Kettle Moraine State Forest, in Sheboygan County about 50 miles from Milwaukee. This area contains a ridge, or moraine, 200 feet high that was created by the nether edge of the vast moving wall of ice which swept down from the north, changing the face of a continent millions of years ago. A strange, humpy formation, dotted by "eskers"—serpentine-like ridges, usually about 60 feet high—"kames"—cone-shaped masses of gravel and rock—and "kettle" lakes—large depressions left by the glacier and filled with water—the Kettle Moraine is a living example of the gigantic force of the glacier.

Fourth. Campbellsport Drumlins, in Fond du Lac County about 9 miles west of Kettle Moraine State Forest. This 3,600-acre rural area contains some of the world's finest displays of "drumline"—low, rounded hills, usually 50 or 100 feet in height and having the shape of an egg lying on its side and half-buried in the earth. Much of this area is now farmland and would remain in private ownership, with a scenic easement to the public.

Fifth. Cross Plains, in Dane County about 6 miles west of Madison. A partially wooded, 160-acre segment, Cross Plains includes a terminal moraine deposited at the edge of an unglaciated area, bedrock formations, and a gorge.

Sixth. Devils Lake State Park in Sauk County, about 48 miles from Madison. Describing it as an "outstanding scenic and scientific area," the plan recommends that not only the 4,360-acre State park but also 4,480 acres of private land surrounding the park be included in the reserve. "Nowhere in Wisconsin is the forceful drama of the glacier's advance more apparent than at Devils Lake. There the juggernaut of ice crushed around the ancient crystalline rampart of the Baraboo Range. Diverting the Wisconsin River from the gorge it had cut through the range, the ice dammed up both ends of the gap with debris. Devils Lake now fills the basin thus formed," according to the plan.

Seventh. Mill Bluff State Park in Monroe and Juneau counties, 95 miles from Madison. This proposed 930-acre unit would include an existing 154-acre State park plus an adjacent group of rocky buttes on the north and south sides of the park. It provides a view of what was once a vast inland lake, and of rocky outcroppings that once were islands.

Eighth. A 2,940-acre segment near the town of Bloomer in Chippewa County, about 35 miles from Eau Claire. This unit would include 1,000 acres of the Chippewa County Forest. It was here that the glacial advance piled up a miniature mountain landscape, a woodland of jumbled hills with more than 300 kettle-hole ponds and pools. In kettleholes that do not hold water there are bogs and groves "whose undisturbed plant communities offer extraordinary possibilities for biological study," according to the plan.

Ninth. Interstate Park on the St. Croix River in Polk County, 55 miles from Minneapolis-St. Paul, Minn. This 920-acre parcel, all on the Wisconsin side of the river, includes an "outstanding scenic river gorge, once a principal drainageway during the ice age; large potholes; lava flows; ground moraine; and rugged end moraines," according to the plan.

The comprehensive plan also provides for cost sharing on the land acquisition, development, and operation of the Ice Age National Scientific Reserve. Under this cost-sharing:

Acquisition. Wisconsin would pay the entire cost of the land—32,500 acres in all, with an estimated value of at least \$16 million. The cost of additional land needed to complete the 32,500 acres is estimated at \$1,150,000, all of which would be paid for by Wisconsin—50 percent through direct State appropriations, the other 50 percent to be earmarked from Wisconsin's allocation from the land and water conservation fund.

Development. Wisconsin would pay 75 percent of the total cost of developing the nine units—\$1,688,000. Development would feature major interpretive centers at Interstate and Devils Lake Parks and at the Kettle Moraine State Forest unit; information and exhibit buildings at the Cross Plains and Two Creeks units; visitor parking areas, signs and self-guiding trails at all areas. Of Wisconsin's 75 percent, 25 percent will come from direct State appropriations and 50 percent from Wisconsin's allocation of land and water conservation fund money. The 25-percent Federal contribution—not to exceed \$425,000—will come from a Federal appropriation to the National Park Service.

Operation. Wisconsin and the Federal Government will evenly divide the annual costs of operation, estimated at a total of \$158,000—half to be supplied by Wisconsin appropriations, and half by Federal appropriations to the National Park Service. The plan estimates that the principal operating costs will be for two permanent and nine seasonal naturalists to explain slides and movies, conduct tours, and give talks.

The proposed ice age cost-sharing formula is like that of the Nez Perce National Historic Monument in Idaho, where the State operates the scattered sites as in the ice age, on a 50-50 cost-sharing arrangement.

In the 90th Congress, H.R. 18672 was immediately introduced to carry out the comprehensive plan of September 10, 1968. It was the subject of a favorable report from the Department of the Interior and the Bureau of the Budget on November 1, 1968, but the adjournment of Congress prevented its enactment.

Delay in setting up the ice age is costly. Land values are increasing rapidly, and the bulldozers are already nibbling at the remaining remnants of the ice age. The State of Wisconsin is naturally unwilling to proceed with its 100 percent Wisconsin-paid acquisition if the Federal Government intends to renege on the provisions of the comprehensive plan for Federal-State cost sharing on develop-

ment and operation. It was this comprehensive plan, the product of a joint National Park Service and Wisconsin Department of Natural Resources effort, that determined "cost estimates for implementing both the development and the operation phases of the reserve are well above the present capabilities of the Wisconsin Department of Natural Resources. It is evident that additional Federal and State appropriations are necessary if the reserve is to become a reality."

For 4 years, the State of Wisconsin and the National Park Service have labored to produce a comprehensive plan. I urge favorable action on H.R. 4172.

Mr. OBEY. Mr. Speaker, I rise in full support of the legislation before us today to provide for the development and operation of the Ice Age National Scientific Reserve in Wisconsin.

The reserve was first created in 1964, and since that time officials in the National Park Service and the State of Wisconsin have worked together to complete comprehensive plans for the development and operation of this area. That plan, which was designed to enhance the protection, preservation, and interpretation of the outstanding examples of continental glaciation which are in Wisconsin, was filed in 1968. The cost-sharing formula advocated by the plan was approved by the Department of the Interior and the Bureau of the Budget in November of that year, and the legislation before us today is based on the recommendations of that plan.

The Ice Age National Scientific Reserve contains nine noncontiguous areas throughout the State of Wisconsin, all of which contain unique remnants of the ice age which ended about 10,000 years ago. The ice age has had a tremendous and permanent effect on the landscape of our land. It created hills and ridges, lakes and gorges, and there is no better place in the world to view the results of continental glaciation than in the State of Wisconsin.

The Two Creeks Buried Forest just north of Manitowoc, for example, which is one unit of the reserve, contains a buried spruce forest that was once covered by the waters of an ancient, much enlarged Lake Michigan before and after two periods of Wisconsin glaciation. Geologists consider this site as the standard for dating ancient artifacts by the carbon-14 method.

Other units in the reserve include the Sheboygan Marsh, the beautiful Devils Lake State Park, and the Kettle Moraine State Park, unique formations which tell the story of the great glaciers which swept across the land.

Although there is some concern because of the unique funding arrangement regarding the Ice Age National Scientific Reserve, it is only because the State of Wisconsin had already acted to preserve and protect many of the ice age landmarks which will be included in the national reserve. By acting on its own initiative to preserve these areas, the State of Wisconsin has saved the Federal Government the cost of establishing a federally administered facility which would

involve a far greater expenditure than the amount contemplated by this legislation.

Furthermore, the cost-sharing formula which is included in this legislation was recommended by the comprehensive plan worked out by the State and the National Park Service, and accepted in the past by the Bureau of the Budget.

Mr. Speaker, we all recognize the need for more parklands and recreation areas and the need to preserve those historic lands which we have in this Nation. The State of Wisconsin has already assumed a positive role in making unique lands within its boundaries available for outdoor use. This legislation would simply be offering them assistance in their efforts.

The SPEAKER pro tempore. The question is on the motion of the gentleman from North Carolina that the House suspend the rules and pass the bill H.R. 4172, as amended.

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

The title was amended so as to read:

A bill to authorize the Secretary of the Interior to provide financial assistance for development and operation costs of the Ice Age National Scientific Reserve in the State of Wisconsin, and for other purposes.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. TAYLOR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the passage of H.R. 4172.

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

There was no objection.

EXTENDING EXISTING AUTHORITY FOR ERECTION IN THE DISTRICT OF COLUMBIA OF A MEMORIAL TO MARY McLEOD BETHUNE

Mr. THOMPSON of New Jersey. Mr. Speaker, I move that the House suspend the rules and pass the joint resolution (H.J. Res. 1069) extending for 4 years the existing authority for the erection in the District of Columbia of a memorial to Mary McLeod Bethune.

The Clerk read as follows:

H.J. RES. 1069

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That effective June 1, 1967, the last sentence of the joint resolution entitled "Joint resolution authorizing the erection in the District of Columbia of a memorial to Mary McLeod Bethune", approved June 1, 1960, as amended (74 Stat. 154, 79 Stat. 822), is amended by striking out "within seven years" and inserting in lieu thereof "within eleven years".

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

GENERAL LEAVE TO EXTEND

Mr. THOMPSON of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on this joint resolution.

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

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I might point out that this bill involves no Federal expenditure. It simply is an extension of the time within which there can be established at private expense a memorial to Mary McLeod Bethune.

Mr. Speaker, Mary McLeod Bethune was born on July 10, 1875, at Mayesville, S.C. Her parents had been slaves before the Civil War. She was graduated from Scotia Seminary—later the Barber-Scotia College—at Concord, N.C. in 1893 and then graduated from the Moody Bible Institute at Chicago in 1895.

She taught in southern schools until, in 1904, she opened an institute for girls at Daytona Beach, Fla., which later merged with Cookman Institute for Men—in Jacksonville, Fla., in 1923, to form the Bethune-Cookman College at Daytona Beach. She served as president of the college until her retirement in 1942 but retained that office in 1946-47.

She was an active person in Negro American affairs and was director of the Division of Negro Affairs of the National Youth Administration from 1936-44. During the Second World War, she assisted the Secretary of War in selecting candidates for officers of the Woman's Auxiliary Corps. She was also a special adviser to President Franklin D. Roosevelt on the problems of minority groups in the United States.

In 1945, she was an observer for the U.S. Department of State at the U.N. Conference on International Organization in San Francisco, Calif.

She died at Daytona Beach on May 18, 1955.

She was a diligent woman always a defender of human rights. She campaigned fervorantly for all she believed in and was never caught ignoring the cause of the American Negro. In 1954, after the Supreme Court decision was announced, she wrote in her weekly column in the Chicago Defender, that the decision look toward the fulfillment of one of the basic needs of the Negro group in America. There can be no divided democracy, no class government, no half-free country, under the Constitution.

She had honorary degrees from 11 different colleges and universities and taught at six colleges during her career. Her life was marked with decorations and tributes from all areas of the country. She traveled through Europe and visited other countries. Not only did she write columns for newspapers but also com-

plied two books. Her accomplishments were many and varied.

Her cause along with her memory has endured the test of time and a memorial would be fitting to such a woman.

Mr. DEVINE. Mr. Speaker, the purpose of House Joint Resolution 1069 is to extend the period of time available to place a memorial on public grounds in the District of Columbia honoring Mary McLeod Bethune, who was a prominent Negro educator, and to commemorate the 100th anniversary of the signing of the Emancipation Proclamation.

A resolution was passed in the 86th Congress authorizing the Interior Department to grant authority to the National Council of Negro Women to erect such a memorial in the District and the resolution before the House today would extend through May 31, 1971, the time available for the purpose.

The memorial would be erected at no cost to the United States. In fact, the authorization contained in the resolution would be revoked unless it is certified initially that sufficient funds to complete the memorial are available.

In my view it would be appropriate and timely for the House to approve House Joint Resolution 1069.

Mr. GROSS. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion of the gentleman from New Jersey that the House suspend the rules and pass the joint resolution (H.J. Res. 1069).

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

A motion to reconsider was laid on the table.

TO AUTHORIZE REMOVAL OF THE FRANCIS ASBURY STATUE

Mr. THOMPSON of New Jersey. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1968) to authorize the Secretary of the Interior to permit the removal of the Francis Asbury statue, and for other purposes.

The Clerk read as follows:

S. 1968

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to permit the removal of the statue of Francis Asbury erected, pursuant to the Act of February 28, 1919 (40 Stat. 1213), on lands in the District of Columbia now under the administrative jurisdiction of the National Park Service, and to convey without compensation title to said statue to the Methodist Corporation, a religious corporation duly organized and existing under the laws of the District of Columbia, upon such terms and conditions as the Secretary deems necessary. The removal of the statue and restoration of the site to the satisfaction of the Secretary shall be without cost to the United States.

The SPEAKER pro tempore. Is a second demanded?

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

The SPEAKER pro tempore. Without

objection, a second will be considered as ordered.

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Speaker, in a word, this will be done again at no public expense. As a matter of fact, in this case it will be done at a slight public savings in that the statue will not have to be maintained by the Federal Government. This simply authorizes the removal of the equestrian statue to the memory of Francis Asbury who was the first Methodist bishop in the United States, from its present location to a new location, at the expense of the Methodist congregation.

The need for this arises out of the fact that the statue was placed near a Methodist institution which has since moved and those good people want to move the statue to a place in proximity to their new house of worship.

Francis Asbury (1745-1816) was the first bishop of the Methodist Episcopal Church consecrated in America, arrived in Philadelphia late in 1771. When he began his work, Methodism was confined mostly to the Eastern Shore of America. Later, through his work, it spread over the entire United States east of the Mississippi River. He was the principle person behind many Methodist societies and ordained over 4,000 preachers. His travels were to take him over 200,000 miles throughout the country.

He was born at Handsworth, Staffordshire near Birmingham on August 20, 1745. His father, Joseph Asbury, was a yeoman and a diligent worker; his mother, Elizabeth Rogers Asbury, was quite religious and influenced her son a great deal. When Francis was 14, he began to attend meetings for bible readings and prayer. He was not schooled thoroughly, but was licensed as a local preacher.

In 1771, when John Wesley needed volunteers to travel to America, Francis Asbury was the first to inquire. He launched in Philadelphia on October 27, 1771, and began his first journey through the county soon thereafter on November 6, 1771.

He was an independent person and followed no particular schedule; he began by preaching in jails, inns, and simply by the road, wherever there was an audience. He soon became Wesley's general assistant and with this authority, began to enforce Wesley's rules for his preachers and societies.

He was determined to standfast against all opposition and insisted that all preachers should travel a circuit. When the Revolution broke out, some of his supporters left, but he, convinced that independence would be gained, stayed and kept working.

During the Christmas conference of December 1784 the Methodist Episcopal Church was organized. He refused his appointment by Wesley as general superintendent, insisting that the appointment should be by election. He continued his preaching though quite ill and on March 31, 1816, he died.

He was not an extremely learned man nor an intellectual; he simply preached on simple topics with extreme conviction

and dedication. His determination changed many lives.

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

Mr. THOMPSON of New Jersey. It is my honor to yield to my friend from Iowa.

Mr. GROSS. The gentleman then is assuring the House that neither the joint resolution previously passed nor the bill now under consideration, S. 1968, will cost the Federal Government any money?

Mr. THOMPSON of New Jersey. They will not, as a matter of fact.

Mr. GROSS. I thank the gentleman.

Mr. DEVINE. Mr. Speaker, I join in urging the House to give its approval to this bill, S. 1968, to authorize moving the Francis Asbury statue from its present location in the District of Columbia to a new location at the Methodist Center near American University.

The statue was erected by the Francis Asbury Memorial Association in honor of this pioneer bishop of the Methodist Church and was dedicated in 1924. It was placed in its present location because of its proximity to the Francis Asbury Methodist Church. The church has since moved and authority has been requested to move it to the new Methodist Center.

The bill provides that removal of the statue and restoring the site shall be accomplished at no cost to the Government.

Mr. HOWARD. Mr. Speaker, I think it is appropriate to mention at this time the man for whom this statue was erected, Bishop Francis Asbury. This man has special significance in the Third District of New Jersey, as one of our largest cities, Asbury Park has been named in his honor.

Bishop Asbury was sent to America in 1771 at the request of John Wesley, to minister to those who were settling this country. While on board ship en route to this new land, Francis Asbury wrote in his Journal:

I think God will do great things in the Jerseys—the prospect is pleasing East and West.

After his arrival in Philadelphia in 1771, Francis Asbury began his ministry as a circuit preacher, traveling along the trade routes from New England to South Carolina, and as far west as central Kentucky. He logged over one quarter of a million miles on horseback between 1771 and 1815.

He and his circuit rider network preached the importance of education as well as personal salvation, and strove to develop a social conscience in the pioneers. They left the frontier dotted with schools as a result of their influence and untiring efforts. These men tamed the frontier as well as strengthening the church, and Bishop Asbury became second only to John Wesley in building American Methodism. In fact, he is the acknowledged "father" of American Methodism, and is accredited with giving the American Methodist Church its evangelical character.

As Francis Asbury traveled about the country, he gave his all for the sake of others. He never had a home of his own, and slept in borrowed beds, and ate from others' tables. A 1-day ride of 50 miles was not uncommon. Often, he suffered

from fevers and stomach disorders, frequently becoming ill in the saddle; but still he struggled on.

Because of these efforts, John Wesley sent Thomas Coke as a personal emissary in 1784 to ordain Asbury as a bishop, despite the fact that he had no formal training in the ministry. He and Coke became the first Methodist bishops in this country.

His first association with the New Jersey Shore area came in 1782, when he preached at Monmouth, which is now Freehold, N.J. The site of his sermon was most probably in the courthouse, which is still standing today as an historic monument in that area.

During his travels about the shore, he became friends with James A. Bradley, who was eventually to found the city of Asbury Park, many years after the death of Bishop Asbury. Because of their connection, and the bishop's great influence on the area, Bradley named the city after him, in the hope it would become a living memorial to his efforts. The bishop was also remembered for his efforts in the establishment of the community of Ocean Grove, N.J., which was originally a Methodist community.

Today, Francis Asbury is still remembered as an uplifting force in Monmouth County, and for that reason I would like to be able to answer one question for the residents of the third district.

May I inquire of my colleague from New Jersey, whether the removal of this equestrian statue from its present site to the new Methodist center will enhance its position, as a monument to his devotion for those who were beginning this new country?

Mr. THOMPSON of New Jersey. I can assure my colleague that this is so.

Mr. GROSS. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion of the gentleman from New Jersey that the House suspend the rules and pass the bill S. 1968.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. THOMPSON of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to extend their remarks on the bill S. 1968.

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

There was no objection.

GUBERNATORIAL ELECTION NOW IN PROGRESS IN THE STATE OF ALABAMA

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

Mr. NICHOLS. Mr. Speaker, for those who might not be aware of it, there is a gubernatorial election going on in my

State of Alabama. The Democratic primary will be held on May 5, less than 3 weeks from now, with the voters choosing from among seven candidates.

The voters of Alabama are perfectly capable of selecting their own Governor, without help from outsiders. Yet we have recently witnessed an effort by those outside our State to become involved, and apparently to influence the outcome of the election.

A newspaper man has recently written stories which are aimed at defaming the character of the two leading candidates. Both candidates are veteran campaigners and astute politicians and need no help from anyone.

In one story, this newspaperman quoted from what he called confidential field reports from the Internal Revenue Service in describing an investigation into the affairs of those connected with the campaign of these candidates. I was, of course, aware that a member of the President's staff has access to any U.S. citizen's tax return, but I was not aware that this courtesy had also been extended to certain newspapermen. I expect to ask the Internal Revenue Service about this matter, and hope that they have a good explanation.

Another candidate was accused of wrongdoings involving bank deposits of the Alabama State Docks. This matter was aired months ago by the news media in Alabama and the candidate was exonerated. Yet for some reason this particular time was chosen to play this up in the national press.

Alabama does not need and does not want any outsider to select our next Governor. Alabama does not want the Internal Revenue Service to select our next Governor. Alabama does not want the National Democratic Party nor the National Republican Party to select our next Governor. We have nearly a million and a half well-qualified voters who will decide who will lead our State during the next 4 years. We will thank all newspaper reporters, the Internal Revenue Service, and any other outsider to stay out of our business.

REDUCTION SOUGHT IN PRESIDENT'S MILITARY BUDGET PROPOSALS

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

Mr. EDWARDS of California. Mr. Speaker, I introduce a resolution to instruct the various committees of the House of Representatives which bear the responsibility for reporting on fiscal 1971 military expenditures to seek a reduction of at least 20 percent in the President's military budget proposals. This reduction would free an additional \$15 billion for health, education, housing, transportation and welfare programs.

Such a cut in the Federal budget could be achieved without endangering national security by eliminating Pentagon inefficiency, deferring nonessential new nuclear programs, and enacting cuts in active duty personnel strength in the armed forces.

This proposed cut in the budget could help us to invest our national resources more wisely, in effect, to re-examine our national priorities. The \$15 billion thus released could be used to help relieve the domestic ills of this Nation. These funds could be used to revitalize our educational system, provide for adequate health care for all Americans, institute effective mass transportation programs, supplement current housing programs, and eliminate inadequacies in our current employment and welfare programs. In short, these funds could be used to bring new life to the domestic scene; they could provide us with a means for reuniting a nation which is being driven apart by the divisive action of misplaced priorities.

Thus, in presenting this resolution, we recognize the urgency of a reassessment of the priorities of the Federal budget. We vigorously recommend the adoption of the resolution by the House of Representatives.

Mr. Speaker, I insert the resolution in the RECORD at this point:

HOUSE RESOLUTION ON NATIONAL PRIORITIES AND THE 1971 DEFENSE BUDGET

Whereas the President has recommended to the Congress over seventy billion dollars in the fiscal 1971 budget for arms and military expenditures, which would effectively preclude imperative federal support increases in such areas as health, education, housing, transportation, employment, and welfare;

And whereas a fair balance of national budget priorities requires reductions in the President's military expenditure proposals to free funds for meeting our human needs at home;

And whereas such reductions are achievable by i. ending demonstrated duplication, waste, and inefficient practices in the Department of Defense, ii. manpower reductions in Vietnam already achieved and further promised by the President, iii. feasible cuts in the active duty personnel strength of the U.S. Armed Forces, iv. elimination and deferral of new nuclear programs entailing enormous expense without enhancing our security;

And whereas an additional fifteen billion dollars is required in fiscal 1971 to initiate and practically support urgent domestic needs through:

1. an adequate health care program for all Americans and their protection from air and water pollution,
2. an increased level of federal support for our overburdened state and local public education systems,
3. a massive program to provide adequate housing for millions of low and moderate income families,
4. an effective mass transit system to meet the transportation crisis in our major metropolitan areas,
5. a job guarantee plan which assures every citizen a livelihood through fair and decent employment, and
6. a federal welfare support program to alleviate the inequalities and inadequacies of our state and local welfare systems;

Therefore be it resolved, that the several committees of the House of Representatives be charged with reporting on fiscal 1971 authorizations and appropriations for arms and military expenditures, are instructed to seek achievement of reductions aggregating not less than 20% in the President's military budget proposals so as to free an additional fifteen billion dollars for meeting our people's needs for health, education, housing, transportation, employment, and welfare.

ESTABLISHMENT OF APOLLO 13 REVIEW BOARD

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

Mr. MILLER of California. Mr. Speaker, while we all rejoice in the recovery of the Apollo 13 astronauts and commend the National Aeronautics and Space Administration for its ability to meet a critical situation such as this, we are also concerned with the future.

I have been asked by many people whether the Committee on Science and Astronautics will undertake an investigation of the Apollo 13 mission and the causes of its failure.

I am happy to report to you that NASA, under date of April 17 established an Apollo 13 review board under the direction of Mr. Edgar M. Cortright, the director of the Langley Research Center.

Mr. Cortright is eminently fitted to conduct this investigation, and I am happy to see him selected for this task. This is a highly technical matter and there are few people available who really understand all its ramifications.

I am quite confident that this investigation will be carried on with the same objectivity that characterized the investigation into the tragic fire of the Apollo 204 capsule, the gravest loss sustained by NASA.

I am making a part of these remarks the copy of the letter to Mr. Cortright appointing him and establishing the board. When the board has reported, I shall ask the committee to review its findings.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION, Washington, D.C., April 17, 1970.

To: Mr. Edgar M. Cortright.
Subject: Establishment of Apollo 13 Review Board.

References: (a) NMI 8621.1—Mission Failure Investigation Policy and Procedures; (b) NMI 1156.14—Aerospace Safety Advisory Panel.

1. It is NASA policy as stated in Reference (a) "to investigate and document the causes of all major mission failures which occur in the conduct of its space and aeronautical activities and to take appropriate corrective actions as a result of the findings and recommendations."

2. Because of the serious nature of the accident to the Apollo 13 spacecraft which jeopardized human life and caused failure of the Apollo 13 lunar mission, we hereby establish the Apollo 13 Review Board (hereinafter referred to as the Board) and appoint you Chairman. The members of the Board will be qualified senior individuals from NASA and other Government agencies. After consultation with you, we will:

- (a) Appoint the members of the Board and make any subsequent changes necessary for the effective operation of the Board; and
- (b) Arrange for timely release of information on the operations, findings, and recommendations of the Board to the Congress, and, through the NASA Office of Public Affairs, to the public. The Board will report its findings and recommendations directly to us.

3. The Board will:
(a) Review the circumstances surrounding the accident to the spacecraft which occurred during the flight of Apollo 13 and the subsequent flight and ground actions taken

to recover, in order to establish the probable cause or causes of the accident and assess the effectiveness of the recovery actions.

(b) Review all factors relating to the accident and recovery actions the Board determines to be significant and relevant, including studies, findings, recommendations, and other actions that have been or may be undertaken by the program offices, field centers, and contractors involved.

(c) Direct such further specific investigations as may be necessary.

(d) Report as soon as possible its findings relating to the cause or causes of the accident and the effectiveness of the flight and ground recovery actions.

(e) Develop recommendations for corrective or other actions, based upon its findings and determinations or conclusions derived therefrom.

(f) Document its findings, determinations, and recommendations and submit a final report.

4. As Chairman of the Board you are delegated the following powers:

(a) To establish such procedures for the organization and operation of the Board as you find most effective; such procedures shall be part of the Board's records. The procedures shall be furnished the Aerospace Safety Advisory Panel for its review and comment.

(b) To establish procedures to assure the execution of your responsibilities in your absence.

(c) To designate such representatives, consultants, experts, liaison officers, observers, or other individuals as required to support the activities of the Board. You shall define their duties and responsibilities as part of the Board's records.

(d) To keep us advised periodically concerning the organization, procedures, operations of the Board and its associated activities.

5. By separate action we are requesting the Aerospace Safety Advisory Panel established by Reference (b) to review both the procedures and findings of the Board and submit its independent report to us.

6. By separate action we are directing the Associate Administrator for Manned Space Flight to:

(a) Assure that all elements of the Office of Manned Space Flight cooperate fully with the Board and provide records, data, and technical support as requested.

(b) Undertake through the regular OMSF organization such reviews, studies, and supporting actions as are required to develop recommendations to us on corrective measures to be taken prior to the Apollo 14 mission with respect to hardware, operational procedures, and other aspects of the Apollo program.

7. All elements of NASA will cooperate with the Board and provide full support within their areas of responsibility.

T. O. PAINE,
Administrator.
GEORGE M. LOW,
Deputy Administrator.

THE TIME HAS ARRIVED FOR FAIR AND HONEST APPRAISAL OF THE SST

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

Mr. PELLY. Mr. Speaker, it recently was stated in a syndicated column in many of the Nation's newspapers that the supersonic transport would "leave a destructive path of sonic booms behind." This statement, although probably well intentioned, demonstrates the effect of misinformation.

Further, the statement would be true if the SST were going to fly across our land at a low altitude, but this is not the case; the President has said so as have engineers.

The fact is, Mr. Speaker, that the SST is the only aircraft development program ever undertaken with noise limitations written into the contract.

But, allow me to discuss the matter of the SST and our environment.

There is no one in the House of Representatives who has taken a greater interest in or a more active part in protecting our environment. From my committee assignments on both Science and Astronautics and Merchant Marine and Fisheries, I have long represented the conservationists, attitude of protecting the quality of our air, water, and earth.

Yet, Mr. Speaker, today I find it difficult to believe that anyone can honestly say that the SST and protection of our environment are not compatible. A group calling itself "Friends of the Earth" placed full-page newspaper advertisements assailing the SST as a machine that "will hasten the end of the American wilderness." The facts are just the opposite.

If they knew anything about the sonic boom they would realize that while the actual level or intensity of the sonic boom is controlled by many parameters, probably the most important is that of flight altitude. The reduction of boom intensity is quite rapid with increased altitude. This is one of the advantages of the selection of cruise altitudes in the order of 60,000 to 70,000 feet.

There are other ecological concerns regarding the SST, and they are not negative as has been reported. There is no evidence the SST will pollute the upper atmosphere in such a way as may result in terrible alterations of global weather as has been reported. The best judgment available to the Government clearly indicates that there will be no significant adverse effect on weather.

The SST engines will be smoke-free and powerful enough to take the airplane to altitude quickly to reduce the sound over the community.

Overall, the airplane is one of the most land-conservative forms of transportation.

Mr. Speaker, I recognize and respect the right of individuals and organizations to express publicly their opinions on matters of national significance, such as the SST. I believe, however, that such expressions of opinion, to be valid, should be based on a fair and honest appraisal of the facts.

PROGRAM INFORMATION ACT

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

Mr. ROTH, Mr. Speaker, today I have introduced an improved Program Information Act. This proposed legislation would require the executive branch to produce a Government-wide catalog of Federal domestic assistance programs, describing all aid programs in the Federal Government meaningfully and in terms useful to the potential beneficiary.

The original Program Information Act—H.R. 338, S. 60—has been the object of considerable discussion within the executive branch—revised Bureau of the Budget circular A-89 reflects many of its proposals—and in hearings in the other body—Intergovernmental Relations Subcommittee hearings on the Intergovernmental Cooperation Act of 1969 and Related Legislation. A number of suggestions have been made, designed to make the proposed catalog a more realistic and useful undertaking which at the same time would not sacrifice the elements essential to making the catalog useful to potential beneficiaries.

The legislation introduced today I believe embodies the various views expressed and hopefully would be acceptable in its detail to all concerned. This proposal still calls for adequate information—money figures, names and telephone numbers, obligations on the recipients—for all programs on a current basis. I hope this improved Program Information Act will receive prompt attention here and in the other body.

The bill follows:

H.R. 17112

A bill to create a catalog of Federal assistance programs, and for other purposes

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

SHORT TITLE

SECTION 1. This Act may be cited as the "Program Information Act."

DEFINITIONS

SEC. 2. For the purposes of this Act—

(a) The term "Federal domestic assistance program" means any function of a Federal agency which provides assistance or benefits, whether in the U.S. or abroad, that can be requested or applied for by a State or States, territorial possession, county, city, other political subdivision, grouping, or instrumentality thereof, any domestic profit or non-profit corporation, institution, or individual, other than an agency of the Federal government.

(b) A Federal domestic assistance "program" may in practice be called a program, an activity, a service, a project, or some other name regardless of whether it is identified as a separate program by statute or regulation and which can be differentiated from any other such program on the basis of its legal authority, its administering office, its purpose, its benefits, or its beneficiaries.

(c) "Assistance or benefits" includes but is not limited to grants, loans, loan guarantees, scholarships, mortgage loans and insurance or other types of financial assistance; assistance in the form of provision of Federal facilities, goods or services, donation or provision of surplus real and personal property; technical assistance and counseling; statistical and other expert information; and service activities of regulatory agencies. "Assistance or benefits" does not include conventional public information services.

(d) "Requested or applied for" means that the potential applicant or beneficiary must initiate the process which will eventually result in the provision of assistance or benefits. The term, therefore, excludes solicited contracts, automatic shared revenues or payments, and indirect assistance or benefits resulting from Federal operations.

(e) "Federal agency" means any executive department, agency, or instrumentality of the Government and any wholly-owned Government corporation.

(f) "Administering office" means the lowest subdivision of any Federal agency that has direct operational responsibility for

managing a Federal domestic assistance program.

EXCLUSION

SEC. 3. This Act does not apply to any activities related to the collection or evaluation of national security information.

CATALOG OF FEDERAL DOMESTIC ASSISTANCE PROGRAMS

SEC. 4. The President shall transmit to Congress no later than May first of each regular session a catalog of Federal domestic assistance programs, referred to in this Act as "the catalog," in accordance with this Act.

PURPOSE OF CATALOG

SEC. 5. The catalog shall be designed to assist the potential beneficiary identify all existing Federal domestic assistance programs wherever administered, and shall supply information for each program so that the potential beneficiary can determine whether particular assistance or support might be available to him for the purposes he wishes.

REQUIRED PROGRAM INFORMATION

SEC. 6. For each Federal domestic assistance program, the catalog shall—

(1) identify the program. The identification may include the name of the program, the authorizing statute, the specific administering office, and a brief description of the program including the objectives it is designed to attain.

(2) describe the program structure. The description may include a statement of the eligibility restrictions, the available benefits, and the restrictions on the use of such benefits.

(3) provide financial information. This information may include the obligations incurred for past years, the range of financial assistance where appropriate, or other pertinent financial information designed to indicate the magnitude of the program and any funding remaining available.

(4) state the obligations on the part of the recipient receiving assistance or support. This statement may include a statement of prerequisites to receiving benefits, and of duties required after receiving benefits.

(5) identify the appropriate officials to contact. The list may include contacts both in Washington, District of Columbia, and locally, including addresses and telephone numbers.

(6) provide a general description of the application process. This description may include application deadlines, coordination requirements, processing time requirements, and other pertinent procedural explanations.

(7) identify closely related programs.

FORM OF CATALOG

SEC. 7. (a) The program information may be set forth in such form as the President may determine, and the catalog may include such other program information and data as in his opinion are necessary or desirable in order to assist the potential program beneficiary to understand and take advantage of each Federal domestic assistance program.

(b) The catalog shall contain a detailed index designed to assist the potential beneficiary to identify all Federal domestic assistance programs related to a particular need.

(c) The catalog shall be in all respects concise, clear, understandable, and such that it can be easily understood by the potential beneficiary.

QUARTERLY REVISION

SEC. 8. The President shall revise the catalog at no less than quarterly intervals. Each revision—

(1) shall reflect any changes in the program information listed in section 6.

(2) shall further reflect addition, consolidation, reorganization, or cessation of Federal assistance programs, and shall provide for such Federal assistance programs the program information listed in section 6.

(3) shall include such other program information as will provide the most current

information on changes in financial information, on changes in organizations administering the Federal assistance programs, and on other changes of direct, immediate relevance to potential program beneficiaries as will most accurately reflect the full scope of Federal assistance programs.

(4) may include such other program information and data as in the President's opinion are necessary or desirable in order to assist the potential program beneficiary to understand and take advantage of each Federal assistance program.

PUBLICATION AND DISTRIBUTION OF THE CATALOG

SEC. 9. (a) The President (or an official to whom such function is delegated pursuant to section 10 of this Act) shall prepare, publish and maintain the catalog and shall make such catalog and revisions thereof available to the public at prices approximately equal to the cost in quantities adequate to meet public demands, providing for subscriptions to the catalog and revisions thereof in such manner as he may determine.

Gratis distribution of not to exceed ten thousand copies, in the aggregate, is authorized to Members of Congress and Resident Commissioners, Federal department and agency officials, State and local officials, and to local repositories as determined by the President or his delegated representative.

(b) The catalog shall be the single authoritative Government compendium of Federal domestic assistance program information produced by a Federal agency or department. Specialized catalogs for specific ad hoc purposes may be developed within the framework, or as a supplement to, the Government-wide compendium and shall be allowed only when specifically authorized and developed within guidelines and criteria to be determined by the President.

(c) Any existing provisions of law requiring the preparation or publication of such catalogs are superseded to the extent they may be in conflict with the provisions of this Act.

DELEGATION OF FUNCTIONS

SEC. 10. The President may delegate any function conferred upon him by this Act including preparation and distribution of the catalog, to the head of any Federal department or agency, with authority for re-delegation as he may deem appropriate.

THE PROBLEM OF FREE-FLOWING TEXTILE IMPORTS

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

Mr. EDWARDS of Alabama. Mr. Speaker, the problem of free-flowing textile imports coming into the United States has long been a topic of discussion and matter of concern in this body and in the administration. However, while all the talk is going on and with little action being taken, those Americans working in the textile industries are suffering loss of income, jobs, and security.

I have joined several Members of this body in introducing a measure aimed at curtailing the unreasonable flow of these foreign goods into this country. Although our continued aim should be the expansion of world trade through which all countries benefit, the case of the textile imports is a prime example of the failure of cooperation between countries.

For years now, Japan has been exporting freely into this country while maintaining excessively high barriers to trade at its own shores. As a consequence, the

Japanese economy has been able to hold down wages to an almost inhuman level. At the same time, they have been able to build up exorbitant trade surpluses at the expense of the United States and other countries.

The Nixon administration has been trying for over a year to encourage the Japanese Government to enter into a voluntary agreement with the United States to settle the matter of the textile import problem. Likewise, the U.S. concern over excessively high duties and other trade barriers maintained by the Japanese has been expressed and discussed over and over again. All indications seem to point to an impasse.

It is perfectly clear that the time has now come for this body to exercise its constitutional obligation and protect the American public against unfair and unilateral efforts by foreign governments to destroy an American industry. That is exactly the purpose of H.R. 16943 which is designed to provide for orderly trade in textile articles and articles of leather footwear.

In addition to providing quantitative restrictions on the importation of these goods, the bill has the added feature that any country can be freed of the restrictive covenants of the proposed law by voluntarily negotiating a settlement with the U.S. Government.

It is my sincere hope that this action, if passed by this Congress, will bring about a breakthrough in the now-stalled trade negotiations between this country and Japan. Bilateral agreement is always far superior to unilateral action, but when dialog breaks down and intransigence is the only offering by the foreign negotiator, then this country must act unilaterally to protect its citizens and its economic stability.

VIETNAM LAND REFORM BILL

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

Mr. MOSS. Mr. Speaker, I have the distinct pleasure and honor in joining nine of my colleagues of both sides of the aisle in cosponsorship of a bill which we hope will encourage and speed a major economic and social reform in South Vietnam. I am referring to the new land reform law signed by President Thieu on March 26.

We hope the Congress and the President will unite in support of this important measure and show the world once again America's deep interest in the future welfare of the people of South Vietnam.

I am inserting at this point in the RECORD the text of the bill and a statement explaining its provisions:

H.R. 17117

A bill to amend section 402 of chapter 4 of part I of the Foreign Assistance Act of 1961 to provide additional authorization in supporting assistance for the National Land Reform Program enacted March 26, 1970, by the Government of Vietnam

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 402 of chapter 4 of part I of the Foreign

Assistance Act of 1961, which relates to supporting assistance, is amended—

(1) by striking out "and for the fiscal year 1971 not to exceed \$414,600,000" and inserting in lieu thereof "and for the fiscal year 1971 not to exceed \$614,600,000, of which not less than \$200,000,000 shall be utilized to encourage and support rapid implementation of the National Land Reform Program enacted March 26, 1970, by the Government of Vietnam"; and

(2) by adding at the end of such section 402 the following new sentences: "The use of supporting assistance funds for land reform in Vietnam shall be contingent upon the attainment of mutually agreed goals of accomplishment stressing economy, efficiency, and advanced implementation of the program by July 1, 1972. Tranches for land reform assistance to the Government of Vietnam shall be made at quarterly intervals based upon satisfactory achievement towards the 1972 target goal."

PRESS STATEMENT RELEASED APRIL 20, 1970

Legislation designed to help hundreds of thousands of Vietnamese peasant farmers gain ownership of the land they till for landlords was introduced in Congress today by Rep. John E. Moss, D-Calif., a long-time champion of Vietnam land reform, and a bipartisan group of other House members.

Joining Moss in co-sponsoring the bill were five Democrats and five Republicans. They were Reps. Ogden R. Reid, R-N.Y.; William S. Broomfield, R-Mich.; John S. Monagan, D-Conn.; Frank Horton, R-N.Y.; Clement J. Zablocki, D-Wis.; Morris K. Udall, D-Ariz.; Torbert H. Macdonald, D-Mass.; Gilbert Gude, R-Md.; F. Bradford Morse, R-Mass.; and William T. Murphy, D-Ill.

The Bill, an amendment to last year's two-year Foreign Aid authorization, would earmark an additional \$200 million in U.S. economic assistance to speed up and help finance the land reform effort recently enacted into law by President Thieu and the Vietnamese National Assembly.

"This legislation will encourage South Vietnam to complete its land reform program in less than half the time currently contemplated," Moss said. "The result will be much faster 'Vietnamization' of the war and thus the saving of many American and Vietnamese lives."

Moss said polls of Vietnamese peasants show that the average farmer's greatest desire in life is to own the land he tills. Realization of this dream on the part of the peasant, Moss said, also will more quickly help South Vietnam become "a more meaningful democracy."

Congressman Reid said, "The action of the South Vietnamese government and its legislature on land reform is long and tragically overdue. It may well be too late. Nonetheless, the test now is whether the enacted program will be implemented for all farmers in the next few months. Any real administrative delay could doom government in South Vietnam and make a mockery of promised reforms."

The estimated cost of South Vietnam's new land reform program enacted March 26, is between \$400 million and \$500 million. The peasants will receive their land free. The landlords will be compensated partly in cash and the remainder in bonds.

Saigon has predicted the program would take about four years to complete. However, Moss said some experts believe the timetable could be cut in less than half if the proper priority and resources were given to the task.

The legislation introduced in Congress today would authorize the United States to finance a major share of the cost if the Government of Vietnam meets an accelerated timetable and does the job with economy and efficiency.

The bill provides that the United States and Vietnam adopt specific goals of performance and that the \$200 million would be made in aid installments based on quarterly evaluations of how good a job South Vietnam was doing.

"The funds could be cut off if any serious graft, corruption or poor performance became evident," Moss said.

The total cost to the United States would be less than half of one week's cost of waging the Vietnam war.

"BEAST OF PREY" BOUNTY NEEDED ON "SCALPS" OF DRUG PUSHERS

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

Mr. HALPERN. Mr. Speaker, I am today introducing legislation designed to spur a nationwide drive on narcotics peddlers by establishing a Federal "beast of prey" bounty on the "scalps" of dope pushers.

Narcotics pushing is tantamount to murder. My proposal would provide a minimum Federal bounty of \$500 to be paid to anyone furnishing information leading to the arrest and conviction of a narcotics peddler.

Many State and local governments have reduced the hazards to human lives caused by wolves, coyotes, deadly snakes, and other beasts of prey by establishing bounties for their pelts or scalps. By the same means we can help to cage the two-legged venom-peddler, who are human beasts preying on the public and who are a far greater menace to our civilization than the deadliest of wild animals.

I am cosponsor of the House-passed Drug Abuse Education Act and proposals to increase drug research efforts. But the narcotic problem is a complex one which should be attacked on many fronts. Law enforcement, social ills, education, research, and international commerce are all aspects of the broad problem.

However, comprehensive programs take time to develop. Concrete actions, such as this attack on the sources of drug traffic must be effected immediately.

To treat pushers as predators is justified if we examine the alarming statistics on deaths resulting from drug use. For instance, more than 900 heroin users died in New York City last year.

These pushers' viciousness is reflected in the youth of their victims. Some 223 of those who died from heroin use in New York last year were teenagers. The situation is even more alarming, because the trend toward youth addiction is growing worse. While drug use has increased by 15 percent since 1967, there has been a 40-percent increase in the 16- to 20-year age bracket. In 1966 the average age of newly reported addicts was about 28 years, but today it has decreased to approximately 22 years.

I feel certain that anyone who has seen these drug-addicted youngsters as I have, twisted from healthy and alert beings into sickened and deteriorating creatures, will agree we must stop at nothing to wipe out this menace.

Actions of local groups seeking to eliminate the drug traffic suggest that the bounty concept be a useful tool to focus attention on the professionals and provide profit incentives to offset the highly profitable drug business. Some local vigilante groups have issued "Pusher Wanted for Murder" fliers recently. A financial reward should put some real punch in such efforts.

OIL IMPORT CONTROLS

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

Mr. CONTE. Mr. Speaker, my good friend and colleague, HENRY S. REUSS, of Wisconsin, and I have today introduced a resolution, cosponsored by 61 of our colleagues from 20 different States across the Nation, calling on the President to implement the majority report of his Cabinet Task Force on Oil Import Control.

Although the task force found there is no national security justification for the current severe restrictions on imports, and recommended scrapping the quotas in favor of a tariff system, the President to date has regrettably taken no action.

In fact, President Nixon took a recent step in the opposite direction by imposing a quota on previously unrestricted Canadian oil, despite the unanimous task force view that no foreign oil source was more secure. This unjustifiable action will adversely affect oil prices in the northern Midwest and has greatly increased the opposition to the present program.

According to the task force report the quotas now cost American consumers an extra \$5 billion for oil products annually. By 1980 this cost is projected to reach \$8.4 billion if no changes are made. Last year alone, import controls cost the average U.S. family of four an extra \$96 for gasoline and heating oil.

Although under the law the only justification for import restrictions is to protect the national security, the task force called the present quotas unnecessarily restrictive, and specifically found "that a phased-in liberalization of import controls would not so injure the domestic industry as to weaken the national economy to the extent of impairing our national security."

The task force proposal to replace quotas with a tariff is a conservative and cautious step, but it is a step in the right direction. Consumers would save four or five times as much if import controls were removed entirely.

Mr. REUSS and I are convinced, Mr. Speaker, that even greater reform is needed to reduce the strain on the consumer. My bill to phase out the quota system entirely over a 10-year period, first introduced last May, is now cosponsored by Mr. REUSS and 64 of our House colleagues.

To further clarify today's action, Mr. Speaker, I insert at this point a copy of the letter which Mr. REUSS and I prepared in seeking support for the resolution. Following the letter I include the

text of this resolution, and the list of its cosponsors:

HOUSE OF REPRESENTATIVES,
Washington, D.C., April 7, 1970.

DEAR COLLEAGUE: We are writing to ask that you join us in sponsoring a resolution expressing the sense of the House that "the President should implement the recommendations set forth in the majority report of the Cabinet Task Force on Oil Import Control."

A similar resolution was introduced in the Senate on April 1, 1970, by Senator Hartke, joined by Senators Hart, Kennedy, McIntyre, Mondale, Pell, Proxmire, and Williams of New Jersey.

The Cabinet Task Force majority report recommended a gradual phase-out of the present oil import quota system, which last year forced American consumers to pay an extra \$5 billion for oil products. The President declined to implement this Task Force recommendation. It is expected that the extra cost to consumers will rise to \$8.4 billion per year by 1980 if the present system remains unchanged.

Last year alone, controls on oil imports cost the average American family of four an extra \$96 for gasoline and heating oil. In many parts of the country the extra cost greatly exceeded this—in Vermont the average family of four paid an extra \$180, and in Wyoming it paid \$228 extra.

The 1959 statute which provides the basis for the oil import quota system authorizes the President to limit oil imports, in the words of the Task Force, "only for the extraordinary and compelling purpose of protecting the national security."

The Task Force then went on to state that the fixed quota limitations, which the President is retaining, "bear no reasonable relation to current requirements for protection either of the national economy or of essential oil consumption."

"We find," the Task Force said, "that a phased-in liberalization of import controls would not so injure the domestic industry as to weaken the national economy to the extent of impairing our national security."

The Task Force then recommended that the current import quota system be phased out over a period of three to five years and that a system of variable tariffs be substituted for it. The initial tariff on Eastern Hemisphere crude oil would be \$1.45 a barrel, and no more than 10 percent of U.S. domestic demand could be obtained from that area. Oil from more secure Western Hemisphere sources would be subject to preferential lower tariffs. The immediate effect of the plan would be a reduction in the price of domestic crude oil from \$3.30 to \$3.00 per barrel, with savings to consumers estimated at less than a penny per gallon of gasoline.

The Task Force proposal is a conservative and cautious step—consumers would be saved four or five times as much if import controls were removed entirely—but we think it is a step in the right direction and we urge you to join us in establishing that as the sense of the House.

Sincerely,

HENRY S. REUSS,
Member of Congress.
SILVIO S. CONTE,
Member of Congress.

H. RES. 931

A resolution expressing the sense of the House that the President implement the majority report of the Cabinet Task Force on Oil Import Control

Resolved, That it is the sense of the House that the President should implement the recommendations set forth in the majority report of the Cabinet Task Force on Oil Import Control, submitted to the President on February 2, 1970.

COSPONSORS OF CONTE-REUSS RESOLUTION ON
OIL IMPORT CONTROLS

Rep. Brock Adams (D-Wash.).
Rep. Joseph Addabbo (D-N.Y.).
Rep. Jonathan Bingham (D-N.Y.).
Rep. Edward Boland (D-Mass.).
Rep. John Brademas (D-Ind.).
Rep. George Brown (D-Calif.).
Rep. James Burke (D-Mass.).
Rep. Daniel Button (R-N.Y.).
Rep. William Clay (D-Mo.).
Rep. James Cleveland (R-N.H.).
Rep. Silvio Conte (R-Mass.).
Rep. John Conyers (D-Mich.).
Rep. Emilio Daddario (D-Conn.).
Rep. Leonard Farbstein (D-N.Y.).
Rep. Dante Fascell (D-Fla.).
Rep. William Ford (D-Mich.).
Rep. Donald Fraser (D-Minn.).
Rep. Samuel Friedel (D-Md.).
Rep. Samuel Gibbons (D-Fla.).
Rep. James Grover (R-N.Y.).
Rep. Lee Hamilton (D-Ind.).
Rep. Michael Harrington (D-Mass.).
Rep. William Hathaway (D-Maine).
Rep. Henry Helstoski (D-N.J.).
Rep. James Howard (D-N.J.).
Rep. William Hungate (D-Mo.).
Rep. Joseph Karth (D-Minn.).
Rep. Hastings Keith (R-Mass.).
Rep. Edward Koch (D-N.Y.).
Rep. Peter Kyros (D-Maine).
Rep. Clarence Long (D-Md.).
Rep. Allard Lowenstein (D-N.Y.).
Rep. Spark Matsunaga (D-Hawaii).
Rep. Lloyd Meeds (D-Wash.).
Rep. Thomas Meskill (R-Conn.).
Rep. Abner Mikva (D-Ill.).
Rep. William Moorhead (D-Pa.).
Rep. F. Bradford Morse (R-Mass.).
Rep. David Obey (D-Wis.).
Rep. James O'Hara (D-Mich.).
Rep. Thomas O'Neill (D-Mass.).
Rep. Richard Ottinger (D-N.Y.).
Rep. Claude Pepper (D-Fla.).
Rep. Otis Pike (D-N.Y.).
Rep. Bertram Podell (D-N.Y.).
Rep. Thomas Rees (D-Calif.).
Rep. Henry Reuss (D-Wis.).
Rep. Howard Robison (R-N.Y.).
Rep. Peter Rodino (D-N.J.).
Rep. Benjamin Rosenthal (D-N.Y.).
Rep. William Ryan (D-N.Y.).
Rep. Fernand St Germain (D-R.I.).
Rep. William St. Onge (D-Conn.).
Rep. James Scheuer (D-N.Y.).
Rep. Henry Smith (R-N.Y.).
Rep. Louis Stokes (D-Ohio).
Rep. Samuel Stratton (D-N.Y.).
Rep. Robert Tiernan (D-R.I.).
Rep. John Tunney (D-Calif.).
Rep. Joseph Viorito (D-Pa.).
Rep. Charles Whalen (R-Ohio).
Rep. Lester Wolff (D-N.Y.).
Rep. John Wylder (R-N.Y.).

TAKE PRIDE IN AMERICA

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

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a nation. In 1967, there were 285 million radios in the United States. This was 3½ times more than the number in the Soviet Union, the second leading nation.

POLICEMEN AND FIREMEN'S RETIREMENT AND DISABILITY ACT

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

Mr. HOGAN. Mr. Speaker, today I have joined with Congressman JOEL BROYHILL in sponsoring a bill which I would like to call to the attention of my colleagues.

We read periodically of an instance when a policeman or fireman forfeits his life in the line of duty. There is no way, of course, in which we can begin to repay these men for the service they have rendered. At the same time, however, there are officers who make almost as great a contribution, those who have sustained injuries in the line of duty, which leave them totally disabled for the rest of their lives. Even worse, the medical and surgical care required for these injuries oftentimes place them and their families under a financial burden which they cannot hope to bear. The proposed legislation responds to this type of situation.

Presently, under the Policemen and Firemen's Retirement and Disability Act, the expense of such care is paid by the District of Columbia government when a member of forces becomes temporarily disabled in the performance of duty. The act does not include such benefits, however, for members retired for duty-related disability.

I would like to point out the cases of two injured men who will very soon be in need of the financial assistance provided under this legislation. Policemen Charles Allen of Lanham, Md., in my district, while patrolling on May 18, 1965, was struck by a vehicle without lights which was fleeing from the police. As a result, Officer Allen is paralyzed from his waist down. Since May 1965, the Police Department has expended \$29,027 for his medical, surgical, and hospital care. In addition, prescription costs have run an estimated \$550 per year. Further hospital and surgical treatment is anticipated.

Fireman Hunter Vaughn, as a result of injuries sustained in the line of duty, is permanently hospitalized and requires nurses in attendance around the clock. The Fire Department expended \$64,000 in calendar year 1969 for his care.

These men have not been retired prior to now in order to spare them the costs of their required care. However, the Metropolitan Police Department and the District of Columbia Fire Department do not feel they can continue to bear the financial burden they are carrying for these two men. Their retirement from the active rolls has been recommended, therefore, and is scheduled for the near future.

I firmly believe that the District's moral obligation to assist financially those who become totally disabled from service-connected injuries or diseases is just as binding after their retirement from the forces as it is while they remain on the active rolls.

The proposed legislation would permit the District government to fulfill this obligation to those members retiring after its effective date whose disability is determined by the commissioner to be total at the time of retirement. It would authorize the payment of the expenses of medical or surgical services, or hospital treatment, which either can be

rendered by the commissioner or approved by him to be rendered by others. Funding provisions are also included.

If this legislation is to be of any assistance to Policeman Charles Allen and Fireman Hunter Vaughn, immediate action must be taken by the Congress. Therefore, I recommend this to the urgent attention of the House District Committee and request that those Members of the House who feel as I do in this matter support this legislation.

LEGISLATION TO REQUIRE THE
OPEN DATING OF PACKAGED
FOODS III

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. FARBSTEIN), is recognized for 20 minutes.

Mr. FARBSTEIN. Mr. Speaker, on April 8, I released the results of two surveys of food coding practices of supermarket chains in the District of Columbia. These surveys were conducted by my staff and the Consumer Action Committee of the District of Columbia Democratic Central Committee in connection with H.R. 14816, legislation I introduced to require the final date a food can safely be kept on a grocer's shelves to appear on the label of all perishable and semiperishable foods. This legislation is co-sponsored by 56 of my colleagues in the House of Representatives—including WILLIAM F. RYAN, Democrat of New York, and JACOB GILBERT, Democrat from New York, whose names did not appear in my RECORD statement of April 16.

The District of Columbia surveys found large amounts of out-of-date food being sold to the consumer. They found some stores repackaging items with new labels and codes. The surveyors found store managers who completely ignored coded dates on meat and poultry, substituting their own subjective judgment as to when these items should be pulled. They found significant food code abuses in middle- and upper-income area stores, as well as those located in lower income neighborhoods.

Unfortunately, these practices are not unique to District of Columbia supermarkets, but are found throughout the country. In the Chicago area, for example, a suburban consumer group has been uncovering large amounts of out-of-date food being sold in almost every type of neighborhood in the city and suburbs. They have found significant abuses in stores in the wealthy Northern suburbs of Chicago as well as in the central city ghettos of the city proper.

The National Consumers' Union—NCU—not to be confused with the publishers of Consumer's Reports—headed by Mrs. Lynn H. Heidt of Prospect Heights, Ill., has been conducting food coding surveys of area stores on a regular basis. The findings of her group are strikingly similar to those of the District of Columbia surveys. Mrs. Heidt's group has also obtained the codes from one area supermarket chain.

The work of his consumers' group has put the food stores in the Chicago area on the offensive. They can no longer sell out-of-date food without their practices

being brought to the attention of the public. I understand that many area stores carry Mrs. Heidt's picture; for no store can be certain it may not be the next target of her crusading consumer's organization.

I insert at this point in the RECORD, first, the coding system for the National Tea Co.'s Chicago area stores supplied by the chain to the National Consumers' Union; second, a National Consumers' Union Newsletter, outlining some of the meanings of codes on food packages; third, a number of newspaper articles, focusing on the food codings surveys by the suburban Chicago consumer group; and fourth, NCU correspondence on the question of open dating of packaged foods with H. J. Heinz Co., Kellogg's Sales Co., and Mrs. Virginia H. Knauer, Special Assistant to the President for Consumer Affairs.

The above referred-to information follows:

NATIONAL TEA CO. PRODUCT CODES

1. Meat codes:

National Tea is using the American Meat Institute's Code Dating Policy. Under this policy the first and last numbers indicate the month and the middle numbers indicate the day of the month.

2. General manufacturing division merchandise:

[Item and method of dating]

BEVERAGES

Top Treat, 24 oz., label coded for date of pack.

Top Treat DIET, 24 oz., label coded for date of pack.

Top Treat, 12 oz., Top Treat DIET, 12 oz., imprinted on top of 6 pack, e.g.—D-4-70=April 4, 1970.

COFFEE

Top Taste Whole Bean Coffee—Bags; Magic Cup Whole Bean Coffee—Bags, month and day printed on bottom of bag, e.g., A1—January 1st.

Natco—cans 1 lb. & 2 lb., embossed in can cover—letters A to L for month followed by one numeral for year with no hyphen in between, e.g. B0=February, 1970.

Natco—cans 3 lb., stamped on bottom of can—dating same as above.

SWEETENER

Top Taste No Calorie, label coded for date of pack.

EXTRACT

Top Taste, label coded for date of pack.
Hazel, label coded for date of pack.

JELLIES

Top Taste, imprinted on label e.g. 30=March, 1970.

Orchard Fresh Apple.

PRESERVES AND JAMS

Top Taste, imprinted on label.
Orchard Fresh and Smackin Good, imprinted on label.

Apple Butter, label coded for date of pack.

HONEY

Top Taste, imprinted on label.

SYRUP

Top Taste Sugar & Maple, imprinted on label.

Smackin Good Pancake & Waffle, imprinted on label.

OLIVES

Top Taste, imprinted on label.
Hazel, imprinted on label.

ICE CREAM TOPPING

Top Treat, imprinted on label.

PEANUT BUTTER

Top Taste, imprinted on label.
Hazel, imprinted on label.
So Fresh, imprinted on label.

PEANUTS

Top Treat—Roasted in Shell—12 oz., imprinted in seal of bag. Letters A to L for month—numerals for day. e.g. B22=February 22nd.

Top Treat—Roasted in Shell—2 lb., imprinted on bottom of bag.

TEA AND TEA BAGS

Top Taste and American Deluxe, imprinted on bottom of carton. Letter A to L for month—numerals for day. e.g. E20=May 20th.

SALAD DRESSING

Top Taste, imprinted on label.
Hazel.
So Fresh.

BARBECUE SAUCE

Top Taste, imprinted on label.

MAYONNAISE

Top Taste, imprinted on label.

SANDWICH SPREAD

Top Taste—So Fresh, imprinted on label.

FRENCH DRESSING

Top Taste, imprinted on label.

ITALIAN AND THOUSAND ISLAND DRESSING

Top Taste—So Fresh, imprinted on label.

BREAD CRUMBS

Top Taste, embossed on bottom of can.

SPICES

Top Taste, 1½ oz. & 4 oz. Embossed on bottom of can. 8 oz. Imprinted on side of can.

GELATIN DESSERT

Top Treat, date embossed on side of package. Letters A to L used for month—numerals for day and year. e.g. C-24-70=March 24, 1970.

DESSERT TOPPING MIX

Top Treat.

PUDDINGS

Top Treat, date embossed on side of package. Dating same as above.

Here are National Tea Company's produce codes:

- A—First week of the month.
- B—Second week of the month.
- C—Third week of the month.
- D—Fourth week of the month.
- Example: AA—First week, first day.
- CD—Third week, fourth day.
- K—mark indicating produce has been re-packaged.

NOVEMBER 20, 1969.

To: Zone Managers, District Managers, Field Specialists, All Store & Market Managers:

It has come to my attention that we have recently received many inquiries in both our stores and our office in regard to the code dating of perishable merchandise.

These codes are not confidential, so if any customer inquires about a code, please pass whatever information you have on to the customer.

Your correct handling of this matter will do much to foster good customer relations.

Warmest personal regards,

LOWELL A. PETERS,
Division Manager.

CODES ON FOOD PACKAGES

There are probably 10,000 or more grocery products in a typical grocery chain store. Managers do not know all the codes, and everything is coded. Canned goods, cigarettes, frozen foods, everything! We must insist that these codes be translated, for they translate into dates, and the date indicates the freshness of a product. The quality of a prod-

uct is determined by its freshness. The price of a product should be determined by the freshness. Yet, this important information has been a carefully guarded secret . . . the complexity of these codes, the fact that they are often changed (the codes described in this Newsletter may be changed by the time you receive this information), the use of codes instead of clearly stated dates . . . all this proves that the food processors and purveyors have not wanted you to know if you were getting your money's worth. Can you imagine a grocery store with clear dates on all products? There would be various prices to choose from within a single product line. The consumer would be able to choose, among a number of prices based on the date of freshness, the product priced to best fit his budget. No longer will Consumers pay full price for products which are near the end of shelf-life, and have a limited life expectancy at home. How many times have you thrown out grocery items which spoiled soon after you purchased them? Waste, few of us can afford, would be eliminated. . . . Consumers know how quickly they expect to use products . . . dated products would provide information we are entitled to if we are concerned about throwing away money when we throw out spoiled products. How often have you returned a spoiled product immediately after purchase? NCU inspections of major chain stores have turned up in every store, products being sold at today's highly inflated prices. . . . Products which should have been dumped . . . products which may be dangerous to our health. The astonishing fact is there are no laws or regulations which give the various governmental agencies the authority to require food stores to sell products within the date limits indicated by the codes on the various grocery items, including the perishable ones. No wonder there were 20 million recorded cases of food poisoning in 1968! However, Consumers must expect the food stores to be responsible for the public's health, in spite of the inadequacy of the public health laws. There is no excuse for any chain store to sell out-dated products, because the food processors (Mars Candies, Kellogg's Cereals, Oscar Mayer Meat Products, etc.), guarantee full credit to the chain stores if products go unsold beyond the quality control dates. Consumers must know there is no financial loss to the chain stores . . . the financial loss is the consumer's until all codes dates are clearly translated. You have many out-dated products on your kitchen shelves . . . will your grocer give you full credit for these out-dated products? A beginning to resolving this issue of the devious codes is to invite your friendly store manager into your kitchen to weed out and refund the "deadwood" on your shelves! The coded dates are only relevant if storage and packaging conditions are ideal . . . so check thermometers, the condition of cans, paper-wrappings, etc.

Rosen's Bread Products r is Monday, o is Tuesday, etc. . . . fun!

Butternut Bread: The color of the plastic twist closers is the key. Monday is Black; Tuesday is Blue; Wednesday is no delivery; Thursday is Red; Friday is White; Saturday is Yellow.

DAIRY PRODUCTS

Milk, inc. whole milk, 2% milk. 1091, for example.

The two inner numbers indicate the last day the milk can be sold.

The midnight of the 9th day of the month. The 2 outer numbers: 11, (two days later), indicates the suburban date. Ignore this. What is good enough for Chicago is good enough for suburbia!

Buttermilk and chocolate milk: The same dating standards is used for the city and the suburbs. Example: 0099, the 9th day.

Cottage Cheese and Sour Cream: The date

indicates the last day the product may be sold. Usually the code is found on the bottom of the container. C03—3rd day of the month. A3—13th day of the month. B3—23rd day of the month. C0 and C1—30th day and 31st days of the month.

Vacuum Packed Meat Products: Oscar Mayer, Swift, Top Taste hotdogs, bacon, lunchmeats, etc. The date indicates the day the product is to be removed. Example, 6076.

The first and the last numbers added together equal the month: 12/Dec.

The middle 2 numbers are the day. Do not add these numbers: 7th day. 6076 equals December 7th.

For Mickleberry and Jones Meat Products. Compute the same way, but add 30 days. Removal date: January 7th.

Hostess Bakery Products: Twinkies, pies, Sno-balls, HoHos, etc. Monday is 5; Tuesday is 1; Wednesday is 2; Thursday is 3; Friday is 4. No delivery on Saturdays. Hostess paper-wrapped products have a 2 day self-life. Boxed products may be kept for 4 days.

Pillsbury: The code described here applies to Instant Breakfast, which has a 6 month life expectancy. The code is probably used on all Pillsbury products, but the shelf-life will vary, depending on the product. Code: E9702. E is the plant. 9 is the month of manufacture, September, 70 is the year the product will go out of date; and 2 is the month, February, the product will go out of date. Use before February, 1970.

Heinemann's Bakery Products: Sold in National Stores. The labels will indicate numbers like 121. This indicates the 12th month, the 1st week. The daily codes are: Monday is NN; Tuesday is OO; Wednesday is PP; Thursday is SS; Friday is TT; and Saturday is VV. These codes apply to the frozen and fresh bakery products.

Meats: The fresh meat code varies by store, and the system for coding changes by the week. National Food Stores use alphabetical series; Jewel uses dates, but NCU invariably has found Jewel post-dating by 2 days, thereby extending a claim, (made at a Newcomers Meat Demonstration in Arlington Heights), that Jewel Meats were never sold beyond the second day. There is really no way to memorize fresh meat codes. The best way to insure fresh meat, is to have the butcher cut the meat for you, if he will. Otherwise, be sure the code on your purchase matches the code on the hamburger meat, which is supposed to be ground fresh and packaged fresh daily. If the meat-labeling machine is in operation, ask the butcher for a package of meat which has just been wrapped, and see if the newly printed code matches the hamburger code. The process for aging meat is not leaving meats for indefinite periods in plastic containers. Meat is highly perishable, and deteriorates very rapidly. NCUers should insist on today's meat for today's high prices. And pay less for yesterday's!

CONSUMERS' GROUP MAKING GROCERIES ITS FIRST TARGET

The newly organized Northwest Consumers Union began an active recruiting drive this week and made its first inspection of a grocery store.

A recruiting drive was conducted Saturday morning in the parking lot of a Prospect Heights grocery store. Directors said that everyone they spoke to signed up as a member.

There are no membership dues yet, according to one of the six board members, Mrs. Lynne Heidt of Prospect Heights. But members are asked to be active recruiters.

The preamble of a constitution adopted by the directors last week says the union was formed "to establish and maintain a voice in the purveyance of goods and services and to have just control over operations which affect us."

Mrs. Heidt said the union has members in Prospect Heights, Mount Prospect, Arlington Heights, Wheeling and Hoffman Estates and expects to gain membership in Des Plaines and other northwest suburbs.

She said the directors voted last week to make grocery stores their first object of bargaining, but that future targets will be anything which affects consumers.

"We are also consumers of the judiciary, the government, the schools . . . the size of it is fantastic," she said yesterday.

Directors, besides Mrs. Heidt, are Mrs. Marian Skinner of Wheeling, Tom Dempsey of Arlington Heights, Mrs. Barbara Mateja of Mount Prospect, and Mrs. Bette Gray and Mrs. Burrill Black of Hoffman Estates.

Three of them visited a supermarket in Mount Prospect Saturday and said they found 29 causes for grievances, including these:

There were no restroom facilities for customers; eight broken eggs were lying on the bottom of the dairy case, one crushed, dried and caked; cartons containing broken eggs were removed to a storeroom and repacked with the broken eggs replaced, raising the question of whether cartons of eggs are uniform in size and freshness; meat several days old according to code-dating figures sells for the same price as meat wrapped that day; the head butcher would not explain the code-dating symbols; floors and shelves were dirty; there were no thermometers in the dairy case.

They discussed their finding with the store manager, but said they do not want to deal with district managers.

Mrs. Heidt said it is the union's intention to bargain at the local level. She said strikes or boycotts cannot be called except as approved by the directors.

As sufficient membership is gained in each community, she explained, a local will be organized which will be allowed to elect a director, increasing the size of the board.

Mrs. Heidt said other stores will be inspected and the reports will be given to union members, identifying the stores.

Goals set forth in the union's constitution are these:

To unite all consumers of goods and services, regardless of race, creed or nationality.

To establish with the purveyors of goods and services the right to bargain collectively "Consumer adequacy" as stated in the union's "consumer bill of rights."

To engage in educational, legislative, political, civic, social, welfare, community and other activities, to advance and safeguard the economic security and social welfare of all consumers, to protect and extend our democratic institutions and civil rights and liberties and to perpetuate and extend the cherished traditions of democracy and social and economic justice.

The "bill of rights" includes these statements:

Consumers have the right to collective bargaining and to voice their grievances to those with whom they deal and to see that these grievances are acted upon.

Consumers have the right to limit the mounting cost of goods and services—particularly those which are the necessities of life.

Consumers have the right to expect that those with which they deal have the authority and obligation to stand behind those goods and services.

Consumers have the right to expect that their dollars are fairly and equitably distributed to those who produced the goods and services, thereby strengthening the entire economy.

Consumers have the right to expect those with whom they deal to take the responsibility of offering goods which are untainted, unadulterated, undamaged and consistent with the safety and well-being of the consumer.

Consumers have the right to expect that goods offered are produced under humane and just conditions.

Consumers have the right to receive goods and services with which they are satisfied, i.e. they have the right to expect "Consumer Adequacy."

CHICAGO: CITY OF THE STRONG-ARM

It happened in Chicago.

A group of mothers and homemakers on the Northwest side of the city have organized among themselves a small consumers league. Sounds o.k. Everybody else is organizing. Why not the homemakers?

But wait!

Their first purpose: to shop the supermarkets in their area in order to evaluate their prices, quality of their products, grading of meats, services, and other factors that concern the lady as she buys for the family.

They plan to make their findings available—both good and bad, favorable and unfavorable—in order that they might intelligently choose where it is wisest to shop.

So the members of the consumers league began their comparative shopping. And asking of questions. They undertook to ask what certain markings on meat packages mean—how the meat is "coded" by the stores.

The women felt they had a right to know about such matters—why some cuts of meat cost more than others, why similar-appearing packages were differently priced, if they were.

They did not contemplate picketing or demonstrations—at least not yet. They just wanted to understand.

They had heard something about how the American economy is supposed to be responsive to consumers' needs and desires. In fact they had even heard some phrase about how consumers were supposed to be "queens" and "kings" in a free-market economy.

Probably it seemed logical for royalty to at least gain reasonable knowledge about their supposed domain.

But NO. Not so.

The real bosses of the American market place would have none of this snooping by mere consumers. Not if they could help it.

To be fair it was one of the bosses—a representative of one of the giant chains that took that attitude. Perhaps—hopefully—some of the others feel differently.

But in any case here is what happened in Chicago.

The husband of one of the members of the consumers league was called on the telephone at his place of employment—not at home. The call came from the attorney for one of the chains where this man's wife had asked some questions. Maybe embarrassing ones. But she had just asked questions.

However, the attorney informed her husband that she had "created a furor" at the store and if she didn't stop they would have to arrest her! Or maybe "have" her arrested.

The attorney apparently assumed there would be no problem about arranging the arrest.

What the charges would be he didn't bother to say.

A threat—and no more?

Probably.

Probably just an attempt at intimidation of upstart consumers who want to know something about what is being sold to them.

Perhaps, also, this lawyer is right now face to face with the public relations director of the chain and being told never again to proceed in such a blunt manner.

Let's hope so.

For it happened in Chicago.

And it can happen elsewhere and probably will unless the people organize fast and strong in defense of the one universal economic interest of everyone—their interest as consumers.

NCU TOURS LOCAL CHAIN STORE

(By Betsy Brooker)

It was a lazy fall morning. Only a few shoppers were in the chain grocery store. They were trying to "beat the rush" that would inevitably come later in the day.

At 9:30 a.m. sharp, four members of the Northwest Consumers Union (NCU) descended on the store ready to perform an unannounced inspection. Their entrance quickly shattered the daily routine.

Formed in September, NCU is a local group whose goals are to protect consumers' rights. The group has picked grocery stores as its first target. According to Mrs. Lynn Heidt, one of the group's originators, NCU now has about 80 members.

Yesterday's inspection was a training program for two members, Fran Hazlewood and Heidi Collori. With them were Mrs. Heidt and Barbara Mateja.

Mrs. Heidt was unofficially appointed spokeswoman for the team. She has been in the news recently picketing local grocery stores during the grape boycott.

Armed with pencils and inspection sheets, the team headed for the meat counter. Picking up a package of chicken, Mrs. Heidt asked the meat manager why it was dated for the next day.

Packaging dates are an important part of the group's inspections. Most of these dates are coded. One of the privileges of NCU membership is learning these codes.

The meat manager told the inspection team the coded date designated the shelf life of the meat. He said the package dated for the next day would be pulled off of the shelf then.

"What happens to the meat that is taken off of the shelf?" asked Mrs. Heidt.

"It is thrown away," answered the meat manager.

"Operation Bread Basket has charged that the old meat from the suburbs is put on the counters in the inner-city stores," said Mrs. Heidt.

There was no comment from the meat manager.

The team then asked the meat manager why the packaging dates are coded. "These numbers mean nothing to the customer," said the meat manager.

"We believe they do," said Mrs. Heidt. "It is our right to be able to determine the freshness of meat before we pay for it."

At this point, one of the other members spotted a ham marked for two days earlier.

The meat manager looked at the date and said, "These are a mistake; I'll have to repackage them." Several more similarly dated packages were found, all of which the meat manager removed from the bin.

A trainee picked up a package of chicken that had broken open and spilled over the tray. The meat manager said he would have to repackage it.

"Do you change the packaging date when you repackage?" asked Mrs. Heidt. There was no definite answer from the meat manager.

"It's not illegal to change the date, but our union does not consider it truth in labeling," said Mrs. Heidt.

The meat manager, who had been courteous in the face of this unexpected barrage of questioning, said, "We handle quality merchandise. I can guarantee it. These meat counters are gone through several times a day."

"Well, how can you sell a package of lamb chops that is dated two days earlier at the same price as this package that is dated five days later?" asked Mrs. Heidt.

"I can only quote you on company policy," said the meat manager.

Mrs. Hazlewood pointed out that if the store charged less for the older meat, it would probably charge more for the fresher.

Moving on to the fresh produce section, Mrs. Heidt pointed to specks of dirt on a tomato. She said, "Our union considers it

a part of truth in labeling to specify what was used on the products before they are brought into the store."

In the frozen foods department, the team hunted for thermometers on the bins. According to Mrs. Heidt, the law specifies that thermometers on frozen food bins are supposed to be in public view.

Finally, the team asked the grocery manager where the thermometers were. He left and came back a few minutes later to point them out. The temperatures checked out well below zero.

Mrs. Mateja called the team over to a frozen foods bin with a large hole on the side wall.

Mrs. Mateja then pointed out a bag of apples that had "keep refrigerated" marked on them. They were on a table at room temperature.

Turning down the next aisle among the dry and canned goods, the team spotted damaged and opened boxes. "Consumers are usually at fault here," said Mrs. Collori. "They often squeeze and open the packages."

"These shelves don't just need to be cleaned. They are so rusty, they should be repainted," said Mrs. Hazlewood.

When the team reached the flour and sugar section, Mrs. Heidt said, "The kids could have a sandbox with all of the sugar and flour that you find spilled in some stores."

In the dairy section, the team peered under the egg cartons and spotted residue of dried egg yolks on the trays.

Farther down the aisle, Mrs. Heidt began checking the coded packaging dates on the milk cartons.

After finding a stack of milk cartons on which the shelf-life had expired the day before, the team called the grocery manager again.

The manager agreed that the milk was past shelf-life. He said it would be removed immediately.

This store is only one of many the NCU has visited in the past few weeks.

According to Mrs. Heidt, the union will deal with each of these stores, in her words, "through collective bargaining."

"We hope that the store executives will listen to our grievances. We feel that we are the best qualified inspectors because we check the products at the store at the point before the products are carried out of the store," said Mrs. Heidt.

[From the Paddock Publications,
Oct. 16, 1970]

"CONSUMERISM" HITS: UNION TOURS STORE

An inspection of a large Hoffman Estates chain food store was held recently by the Northwest Chapter of the National Consumers' Union (NCU).

The inspection was the first activity of its kind in Schaumburg Township. During their visit NCU members found management at the food store to be cooperative.

They also found dairy products on display that were beyond shelf life, and produce that was unprotected and covered with flies.

On request by the inspection team, meats that were obviously old were removed by the store management.

Breakfast cereals and baked items were also spotted that were beyond shelf life and refrigerated ready-to-bake pastries were not all stamped with shelf-life dates.

Making the inspection as concerned citizens were Burrill Black, Bette Gray and Marian Skinner of Hoffman Estates.

The purpose of the consumer union is to see that fresh and safe products are sold at reasonable prices by retailers in the area. Membership is drawn from throughout the Northwest suburbs. There are now nearly 80 persons associated with NCU from the area. A membership campaign has begun to draw more persons from Schaumburg Township.

According to Mrs. Black, an NCU board member, the food store inspected was generally clean, but cluttered.

There was no fire protection sprinkler in the store area, but the manager said a system was installed in the storeroom.

Mrs. Black questioned which was more important, the products or the customers? She also suggested that produce bins be encased to protect the merchandise and still allow shoppers to examine their fruits and vegetables prior to purchase.

"Some meats were obviously old, but were removed on request," she said. "We found some moldy sausage and old pork."

Food stores are the first businesses the NCU is screening. The organization's purpose is to unite the consumer into a strength-in-numbers body. The union feels that business has become too impersonalized in today's society.

In its statement of purpose, NCU says business axioms of "supply and demand" and "the customer is always right" have been replaced with mass advertising which creates false markets. NCU feels the markets today do not cater to the tastes, habits and desires of the buying public.

Mrs. Black has said that consumer boycotts of uncooperative businesses could evolve if union strength grows enough, but such action will result only if reasonable demands are met.

Following the local membership drive, planned within the next three weeks, NCU will continue to visit local food markets. Repeat visits to assure grievances are met also will take place.

[From the Prospect Heights Herald,
Oct. 27, 1969]

CRITIC'S CORNER: WHAT DOES THE CONSUMER WANT?

(By Mark Cohen)

Should the suburban consumer know the date of the dairy product he purchases, or has dating become an outmoded process?

In 1963, despite union opposition, state milk laws were amended to eliminate the stamped time from milk cartons.

Recently an Arlington Heights food store received a shipment of bad milk. The owner blamed the bad milk on the absence of dating.

Others said: "I don't know why they stopped dating the milk. I think the consumer should know what he is getting."

Dr. Loyd D. Witter of the Department of Dairy Technology at the University of Illinois, opposed dating.

Pasteurization, Dr. Witter said, kills all the germs so the absence of dating is not a health problem.

"In the past," he said, "milk dated Tuesday would not be used by housewives on Thursday. They would rather buy the milk stamped at the earlier time. Thus there would be a fantastic amount of returns and a tremendous amount of waste."

"Stores would under-order so they wouldn't have to turn milk back. By afternoon, there wouldn't be enough milk on the shelves and the late shopper would be out of luck," he added.

Today there is a voluntary coding process used by the dairies to indicate the time milk was bottled.

Most stores in the Northwest suburbs say they understand the system. Most consumers have no idea what it means.

The quality of the product suburban shoppers are receiving may still be in question. In many cities it has been a common practice to date milk and some dairy products, for consumer information and to maintain top grade products.

"Dating would require an army of health officers to enforce. It would require a tremendous expense to acquire a sufficient work force," said Enith Huffer, a representative

of the Division of Milk Control in Springfield.

Does the suburban resident really see a need for a dating process?

"It's a matter of determining the consumer's needs and wants," Huffer said.

And that's where the question seems to lie.

LETTERS TO THE EDITOR

DECEMBER 29, 1969.

To those homemakers who are agonizing over high prices, perhaps some consumer information will assuage the pain. All of us in the Chicago area are aware of the latest stab at the Consumer's pocketbook: the recent price increase of dairy products. Soon after this announcement, along came another jolt . . . the thrice weekly milk delivery to our home by Bordon's was to be cut back to twice—Mondays and Thursdays—forcing this Consumer into the mind-bending exercise of calculating a new milk ordering formula. Only a Mother can appreciate a domestic challenge like computing a family's dairy needs so accurately, that even on delivery mornings, there is a dreg or so of liquid left in the carton to moisten the kiddies' dry cereal! We were beginning to pattern a new life-style that would be amenable to the inconvenience Bordon's thrust upon us, until today's delivery. (Monday, Dec. 29), broke into shreds our milquetoast complacency.

As I was putting the 3 cartons of milk into the refrigerator, I happened to notice the quality control coded dates stamped on each. I am able to translate 0301 into the date, December 30th. Without this knowledge, I would have no means of determining the freshness of this milk, unless I were to take on the role of human guinea pig. Taste-testing is grand, if the product in question is wine. But milk is a different cup of tea, and we homemakers are entitled to know that food processors, including the makers of dairy products, have found it economically feasible—for the stockholders—to keep quality information a carefully guarded secret. And, if not quality, what other determinate have we for getting our money's worth?

So, today, this family of 4 has 24 hours in which to drink three large cartons of milk dated 0301. The 2 inner numbers indicate the last day this milk is to be sold. If we were to drink this milk at a normal rate, it would mean that all day Wednesday, and for Thursday morning breakfast, I would be serving milk to my family which was no longer salable after midnight Tuesday, according to Bordon's voluntarily imposed quality control standards. If the milk isn't sold, profits are lost . . . unless it is delivered to a family of non-code readers who pay full price!

The Distributor is coming tomorrow to pick up the reject milk. He said he had cut back service because he couldn't get help, but he insisted on sending someone out to the house to pick up the 2 cartons of milk whose coded dates have elapsed—he didn't seem to like my suggestion that he give me the outdated, therefore worthless, cartons of milk free. I wonder if Bordon's will cut back to once a week delivery, when all of you begin checking those 2 middle numbers, and begin insisting that the milk drivers, who seem to be in such short supply, pick up your rejects.

LYNNE H. HEIDT,

National Consumers' Union.

Box 113, PROSPECT HEIGHTS, ILL. 60070.

[From the Prospect Heights Herald, Nov. 17, 1969]

THAT'S JUST SHERRY NONSENSE: ENTER THE CODE BREAKERS

(By Mary Sherry)

Alice Flaxton, my next door neighbor, waved a copy of Parade magazine under my nose. "It says here that we should ask gro-

cery store managers to explain packing codes if we can't figure them out," she said. "Come one." She handed me my coat. "We're going shopping."

If I had wanted to protest, I wouldn't have had a chance because Alice whisked me to her car and into the neighborhood Gem Food Store. She hummed happily as she went down the aisles, loading her cart with groceries.

When she got the last thing on her list, she said, "Now let's find the manager."

As soon as we spotted him, Alice smiled sweetly, holding out a package of nutmeats and asked if he would please help her figure out what the code DMZ 7 meant.

The manager looked at her with disbelief, "Madam, you must know that I am forbidden by my oath of office to tell you what that means."

Alice persisted. "All I want to know is if these are fresh."

The manager stared hard at Alice, "Lady, do you know what you are doing?" he asked darkly.

"Of course, I'm trying to find out if the food you sell here is fit to eat."

"We wouldn't dream of selling anything unsafe for your health," the man said in a tone of dismissal.

Alice pursued the issue. "If you're so sure about that, you wouldn't be afraid to tell me what these codes are."

"You consumers!" the manager exploded. "You're un-American! You're trying to bring down our great society built on free enterprise and individual initiative! You are—"

While the manager sputtered on about our lack of patriotism, Alice pulled on my sleeve and led me out of the store. "Come on, he gave me an idea where we can find out what these codes mean."

As soon as we got back to Alice's she picked up the telephone. "I want the Russian Embassy in Washington," she told the operator.

"Alice!" I gasped, "What are you doing?" Alice covered the mouthpiece with her hand. "That manager said breaking the packing codes was un-American, so it's only logical that the Russians know what the codes mean."

I can never argue with Alice's logic, so I listened on the extension while Alice read a list of codes to an official at the Russian Embassy. He was very cooperative.

"We have it all here," he said proudly. "Only our graduate cryptoanalysts are permitted to work in your capitalist grocery stores." His smugness, for some strange reason, didn't bother me. Maybe it was because I felt he was on OUR side.

He began to read, "Holiday Nuts, DMZ 7. The DMZ reminds you of Vietnam, which begins with V, just like Valentine's Day, which is in February, so the expiration date is Feb. 7."

Alice asked about Boast Cereals.

"That's an easy one," he said. "A sample is 611693. Add the first and last numbers to get the month, and you have 9-11-69."

"How about meat codes?" Alice asked.

"Right now GEM uses letters for the day of the week that the meat was packaged—A for Monday, B for Tuesday, and so forth. However, even our people can't tell if things are illegally rewrapped until they can get a good whiff of the meat."

Alice asked him about several more products and then thanked him profusely. He wasn't exactly modest in accepting her praise, but we didn't care.

"One more thing," Alice asked.

"Of course, my dear lady, anything," the Russian said.

"I can't figure out the code on the cans of Mother Russia Caviar."

The Russian replied loftily, "Of course, not. And if you think I'm going to explain it to you, you must be—ah, how do you say—bananas, past shelf life of course." Then he slammed down the phone.

[From the Chicago Tribune, Dec. 18, 1969]

SUBURBAN HOUSEWIVES DECLARE CONSUMER INDEPENDENCE DAY

(By Lynn Taylor)

Few people in the Chicago area were aware that Sept. 13 was Consumer Independence day. But, on that day in Prospect Heights, the National Consumers Union was formed, a constitution and a bill of rights were drawn up, and the proclamation of Consumer Independence day was read.

The northwest suburban version of Washington and Jefferson are two housewives, Mrs. Marian Skinner of Wheeling, and Mrs. Lynne Heidt of Prospect Heights.

DECLARES CONSUMER'S RIGHTS

Each has had some background in protest: Mrs. Skinner was involved in the Denver housewives' meat boycott about a year ago [before she moved here] and Mrs. Heidt was a participant in this year's grape boycott.

N.C.U.'s bill of rights declares that consumers have the right to collective bargaining to limit the mounting costs of goods and services, and to expect that purveyors have the authority and obligation to stand behind the goods and services they sell.

Mrs. Heidt thinks most people don't even know how to complain effectively.

N.C.U.'s first targets have been local supermarkets. She, and a group of other people who are loosely organized; [there are no dues and thus no membership lists] tour grocery stores listing faults and complaining about them to the store manager.

SMALL CRUSADE

While the outward appearance of their crusade for more sanitary conditioning, colder freezers, and competitive pricing is on a much smaller scale than many other consumer protests going on, Mrs. Heidt said they really are seeking a "store policy that is responsive to the consumer." She admits feeling sorry for the beleaguered store manager who bears the brunt of her criticism, she said.

"Right now the store managers hate us because they are hamstrung. The store managers are shorthanded. They will not speak out because of fear."

GETS PERFECT RATING

Although only a fledgling organization, N.C.U. takes credit for a number of accomplishments, one of which is the attention being given in the press to coded information on food packages. Another is for the improvement in some of the local stores. She rates the one she shops in as "perfect" now.

Mrs. Heidt admits she is the crusader type. She puts in at least an eight-hour day in the effort to organize N.C.U. This includes learning to type, mailing newsletters, talking extensively on the telephones, and marching around food stores. In between, she supervises her two boys, Andy, 8, and Denny 10.

"We have the beginning of something which has such far-reaching possibilities," she said, "After all, even company presidents eat."

[From the Day Publications, Jan. 26, 1970]

CONSUMER CRUSADER ASKS NIXON'S HELP

Mrs. Lynne Heidt, crusading consumer, has carried her beef about grocery store codes to the highest level. She's written Mrs. Virginia H. Knauer, President Nixon's adviser on consumer affairs, for help.

Mrs. Heidt, of 6 Marberry Dr., Prospect Heights, is a founding member of the National Consumers Union, a group comprised largely of northwest suburban housewives concerned about the age and condition of the food they buy.

The group has been instrumental in deciphering and publicizing the codes with which food producers date their products.

The coding is allegedly provided for the benefit of grocers.

In her letter, Mrs. Heidt relates NCU's code busting efforts in local groceries, and claims that one food producer has changed its manner of coding, and another has quit coding one brand of products.

She charges that one company has changed its codes to reflect the date of manufacture rather than the date the products become outdated, and that another has stopped coding one of its brand products.

NATIONAL CONSUMERS' UNION,
Prospect Heights, Ill., October 26, 1969.

E. J. HEINZ CO.

DEAR SIR: Your announcement that the additive, monosodium glutamate, MSG, will no longer be used in baby food products is highly applauded by NCU, the National Consumers' Union.

Enclosed is an NCU Constitution which explains the purpose of our Union: determining Consumers' Rights to negotiate collectively those conditions which affect us in the purveyance of goods and services.

The NCU Board of Directors and membership are aware that on food products, there is a date that is carefully coded to "help with the rotating of products in the stores." THE DATE THAT A FOOD PRODUCT IS PROCESSED AND CANNED OR BOTTLED OR PACKAGED IS RELEVANT TO THE CONSUMER, AND MUST BE CLEARLY REPRESENTED ON THE LABEL, INDICATING THE MONTH, DAY AND YEAR.

Truth-in-labeling by NCU standards requires this date, the length of time the product can be expected to be considered safe, and the recommended conditions under which the product should be safely stored. One of NCU's goals is immediate corporate action on a truth-in-labeling requirement which fully reveals to Consumers—the age, life expectancy, and proper care of all food products.

Your company will be removing the ingredient, MSG, now, and this will be reflected on the labels of your products. Please advise if your new labels will meet the NCU criteria explained herein of "Consumer Adequacy."

Very truly yours,

LYNNE HEIDT.

DIVISION OF H. J. HEINZ CO.,
Pittsburgh, Pa., December 23, 1969.

MISS LYNNE HEIDT,
Board of Directors,
National Consumers' Union, NCU,
Prospect Heights, Ill.

DEAR MISS HEIDT: This is to answer your letter of October 26 in which you urge that we mark our products with the month, day, and year of production.

First, let me say that the delay in answering was not a matter of carelessness. Your letter arrived at my desk about a month before the White House Conference on Nutrition at which the subject of product dating was to be discussed by one of the panels. This conference was then followed by the annual Joint Annual Conference of the Food & Drug Law Institute with top personnel of the Food and Drug Administration. We deliberately postponed our answer pending the outcome of these Conferences, at both of which we had company observers.

As you probably know by now, panel III-4 of the White House Conference elected not to recommend product dating in their final report. The matter was not brought up for discussion at the FDLI-FDA Conference.

The third paragraph of your letter states in part "—N.C.U. Standards require this date, the length of time the product can be expected to be considered safe, and the recommended conditions under which the product should be safely stored". We are puzzled by your use of the words "safe" and "safely" in this context. Commercially canned hermeti-

cally sealed foods do not become "unsafe" with age, and so long as the package remains intact, they are safe at any habitable room temperature storage.

I think it is important to point out that canned foods in particular, unlike photographic film do not become totally unsuitable in any stated period of time. To put it another way, there is not a point in time beyond which the food product is simply not fit to eat. The protein, fat, carbohydrate, and mineral values of canned foods do not diminish significantly with time. There are vitamin losses in varying degrees depending on the kind of food, the conditions of storage, and the identity of the vitamin in question. The reduction of vitamin values is however of degree, rather than a matter of absolute disappearance.

In general, the organoleptic properties of canned food diminish more than the nutritional value and it has been adequately proven by many studies that canned food which has retained its good flavor is nutritionally sound.

Basically, the arguments against open dating are based on economy. There is no question but that some shoppers would go over the shelves and pick out the freshest date, so that older dates would inevitably accumulate and have to be destroyed. Management of manufacturing and distribution would have no choice other than to raise the price on all food, to compensate for this destruction. We firmly believe that the consumer is better served if he were to demand a refund of purchase price in the rare occasion where he finds the food to be overaged, rather than to pay the added costs on all food, created by the open date practice.

A further consumer disadvantage of product dating of shelf staple foods was brought out during discussion at the White House Conference. This lies in the well established observation that it favors the large manufacturer and the large retailer as against the small manufacturer or retailer in that larger volume of sales creates more frequent turn-over of inventory. We suggest that it is a sound premise that the consumer benefits from keeping the market open to small businesses, particularly if they are innovative.

The State of New Jersey, is conducting or has recently completed a survey of the age of packaged foods in the market, and has reported that they are finding that industry is doing a much better job in stock rotation than they had assumed to be the case. We are advised that on the basis of data received to date, they do not contemplate any action to legislate for open dating of what are termed "shelf stable" foods.

We thank you for writing to us and for giving us the opportunity to present our thoughts on the consumer interest in this matter.

Very truly yours,

D. W. LEEPER,

Manager, Food Regulation Administration.

NATIONAL CONSUMERS' UNION,
Prospect Heights, Ill., January 1, 1970.

MR. D. W. LEEPER,
Manager, Food Regulation Administration,
H. J. Heinz Co.

DEAR MR. LEEPER: NCU is disappointed with your response of December 23, not because of the delay in receiving your letter, but because of its contents. It must be said, however, that HEINZ has been the only baby food manufacturer to date, who has responded to NCU's request that new baby food labels reflecting the removal of MSG (and hopefully, salt), fulfill NCU's criteria for truth-in-labeling . . . product dating revealing the date of production, life expectancy, and proper storing directions of your baby food products.

It is interesting to note that you pointed out the results of the White House Con-

ference on Nutrition and the FDLI-FDA Conference, while choosing to ignore bills introduced into both houses of Congress by Rep. Leonard Farbstein (D-N.Y.) and Sen. Joseph Montoya (D-N.M.) as HR-14816 and S-3164. It is NCU's opinion that regardless of the outcome of Conferences or even legislation, the food industry will provide product dating information when Consumers demand it. Few Consumers know about quality control dating information on products or their far-reaching implications, but NCU is committed to seeing to it that Consumers be apprised that this information exists or can be established, and it has been our experience, as we endeavor to get the message across, that Consumer reaction is one of loss of confidence—or, to be more exact, focusing properly on why confidence had been lost previously—and with careful organization and education, Consumers' demands for their RIGHTS will fill this information void in spite of the resistance of the producers and retailers.

Regarding paragraphs 4, 5, and 6 of your letter, I am not an expert, but I am aware of personal experiences of NCU members and scientific studies both, which totally contradict the data you present. Your admission that vitamin values reduce to a degree however small, most definitely points to likewise reductions in price value, an area of immediate Consumer interest on which little to no education is needed. Consumers will totally balk at further price increases, and will not expect to absorb the cost of what is a long over-due commission of responsibility of suppliers and retailers. Consumers will be made aware that product losses have been and will continue to be tax deductible for businesses . . . Consumers know there has been no recourse for "cupboard loss." NCU believes that product dating will bring about a new product pricing system . . . a system which very well could provide needed options (free choice!) depending on the Consumer's pocketbook; one might select a product priced according to one's ability to pay. Within a product line, NCU visualizes numerous prices reflecting the quality control dates clearly labeled. No longer would Consumers pay full price for products whose codes indicate the items are no longer salable. I do not believe Consumers will stand any attempt by business to opt for profits over people, as this is widely believed, even by those in relative economic comfort, to be the condition of the marketplace as it exists now.

I would like to question statements in your letter, if I may. . . that canned food which has retained its good flavor is nutritionally sound." Especially considering canned baby foods, what if good flavor has not been retained? Is the Consumer—a baby—expected to express adequately a judgment? How? It occurs to me that baby foods in particular, until labels reflect product dates, ought to bear some message like: Mothers, Taste Test This Product Before Baby Eats. Some such warning would provide for the child's inability to communicate properly in those rare instances when baby food products 'have not retained good flavor'. The nutritional loss you mentioned that may occur when good flavor is lost is minimal (unless the product is putrid) measured against the loss in confidence of the product in question.

The question of the small retailer and manufacturer is of concern to NCU, as is the question of the small farmer, but their decline is a "fait accompli", and their dilemma has its source in the competitive drive for profits and bigness of the giant corporations. It is more than ironic that having accomplished absorbing small businesses or having driven them out of the economic sector, major businesses now use them as a shield for their excuses. If this is an unfair judgment, perhaps you will name for me the small man-

ufacturers of baby foods whom you were considering when you discussed the disadvantages of product dating in your letter. I agree that it is a sound premise that the market be kept open to innovative small businesses, and that the consumer and the whole economy will benefit from this, (one of the reasons why NCU is interested in the emergence of Black Products), but their survival to date has not been due to any largess from major businesses or the government. Quite the contrary, in fact, the Consumer himself has been the lifeline for these smaller businesses. Moreover the smaller operations, because of smaller production volume, I am sure will have less trouble adapting to product dating, and probably will resist less and be less affected materially by product dating when this becomes an eventuality.

You pointed out that a New Jersey survey showed a good job was being done in stock rotation. I would appreciate it greatly if you would send me a copy of that survey. I am including NCU's Newsletter, which contains the few codes our members know. In Every Store NCU Has Inspected, We Have Found Products Being Sold At Full Price Which Are Beyond Their Quality Control Dates, And Should Not Be Sold At All, and the major thrust of NCU's investigations has been in the NW suburbs of Chicago . . . located in the richest of the Congressional Districts (the 13th) in the Nation. Consumers' trust in the marketplace is continuously being violated due to carelessness? Profits? Consumer Ignorance? Greed? I believe the question of corporate morality enters into this picture.

This is by no means an indictment of all suppliers or even all food stores, (locally, food stores have improved).

It would be interesting to see if a company such as Heinz would be willing to show their good will and the soundness of the argument you present in your letter by releasing code translations to NCU, so that our membership locally might do a survey for your company. It would be interesting to have your competitors' codes, too, so that a comparative survey might be done. (There is no charge for an NCU survey.)

You spoke a great deal of Consumer Interest, and quite frankly, we have interpreted your letter to be otherwise. NCU is quite aware that the changes we propose have far-reaching implications, mainly economic and distributive. We sympathize with the fact that consumerism is likely to complicate further the very difficult and complex system that supplies us the food so many of us take for granted. We know that our proposals are really in the best interests of the Consumer, and we believe that what is in our interest is ultimately in the interest of business. I feel sure that those of you in the food supply business will find ways to respond effectively to proposals such as NCU's and at the same time, satisfy your corporate responsibilities.

Further clarification of your position would be greatly appreciated, and your consideration of the survey proposal above, would most certainly indicate trust and interest in the consumers you serve.

Sincerely yours,

LYNNE H. HEIDT.

KELLOGG SALES Co.,

Battle Creek, Mich., October 30, 1969.

Mrs. LYNNE HEIDT,
Prospect Heights, Ill.

DEAR MRS. HEIDT: In answer to your recent request we are enclosing a copy of our latest annual report.

All Kellogg's Cereals are freshness protected by various types of inner bags including foil. The type of inner bag used is determined by the hydroscopic nature of the respective products. Under proper storage conditions, our products remain fresh and crisp for months—much longer than required by the normal length of time they are in the distribution cycle from plant to consumer.

Under separate cover we are sending a sample package of Kellogg's Cereals which we hope you and your family will enjoy.

Thanks for your interest in Kellogg and our products.

Sincerely,

R. L. NICHOLS,
Vice President, General Sales Manager.

PROSPECT HEIGHTS, ILL.,
November 8, 1969.

Mr. R. L. NICHOLS,
Vice President and General Sales Manager,
Kellogg Sales Company, Battle Creek,
Mich.

DEAR MR. NICHOLS: I received Kellogg's annual report, your explanation of your cereals' packaging, etc. . . . as described in your letter of 10/30/69. Thank you for this information.

However, I do not believe your letter was entirely responsive to the questions I posed during our telephone conversations of 10/22.

As a researcher for NCU, I am asking for the translation of the coding your company uses (the color dots, and the stamped numbers), to determine the date a particular product was packaged, and the length of time your laboratories have determined this product remains consumable and salable. NCU is aware of the various codes on new brands of food products. We have the right to know the age of a product we buy. This age, now reflected obscurely by difficult codes, is crucial to the consumer, if one is to determine if one is getting maximum quality/nutritional value, etc. . . . for the price.

NCU is aware that your company directs food stores to rotate products, and that your salesmen check all Kellogg's products when they are in the grocery stores. We are aware that products are removed if the containers or the age of the product is in question. We are aware that your company reimburses the food retailers for these products which go unsold and are finally removed.

Consumers have many of your products on their kitchen cabinet shelves. Sometimes, the less popular brands remain on our shelves for extended periods. Often, the product has been opened. Your company has made no information available to consumers about your products' longevity. NCU is aware that the truth-in-labeling laws do not require such information. NCU feels the responsibility for this information is not dependent on another regulatory law—but on the purveyors of goods and services. If you are interested in further information on NCU, you may seek it from one of the major chains as Jewel or National, or send a stamped, self-addressed envelope.

I appreciate your offer of free Kellogg's products. I am much more interested in having you send one of your salesmen into the homes of each NCUer to examine the products from your company which are on our kitchen shelves. I am interested in having these salesman carefully check the codes, and send the box-tops of products we have inadvertently kept too long to your company for refunds. Or, do you think the IRS will allow Consumers to write off as depreciation, those products which are not used before their life expectancy is up?

Please reply.

Negotiably yours,
LYNNE HEIDT,
Researcher, National Consumers' Union.

JANUARY 11, 1970.

Mr. R. L. NICHOLS,
Vice President-General Sales,
Kellogg's.

DEAR MR. NICHOLS: Since November 8, 1969, I have been waiting for an answer to questions I posed to Kellogg's regarding translation of product dates which are coded on the various cereals and other foods you sell.

I cannot believe, Sir, that you will continue to ignore valid questions regarding

this matter which were put to you as early as September by this Consumer. I have letters and detailed notes of our phone conversation, and feel that I will be very much inclined to submit this entire matter to the Congressional Hearings on product dating unless there is a responsive attempt by Kellogg's to answer questions put to your company over 2 months ago.

I feel sure that this long lapse will be rectified by specific answers to these questions:

How may consumers determine the date a particular Kellogg's product was packaged?

What is the length of time that your laboratories have determined that Kellogg's products remain salable and consumable?

What does the stamped number designate?

What does the colored dot or rectangle designate?

Surely I will hear from you regarding the queries in this letter in the very near future.

Sincerely yours,

LYNNE HEIDT.

KELLOGG SALES Co.,

Battle Creek, Mich., February 2, 1970.

Mrs. LYNNE HEIDT,
National Consumers' Union,
Prospect Heights, Ill.

DEAR MRS. HEIDT: Thank you for your letter of January 11, 1970.

As indicated in considerable detail in our telephone conversation several weeks ago, our present package dating system consists of a numbering sequence from 1 to 12 which indicates the month the product was manufactured. The number is changed monthly on each product—such change occurring between the 15th and 30th of the preceding month.

We also use a color bar system which is changed every two to four months. This is solely for the use of our sales personnel and indicates a change in the promotional copy on the package.

We have always taken great pride in the freshness of our products. As a consequence, it is and has been for a very long time our policy to have KELLOGG representatives call on retail outlets, restaurants, hospitals, other institutions and all grocery warehouses regularly. Code dates are checked, and cases not meeting our rigid requirements are removed from their inventory.

As to your question regarding the time period in which cereals may be safely used, this is a very complex area. Different cereal grains have different keeping qualities. Of course, climatic variations and conditions of storage also have a significant effect on keeping quality. Thus, we feel that the surveillance of our product freshness is best maintained by our KELLOGG representatives throughout the United States.

We emphasize that our products remain fresh and crisp for many months—much longer than required by the normal length of time they are in the distribution cycle from plant to consumer. In addition, retailers are very much aware of the importance of proper rotation of stocks and are constantly rotating merchandise on their own initiative.

Again, we thank you for your interest in the Kellogg Company.

Sincerely,

R. L. NICHOLS,
Vice president, General Sales Manager.

JANUARY 18, 1970.

Mrs. VIRGINIA H. KNAUER,
The President's Committee on Consumer Interests.

DEAR MRS. KNAUER: Our newly formed National Consumers' Union, NCU, is dedicated to direct action in terms of researching, evaluating, and negotiating matters of consumer interest. Our first objective has been the major food chain stores.

NCU research is based on the experiences

of our membership. NCUers evaluate grocery shopping conditions by conducting thorough inspections of food stores, and in the course of this research, we have discovered, among other abuses, the coded product dates. We gradually became aware of the tremendous implications of these codes, and difficult as it has been, we learned the translations of several codes . . . see the NCU Newsletter describing the "Conspiracy 10,000". Women in the NW suburbs of Chicago are beginning to use these codes as they grocery shop, and realize that before they became code readers, they had no way of determining the quality of the products they purchased.

When NCU first learned of these codes, and checked the stores, we discovered in every store we inspected, products being sold at full price which should no longer be sold at any price, according to the coded date. We learned immediately why it is that consumers complain so much about quality, for we found stores violating their own policy by selling out-dated hotdogs, lunchmeats, bacon, sausage, and other vacuum packed meat products, and outdated dairy products of all kinds—all highly perishable food products. Although most of the chain stores involved were quite willing to remove outdated products, gradually as we stepped up our campaign, and received newspaper publicity and greater consumer interest; our requests for information regarding codes or removing outdated products were met with a great deal of resistance . . . rudeness, and even harassment. Specifically, our investigations caused a tremendous overreaction by the Chicago based National Tea Company. I found myself shopping for my family's groceries with Security Police stationed in the store, simply for having persisted in asking the question: "Which is the freshest of the fresh?" . . . when I noticed 2 or more coded dates stamped on products I wished to purchase.

NCU's efforts have produced some results, and the stores have made noticeable improvements, especially in areas where NCU strength is greatest. Thus, it was with some shock that I discovered in the National Food Store where I shop, 11 packages of Oscar Mayer Pork Sausages which, according to the codes NCU had learned, were outdated:

0041—6 packages.
0051—3 packages.
0081—2 packages.

I observed these on Saturday, January 10th. According to the method of code dating Oscar Mayer had been using on their meat products, these sausages should not have been sold after January 4th, 5th, and 8th. I asked the store employees to remove these products, as customers were buying them, and they refused to without explanation. (I filed a complaint with the police of the village where the store is located, Wheeling, Illinois, asking them to relay the complaint to the Village Sanitarian, who was not on duty that day. In so doing, I knew very well there was little a Health Official could do about a complaint of this nature). The following Monday, after arguing vehemently with an attorney, who represents a National Officials, Fred Bartlit, who insisted the mistake was mine, a call was placed to Madison, Wisconsin, and I learned that Oscar Mayer had indeed changed the codes just recently on sausages, and that now their sausage codes represented the packaging date of the product, plus 2 days. I also learned that Oscar Mayer will begin coding other products in this manner. No longer will a consumer have information, coded or otherwise, as to when a product's life expectancy is over.

NCUers are aware of the recently introduced bills on this important matter of product dating, and we are aware that companies have no legal requirements regarding product dates at this time. However, it seems to me that consumers who have ferreted out the difficult information leading to code

translations in order to improve the quality of their food purchases, have the right to expect that companies would not willfully change to a new coding system as the consumer deciphers the old one. Furthermore, NCUers find it inexcusable that the National Tea Company brand, Top Taste, is no longer coded at all . . . at least in the stores where I shop.

Mrs. Knauer, NCU is well aware of your fine record in defending consumer's interests, and we understand you have a 'hot line' which you may use to ask company officials directly to try to give consumers satisfaction. As a representative of NCU, I request that you intervene on behalf of consumers who are code readers of Oscar Mayer and National Brand Top Taste vacuum packed meat products; that the 2 companies in question provide consumers with at least minimum information—standardized coding systems which reflect expiration dates—and that it is hoped that they would supply full dating information on the perishable meat products they manufacture, so that all consumers may purchase these meat products with freedom of choice. It is probably unrealistic to expect that they would provide clear dating information until legislation compels them to do so.

I hope I will hear from you on this matter, for until NCU garners membership strength so that we may affect necessary reform ourselves, it is an important security to those of us who are concerned, to know that you will act in our best interests.

Sincerely yours,

LYNNE H. HEIDT.

EXECUTIVE OFFICE OF THE PRESIDENT,
PRESIDENT'S COMMITTEE ON CONSUMER INTEREST,
Washington, D.C., February 10, 1970.

Mrs. LYNNE H. HEIDT,
The National Consumers' Union,
Prospect Heights, Ill.

DEAR Mrs. HEIDT: Thank you very much for your interesting letter concerning dating codes on foods.

We are concerned with this as a consumer problem; specifically the White House Conference on Food, Nutrition and Health recommended a feasibility study on uniform and easily understood coding systems for foods. The recommendations of the Conference are under review at all levels of government at this time. I think we can look forward to substantial progress in this area in the not too distant future.

Sincerely,

VIRGINIA H. KNAUER,
Special Assistant to the President for Consumer Affairs.

FEBRUARY 13, 1970.

Mrs. VIRGINIA H. KNAUER,
Special Assistant to the President for Consumer Affairs.

DEAR Mrs. KNAUER: NCU is well aware of the attention being given to the matter of code dating, as we have been contacted by Rep. Leonard Farbstein's staff, and our Union is committed to backing the proposed legislation which would contribute greatly to helping consumers who wish to make wise choices regarding their food purchases.

In my letter of January 18, 1970, I specifically requested that you intervene with Oscar Mayer who has deliberately changed their codes. Without legislation, the consumer is virtually helpless, unless he is well informed and well organized (and this is clearly not the case—yet), or unless he has recourse through the courts (and, generally, this is too expensive).

Thus, NCU greeted the announcement of your position with a great of enthusiasm, and it was with this in mind, that we appealed to you to intervene on behalf of code-reading consumers, for we had understood

that you would mediate matters which concern the consuming public. Our request was simple, and fair. We did not demand that you ask Oscar Mayer to cease using codes; we asked for code standardization; a coding system reflecting the date shelf-life expires.

It is disappointing that your letter of February 10, 1970, did not respond to this request or even allude to it. NCU is well aware that those in the Purveyor-Political arena have had a vested interest in our ignorance. We had hoped the creation of your position would, in fact, act to secure the position of the consumer.

Sincerely yours,

LYNNE H. HEIDT.

EXECUTIVE OFFICE OF THE PRESIDENT,
PRESIDENT'S COMMITTEE ON CONSUMER INTERESTS,
Washington, D.C., March 13, 1970.

Mrs. LYNNE H. HEIDT,
The National Consumers' Union,
Prospect Heights, Ill.

DEAR Mrs. HEIDT: Thank you for your letter concerning Oscar Mayer date coding.

As you requested we are asking Oscar Mayer to look at the problem and report to us on what they might be willing to do to assist consumers in determining expired shelf life.

Sincerely,

VIRGINIA H. KNAUER,
Special Assistant to the President for Consumer Affairs.

THE WHITE HOUSE,
Washington, D.C., March 13, 1970.

OSCAR MAYER CO.,
Madison, Wisc.

GENTLEMAN: Enclosed are letters we received from Mrs. Heidt of the National Consumers' Union regarding your code dating system.

I think her questions merit investigation and would appreciate a report on what you might be able to do to alleviate this problem for consumers.

Thank you for your cooperation.

Sincerely,

VIRGINIA H. KNAUER,
Special Assistant to the President for Consumer Affairs.

NATIONAL CONSUMERS' UNION,
Prospect Heights, Ill., March 23, 1970.

Mrs. VIRGINIA H. KNAUER,
Special Assistant to the President for Consumer Affairs.

DEAR Mrs. KNAUER: On behalf of the members of the National Consumers' Union, I wish to thank you for your cooperation and interest regarding the question of the code dates Oscar Mayer uses on the various meat products they manufacture.

It will be of interest to you that an official of the Oscar Mayer Company, Mr. Donald Paul, telephoned NCU immediately upon receipt of your letter. It is our feeling in evaluating this conversation, that substantial progress in this area is contingent on the grocery retailers' concern for the consumer, for until there is legislation to protect consumers, the good will of suppliers must be matched by the retailers.

NCU is committed to filling the void in terms of the CQ—Consumer Quotient—and product dating information is one of our major concerns, for many food companies are violating the consumers' interests by selling outdated products. We are grateful that you have helped foster what may lead to greater consumer protection at the marketplace. A dialogue with a company of the stature of Oscar Mayer is an important first step in alleviating serious problems our NCU investigations have shown without question to merit immediate attention and concern.

Sincerely,

LYNNE H. HEIDT.

HON. BOB JONES OUTLINES CHALLENGE TO EDUCATION

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

Mr. PERKINS. Mr. Speaker, through the years our colleague from Alabama, Hon. BOB JONES, has been among the most steadfast advocates and supporters of proper attention to the educational needs of the people of this Nation.

He recently outlined his views on the challenge to education for the classroom teachers of the Alabama Education Association meeting in convention in Birmingham, Ala.

Because his comments have such meaning for all of us who are interested in education, I commend them to the attention of every Member and include them in the RECORD at this point:

REMARKS OF CONGRESSMAN BOB JONES

Education, public education, has always been the most essential complement to the well being of the people of this nation.

Thomas Jefferson, one of the Founding Fathers, had a great deal to say about the methods and importance of education.

He valued education because of its relation to freedom. Jefferson warned his colleagues: "If a nation expects to be ignorant and free, in a state of civilization, it expects what never was and never will be."

Jefferson advanced detailed and far reaching proposals for education. For promising children whose parents are too poor to provide them education, he advocated education in colleges and universities at public expense. His reason:

"The object is to bring into action that mass of talents which lies buried in poverty in every country, for want of the means of development, and thus give activity to a mass of mind, which, in proportion to our population shall be the double or treble of what it is in most countries."

While he recognized the economic benefits of providing the best education, Jefferson stressed that the most important, most legitimate reason for widespread education is that the people are the ultimate guardians of their own liberty.

Jefferson's belief in education went beyond the theoretical. He worked actively for enlargement of educational opportunities. He supported education throughout his long and illustrious public life.

His ideas were valid in the early, slow-moving days of the Republic. How much more valid they are today when change follows change so rapidly as to seem like upheaval.

Technology is producing new methods and products undreamed of 30 years ago. Within a space of 10 years we have put man on the moon and returned him. At the same time, we have reached such levels of productivity and consumption that the refuse from our daily lives threatens to engulf us.

Concurrently, changes in manners and morals have become obvious. The customary patterns of a previous day seem out of place to many. The weird costumes and freakish behavior of yesterday may be the common place of today.

Likewise, changes are discernable in the objectives sought by individuals and society. Interesting and satisfying work has more value to most than strict financial return. The grass and trees of small towns and open country hold allure while the hustle of the city loses its charm. Everywhere change advances at an accelerating pace.

Changes have been no less rapid and significant in your profession. Shifting public priorities made possible vast infusion of federal funds for education. Your com-

mendable work, and the efforts and results of those who preceded you in the classrooms, contributed to the public acceptance of more adequate funding for our educational endeavors.

For all the change we have witnessed, it is my opinion that we still have far to go in realizing the potentials that can be brought forth from this great land.

Professional educational planners who chart the past and project trends into the future tell us what education may be in 12 years.

As a citizen with a great faith in your work, I have my views on what education ought to be.

However, you, and the other classroom teachers of the nation, will be the most important factor in determining what education will be.

Professional planners foresee a continuing increase in the general level of education. By the year 1982, the average adult will have completed 14 years of schooling. This compares to an average of 12 years now. Free schooling is expected to be extended through at least two years of college to prepare youths for the more complicated problems and job requirements of modern society.

Whether schooling is provided for four years or 14, it is my opinion that teaching a person how to make a living is not enough. Education should teach how to live—how to understand and use the ideas by which mankind must survive and develop.

Our purpose should not be merely to make lawyers or clergymen, soldiers or schoolmasters, farmers or artisans. Our purpose should be to make men and women who are useful and concerned with our total community.

In many cases a scientist, lawyer, engineer or doctor will become aware that his education has channeled his mind into a narrow skill—that he lacks the broad base of understanding necessary to obtain a balanced view. He is fortunate. Others never become aware of the narrowness of their outlook.

Inadequate training in logic, history, and the general humanities makes men easy prey for zealots of the extreme left or right. Without understanding of the political and social forces in the world outside their narrow disciplines, they falsely transfer expertise and status to problems for which they are unequipped to deal.

Talent in playing a guitar does not necessarily give one the ability to settle the war in Viet Nam.

A dose of LSD does not enable one to fly out of a 10th floor apartment.

The most acclaimed baby doctor does not necessarily have the instant solution to all the world's political and social problems.

When confronted by social or political crisis, the narrowly trained tend to blight our whole society and make an ugly spectacle.

It is at such a time that the need for perspective and flexibility is the greatest.

As there is every indication that change will continue at an accelerating pace, the teaching of skills alone is insufficient. The greater need is for teaching of principles. With knowledge of the principles of morality, ethics, history, and logic, man can continually evaluate shifting needs and adjust his mind and emotions to meet and understand the complexity of modern life.

What education will be in the future, the place education will hold in our society, is largely in your hands.

Because education relies on public support, the public view of education and the public interpretation of the value and benefits of education are of everlasting importance.

Dramatic recent increases in federal support for education are encouraging but this is no cause for complacency in the profession. The basic element of funding remains the local tax unit. It is most unlikely that federal revenues will ever replace it.

You may be sure that decline in local support for education will be accompanied by similar action at the federal level.

While others may predict changes in education or express opinions about what education should be, it is you, the classroom teachers, who will have the most constant influence on what education will be.

It is the results of your efforts that the public examines in evaluating the worth of education and the need to increase or decrease allocation of public funds.

Although expenditures are not the only factor in the quality of education, they are important and they do require public understanding and support.

Even Thomas Jefferson compared his state's effort to that of New York and concluded New York State residents set a greater value on knowledge and the prosperity it produces.

More recently, a study financed by the Carnegie Corporation compared the hourly earnings of individuals' education in the various states. Differences in age, sex, race and number of years in school were considered in making the comparison.

The study indicated a year of schooling in the state of New York is worth almost two and a half times as much as a year of schooling in Alabama—in terms of the average hourly wage a pupil will command.

Overall, the study concluded that for every \$1.00 more a state spends on its pupils, those pupils earn an additional 24 cents an hour in later life. This is a public investment that pays for itself in higher individual earnings within a year or two after graduation.

That our state has been able to improve allocation of resources to education in recent years is a tribute to the work you are doing in producing results in your classroom.

However, in a changing society such as we all witness, there can be no question about the need for every profession, including education to respond to shifting needs.

Hopefully, change can come from within. You should be constantly alert to the outworn, the expensive and the inefficient. Such practices should be discarded with dispatch.

Because those in education can see good being accomplished, it becomes all the more difficult to be a good critic of the effort. Nevertheless, complacency must be overcome if the changes are to be made from within, rather than from outside, the profession.

In the present we purchase our own future and that of our children with support of education.

Through your effort, your ingenuity, your talents, and your dedication, your role in the purchase of the future exceeds that of any other group.

The challenges are immense. The potentials are unending. Let us get a good direction. Our future population requires the best possible educational advantage.

No public endeavor can be more worthwhile nor more rewarding. I salute you for your investment in the new generation.

THE WARSAW GHETTO UPRISING

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

Mr. RYAN. Mr. Speaker, April 19 marked the 27th anniversary of the Warsaw ghetto uprising. It is an anniversary which commemorates the epic of a people determined to live—a people upon whom was inflicted the greatest obscenity in history. The uprising marked one of the finest hours of man's struggle to survive and persevere against the outrages inflicted by his fellow man.

The Third Reich can never be justified. The beastiality of Nazi Germany

can never be excused. The evils of that day are a shame to mankind unparalleled and incomparable. Let April 19 not only be remembered as the day the Jews of the Warsaw ghetto began their uprising against evil incarnate. Let it also be commemorated as epitomizing our resolve to never let such an awful tragedy happen again.

In 1939 Warsaw was the most Jewish of European cities. Before World War II, the Jewish population of Poland numbered more than 3 million, and there were some 433,000 Jews in Warsaw. In early 1940, German occupation authorities began to concentrate Jews in restricted districts in each town and locality in Poland. The period of deportations, confiscations, arrests, and terror had begun. Polish Jews were victims of looting, murder, starvation, and other forms of SS violence. One by one restrictive regulations were enacted. One law made all Jews subject to forced labor. In Warsaw "educational" camps were established for the Jewish population. All Jewish assets exceeding 2,000 zloty per family were expropriated. Jews were forbidden to work in key industries, to bake bread, to trade with "Aryans," to doctor, or to be doctored by "Aryans," to appear on trains or trolleys, to leave the city limits without permission, and to possess gold or jewelry. Jewish property was registered with the Gestapo. Congregational worship was prohibited. Every Jew over age 12 was ordered to display the Star of David. Punishment for failure to obey these orders was death.

On October 16, 1940, the Germans began to corral Warsaw's Jews into the 100 square city blocks between the major railway station, the Saxon Gardens, and the Danzig Railroad Terminal. One-third of the population of Warsaw was crammed, eight to a room, into one-twentieth the area of the city. A brick wall and barbed wire were erected. The Germans intended first to starve them into docility, then to round them up and murder them by the thousands.

According to Nazi plans captured after the defeat of the Wehrmacht, Poland was the first occupied area to be cleared of its non-Aryan population, prior to the implementation of the generalplan ost, the general eastern plan. The Reich's scheme was to Germanize and liquidate the "inferior" races of vast areas in the Baltics, Czechoslovakia, the Ukraine, Byelorussia, and Russia itself. Rosenberg, the Nazi race ideologist, expressed the Reich's objective at the Nuremberg trials:

Europe can consider the Jewish question solved when the last Jew leaves the continent . . . We swear that we will not give up the fight until the last Jew in Europe has disappeared—

And, he added—

until we are sure that he is really dead.

The pilot project for this operation was Poland; its death terminal, Warsaw. November 15, 1940, the ghetto was completely sealed from the rest of the city. Most of those confined on penalty of death in 2½ miles of the traditional Jewish quarter of the city had neither roots nor homes in the capital. Only 27,000 of the inhabitants of the ghetto

were employed. Although food was scarce, its distribution was further restricted by the Nazis. The official daily ration of calories was 184 per person, compared with 2,310 calories for Germans in Warsaw and 934 for the Poles. A leaflet distributed underground in early 1942 summarized the consequences of the famine in this way: 50 percent of the ghetto population died of starvation; 30 percent went hungry "in the normal way," and 15 percent were undernourished.

Epidemics spread through the district because of congestion and inadequate sanitation facilities. Spotted fever and typhus were common. But drugs were denied the population and corpses were left to decay in the streets. Each morning funeral carts collected the corpses, and carried them out of the city where they were buried in mass graves; 8,981 died in 1940, 43,238 in 1941, and 29,000 in 1942.

The Jews operated a large and intricate network of voluntary aid and cultural organizations. The Jewish social self-help—ZTOS—ran soup kitchens and a host of other social services. TOZ, the medical service, organized medical facilities to fight illness and epidemics. The child-care organization, Cantos conducted educational programs among the youth, including schools, recreation, a juvenile library, and a theater. Yikor, the Jewish cultural organization, established schools and a university with a complete faculty. The ghetto had music schools, choral societies, four theaters, poetry readings, and recitals. A secret medical school and faculty of sciences and mathematics were maintained. Painters and sculptors exhibited their works. Bomb caches of the resistance were disguised as parks. An illegal press distributed pamphlets and reported current events. One group of scholars collected an archive to preserve records of the ghetto as part of Jewish history. Among the documents is a draft of an opening address for a cultural evening. The unknown lecturer expressed the common purpose:

We want to continue living and remain free and creative people. Thereby we shall stand the test of life. If our lives are not extinguished under thick layers of ashes, it will be the triumph of humanity; it will be the proof that our life-force is stronger than the will of destruction.

Such resolve sustained the Jews of the Warsaw ghetto after the Germans first began to carry out their extermination policy in the summer of 1942. The "action," as the deportation was known, began July 22, when the SS announced that nearly all Jews in Warsaw would be "resettled in the east." Jews were evicted from their homes, gathered in groups, and marched off to collection centers without food, water, or sanitation facilities. Transports left twice a day. The guards would crack their whips and fire their pistols into the crowd until each car was filled. The Jews were squeezed like cattle, 100 to a car. From Warsaw the freight trains moved to the gas chambers of Auschwitz and Treblinka. The "action" continued through the summer until September 21. During that period alone more than 300,000 were either deported or shot in the ghetto.

The second deportation "action" began January 18, 1943. The Germans had decided to finally liquidate the ghetto of its remaining 40,000 to 60,000 Jews. But the program halted suddenly after 3 days. For the first time Germans met armed resistance.

The Jewish fighter organization—ZOB—had existed since July 28, 1942, but lack of arms and effective organization prevented its operation. Nevertheless the ZOB managed to assassinate key German officials, thus invigorating the morale of the ghetto. After the first "action" was over, the Jewish fighter organization took up the impossible task of securing arms. Some weapons were obtained at great cost from Polish resistance movements and smugglers. Led by Mordecai Anielewicz, the ZOB represented many political parties. Its purpose was not politics, but resistance at all costs.

When the second deportations began January 18 the defense was not yet ready. Of the 50 or more organized groups, only four manned the barricades. The others were either not armed or taken by surprise. Nevertheless, the Germans did not expect to deal with such vigorous resistance. Equipped with few pistols, grenades, and homemade bombs, the defenders inflicted an astonishing number of casualties on the Germans. The Nazis were forced to stop the "action." Although 6,000 Jews were deported, the ZOB had won a victory.

Aware that the Germans would not tolerate a defeat, the ZOB worked to strengthen their underground shelters, bunkers, and intercommunication lines. The ZOB command was reorganized. The ghetto was divided into districts, each with its own director. Independent detachments formed. Each squad drilled in preparation for the inevitable conflict.

The second round of the battle began April 19, 1943. The Germans surrounded the ghetto with SS troops, German gendarmes, and Ukrainian, Polish, and Lithuanian police. After 12 hours of conflict, the Germans withdrew. The embattled Jews had scored another victory against superior forces and arms.

The Germans soon returned with reinforcements and tanks. German aircraft pounded the bunkers and garrisons of the ghetto. But again the Jews fought a brave battle and inflicted hundreds of casualties on the enemy.

Now the Germans set fire to the ghetto to smoke out its hidden defenders. They set up heavy machinegun artillery on walls and rooftops. The resistance slowly weakened as organized defense became guerrilla warfare. Women and children joined the struggle. But many units, seeing the hopelessness of the defense, formed suicide detachments. Other groups committed suicide rather than surrender to the Germans.

May 8, the Germans discovered ZOB headquarters. After 2 hours of fighting, the Germans decided to blow up the bunker if they could not capture it. Only 60 of its 200 defenders were taken alive. Among the dead was Mordecai Anielewicz, commander in chief.

By the middle of May the conflict was nearly over. In a final symbolic act, May 16 the Germans dynamited the great

Jewish Synagogue. After the shrine was destroyed, SS General Stroop, commander of the German forces, pronounced:

The former Jewish quarter of Warsaw is no longer in existence. There was a Jewish district in Warsaw.

According to Stroop, about 56,000 Jews were captured or killed, a figure including 7,000 killed in action and another 7,000 who perished at Treblinka. A total of 5,000 to 6,000 Jews died in flames or explosions. But Jewish resistance continued beyond the final destruction of the ghetto. Records trace the activity of units as late as September 1943. Other fighters escaped to join partisan units outside Warsaw.

The epic of the Warsaw ghetto remains a miraculous account of the capacity of human determination to survive. It is an episode which few races or nationalities can share and one which must never be repeated.

SEDITIONOUS SPEECH

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

Mr. WYMAN. Mr. Speaker, yesterday's Sunday New York Times contains an article entitled "Right On—With Lawyer William Kunstler." In this article there are published at some length repeated specific incitements of Kunstler to force and violence in effecting sedition and revolution in this country.

Some excerpts from this article are as follows:

At Buffalo, which had been suffering sporadic outbreaks of violence, the students had chosen to crowd 1,500 bodies into a social hall seating only 500, rather than meet in the official auditorium because the radical students had "captured" the social hall some weeks before and it had become something of a symbol. Kunstler arrived with clenched fist held high and announced, "I'm happy to speak in a liberated zone.

"After I spoke at Santa Barbara," he went on, "they burned down the Bank of America, but"—sustained cheers and shouts of "Right on!"—"but that had nothing to do with my speech. There was a professor who spoke before me who said we might need a 'blood bath' and they didn't even put his name in the papers. He deserves the credit. . . . They [the bank] took out an ad called 'Violence in America.' When did they take out an ad about violence in Vietnam? Americans—who smoke cancer-causing cigarettes—are terrified of the destruction of property. What about human beings?"

The most striking thing about Kunstler's style is its odd combination of emotional excess (he's a laugher and a crier) and ostensible common sense. His platform manner is more lecturer than orator, yet the whole time I was with him there was not a woman whose hand he shook whose lips he did not also kiss. As a matter of fact, on two occasions he hugged and kissed me (much in the spirit with which another man might slap one on the back), a liberty only my Italian cousin-in-law had previously gotten away with. At the same time, in a very subdued way, Kunstler is part put-on.

John Froines, perhaps the most anonymous of the Chicago Seven, tells the story of the day Abbie Hoffman received an envelope in the courtroom: "The Chicago letter carriers were quite hip. A letter would be addressed

to 'Abbie c/o Judge McGoo' and we'd get it! Anyway, one day this envelope came in and we opened it and this green stuff spilled out all over the table. We didn't know what to do. We got it all in a pile and covered it with a newspaper. We knew we couldn't take it with us, and yet you can't leave a pile of dope on a table in the highest court in the land. So, at the end of the day—there were no contempt proceedings that day—Bill got up and said, 'Your honor, the defendant, Abbie Hoffman, received in the mail an envelope with some green material in it—at which point the prosecutor jumped up and said, 'I'll bet it's dope.' And Kunstler said, 'It does have a plantlike odor, your honor.' So Judge Hoffman, who was getting impatient, said, 'I'm sure counsel can find a way to take care of this matter without further troubling the court,' and Kunstler responded, 'Your honor, I'll personally dispose of it this evening. None of us ever saw the stuff again,' says Froines. When Kunstler heard the story he denied it: "I said no such thing. I said, 'Your honor, I will personally see that it is burned this evening.'"

At Notre Dame, over half the student body of 7,500 packed into Stephen Center to hear Kunstler introduced as "a man facing a four-year jail sentence."

"People are no longer going to content themselves with a picket line around a building," he said, leaning on the lectern with a Lincolnian stoop (Esquire once said he looked like "Lincoln on pot") and flexing his knees as he talked. "People are going to occupy the building. People are going to take over the building. And I rather imagine unless Government listens, people are going to burn down the building." All this in a low-keyed, almost conversational tone. Then, about three quarters of the way through his speech: "Nixon said he didn't care how many people supported the Vietnam Moratorium, it wouldn't change his mind (his voice now raised and expressing outraged indignation)—Who the hell does he think he is?"

The audience is on its feet in a thunderous ovation. Kunstler places two clenched fists above his head, says in a voice inaudible over the uproar, "I guess my speech is over," and basks in a sea of clenched fists, "Right on's," whistles and shouts. After it is over he autographs draft cards, and when one priest points out that it might be a Federal offense, Kunstler says, "That's one I couldn't mind getting locked up for! Look," he says to a companion happily, "I'm signing where it says 'registrar'."

As Kunstler answers questions and signs autographs, Bob Lamb, who coordinates speaking engagements for the Chicago Seven and their lawyers, makes a pitch for money. (By prearrangement, Kunstler's \$1,000 fee is going to the Law Center to be used for the defense of Rap Brown.) "There are 3,500 people in this room," shouts Lamb. "If everybody gives a quarter we can raise at least \$1,000 or at the very minimum \$500 and a pound of grass." On his way out, Kunstler, who has been given scarves, beads, a wedding ring, a peace necklace and other trinkets, is handed a Zippo lighter with an American flag motif. Says the donor, "For your next bank."

The next day Kunstler filed motion papers for a directed verdict of acquittal in connection with the conspiracy trial and took advantage of his face-to-face encounter with Judge Edwin Robson (sitting in for Judge Hoffman, who was on vacation) to move to expunge from the record some gratuitous remarks Robson has made about Kunstler in an unrelated proceeding: ". . . repeatedly brazenly transgressed the local rules of the District Court . . . by continuous inflammatory public statements." Robson, obviously miffed, cut Kunstler off and told him all motions had to be in writing.

Kunstler then went down to the press room where he received a telegram from the

vice chancellor of the University of Illinois alerting him to telephone threats that "Kunstler will not leave the campus alive" if he spoke as scheduled that night. That night he missed his plane, partly because a Chicago cop signaled his cab to a stop in the middle of a left turn on a changing light. When the cabbie rolled down his window, the only thing the officer, who poked a fat neck into the cab, had to say was, "We wouldn't want to lose Mr. Kunstler now, would we?" Kunstler chartered a private plane and spoke as scheduled. The audience of almost 7,000 was keyed up for the occasion. The board of trustees had first banned Kunstler, 6 to 3, then reversed itself, 7 to 2. Now here he was in assembly hall and the threats on his life have lent an air of urgency to the proceedings. Kunstler reads the telegram and says, "I'll be goddamned if I'll be intimidated by a crank call."

This is going to be Kunstler's last speech before his vacation, and the talk of attempts on his life seems to have pumped him full of adrenalin. "We're all out on bail because we're white," he says as matter-of-factly as a weather report. "I have moments of intense shame when I realize that I'm out on bail on \$15,000, and yet men are in Cook County jail who can't raise \$150 to get out"—he is more emotional now, but only slightly—"or that the Black Panthers in New York have to raise \$100,000, while whites accused of doing what the Panthers are only accused of talking about are out on \$25,000." He is warming up.

"We've gone into the age of that clenched fist," he says to a clenched fist in the audience, "and that clenched fist is not so easily talked about by those of us up there in the 50-year range . . . Raising the clenched fist is not easy for me, it's a gesture I didn't use until I became an attorney in the Chicago trial. It's a gesture of resistance."

"We have a duty to do more than protest illegitimate authority. There apparently is not going to be an ear to listen to our protest. Therefore, since protest is not listened to, we must turn to other forms. Now these forms vary from place to place. . . . There is absolutely nothing wrong in history or in law with the seizure of a university building if the university has failed to listen to reasonable argument. . . . There will be a time"—he says "will," not "may"—"when buildings should be burned down. This is not to say buildings should be burned down," he adds, in somewhat garbled syntax.

"Why was it perfectly honorable to drop 342 bags of tea in Boston Harbor? When [John] Adams heard about it, he said, 'I would as lief it had been 342 British carcasses floating in the harbor.' This from our 'non-violent' forefathers."

"If peaceful means fail, only a dishonest coward would say we stop here and go no further!"

The University of Illinois is on its feet, fists in the air. Ten minutes of sustained shouting taper off only when Kunstler flees the stage to catch the last plane back to Chicago.

Later, on the plane back to New York I asked him about two statements he had made which seemed to me contradictory. He had said he thought the "clear and present danger test" was a "watering down" of the First Amendment, but he had said it was impermissible to shout fire in a crowded theater, the traditional example of a clear and present danger. "That's easy," he said. "I have every right to tell the students to take out their lighters and go down and burn up the bank, because my intent is to communicate a thought which will lead to an action. That's what the First Amendment is all about. What I don't have a right to do is announce to an audience like last night's that there is a time bomb in the assembly hall and it is set to go off in five

seconds. That would leave no time for thought. It would cause a riot."

In Philadelphia, when he was asked if he would defend the Minutemen on the same grounds that he defended the Panthers (i.e., the right to violent "self-defense") he said, "No, I wouldn't defend them at all. I only defend those whose goals I share. I'm not a lawyer for hire. I only defend those I love." So, I asked him what he thought was the contemporary relevance of the American Civil Liberties Union, whose basic position, to paraphrase Prof. Anthony Amsterdam of the University of Pennsylvania, is that, when the revolution comes, the organization will be defending the capitalists.

Mr. Speaker, no person who acts in this manner is entitled to remain a member of the bar in the United States whether it be in the State of New York or any other State. William Kunstler should be disbarred. He should also be prosecuted for sedition.

If such a course means further polarization and eventual confrontation so be it and let us get it over with—for, unless society is prepared to protect itself to preserve order, decency, and the values that have helped make us strong in this country, it does not deserve to survive. To all of these vital values Kunstler's activities are anathema as well as a clear and present danger.

This is not to silence legitimate protest or even lawful dissent. But Kunstler has gone far beyond this and he keeps right on.

Nor is it simply a matter of conservative or liberal persuasion. By his deliberate choice of words and action Kunstler has made the issue one of survival for freedom and justice in America.

This man on his demonstrated record has become an advocate of sedition, an inciter of violence, a vicious rabble-rouser and an enemy of American society. This is undeniable, no matter how many misguided temporary supporters he may pick up along the way out of frustrations with the Vietnam war, the continuing struggle for equal rights, or what have you. His invitation to and incitement of violence must be dealt with fairly, firmly, and responsibly, and the hour is late.

PROCUREMENT ABUSE CONTINUES

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

Mr. HARSHA. Mr. Speaker, in the Department of Commerce Business Daily dated April 6, 1970, on page 18, column 1, there appears a small, five-line announcement of the award of a contract for \$333,117 by the Department of the Army through the U.S. Army Electronics Command, Philadelphia, covering 191 units of a recorder-reproducer identified as the AN/GSH-6 () to a firm called Raycomm Industries, Inc., Post Office Box 971, Route 33, Freehold, N.J. The contract is numbered DAABO 5-70-3514 and is dated March 23, 1970. Raycomm obtained the contract in spite of the efforts of an Army civilian in Chicago who attempted to award the contract to the Admiral Corp. of Chicago for approximately \$1 million by certifying "urgency for delivery" on an official

document in order to justify the non-competitive award. Although the taxpayers saved over \$600,000 in this one case, it was purely accidental, and I want to take this time to outline in detail exactly how it happened.

American industry won World War II by the overwhelming mass production of the implements of war for those of us who had to wage it. Multi-million-dollar defense contracts were negotiated in a matter of days. In many cases the final price was only vaguely estimated at the beginning because price was not the object—delivery was. It was evident, however, that as in all high-priority programs, the cost increases as does the waste factor. Since World War II, the Department of Defense has expanded and extended its operations throughout the world. The expenditure of money involved can hardly be computed. The tragic part about all this is that the waste factor in military procurement today is entirely out of reason and this, combined with the huge budgets, has pushed our national debt to a point where we are on the brink of disaster. If our economy topples, the disaster will be complete, and the American way of life, as we know it, will be at an end. The time has come that we must put our house in order.

For many months I have been making a spot check of certain procurement actions conducted by the various agencies of the Department of Defense, and I can only report that I am astonished and dismayed at what I have seen. Military procurement is supposed to be conducted in accordance with the Armed Services Procurement Regulations, but the small manufacturer, the one who cannot afford a huge Washington office staffed with retired military officers, finds it impossible to do business with the Pentagon. The regulations state that the "rule" for all procurement shall be open, competitive bidding. Unfortunately this rule is subverted by some 17 exceptions through which the military civilians "justify" secret, negotiated type procurement action covering nearly 90 percent of their entire requirements.

In other words, roughly 10 percent of the military business is allowed for open, competitive bidding when open, competitive bidding is supposed to be the rule. The terrible part about all of this is the fact that almost any contract for an item of electronic equipment that is awarded through a noncompetitive, sole-source negotiation is purchased, in subsequent competitive biddings, at prices approximately one-third to one-half the previous noncompetitive price even where all of the prior development costs were paid for by the Government. Today, I want to show you a single, specific, completely documented case of how this works. The example involves the AN/GSH-6 () recorder-reproducer.

Before we go into detail regarding the procurement of this equipment, I would like to describe it to you. This unit is actually a high-speed, 300-words-per-minute, Morse code, recorder and a slow-speed, 5-to-15-words-per-minute, reproducer-playback unit. It is for the use of combat troops in hostile territory to transmit a lengthy message in a very

short burst of transmission which reduces the chance of detection by enemy radio detection finders simply by limiting the transmission time to a matter of seconds. The need for this equipment was apparent back in 1959. I would like to present a chronological sequence of events that took place under the cognizance of the Army Electronics Command.

June 26, 1963: The Army Electronics Command, Philadelphia, awarded the contract DA-36-039-AMC-03303(E) to the Admiral Corp., Chicago, for \$148,402 for the development, design plan, instruction books, technical reports, and four engineering test models of the AN/GSH-6 () to be in accordance with the Confidential Specification SCL-4548 dated October 26, 1962, and SCL-1787A dated April 13, 1959. This contract also included a requirement for delivery of manufacturing drawings, and was subsequently modified to include service test models for delivery by July 30, 1965, with a price increase to \$264,097.

December 1965: I have in my possession a copy of a memorandum report dated December 6, 1965, issued by the U.S. Army Electronics Command, Fort Monmouth, N.J., AMSEL-NL-E-2, which noted 31 deficiencies in the original four engineering test models of the AN/GSH-6 (XE-1) recorder-reproducer which were to be corrected in the production of the service test models. I also have an outline of the planned procurement of this equipment estimated at that time to be as follows:

Fiscal 1968: 165 units planned for \$495,000, average unit price, \$3,000.

Fiscal 1969: 1,050 units planned for \$2,625,000, average unit price, \$2,500.

Fiscal 1970: 1,351 units planned for \$3,337,500, average unit price, \$2,500.

March 6, 1969: The Army officials delayed the pending procurement of the equipment until March 6, 1969. At that point a document officially identified as "determination and findings" was signed by an Army civilian in the Chicago Electronics Command office. The document certified that the Army had an "urgent" requirement for this equipment and that 200 units of the AN/GSH-6 () recorder-reproducer had to be purchased from the Admiral Corp. of Chicago, at an estimated cost of \$1 million because no other manufacturer in the entire United States could manufacture and deliver this equipment within the time required by the Army. For the RECORD, I would like to insert a copy of this document:

U.S. ARMY CHICAGO PROCUREMENT AGENCY—Determination and Findings: Authority to Negotiate an Individual Contract. Upon the basis of the following findings and determination, the proposed contract described below may be negotiated without formal advertising pursuant to the authority of 10 U.S.C. 2304(a)(2) as implemented by paragraph 3-202.2(vi) of the Armed Services Procurement Regulation.

Findings: 1. The U.S. Army Procurement Agency proposes to procure by negotiation 200 each Recorder-Reproducer AN/GSH-6 required by PRON No. C9-9-CO613-O1-C9-A5. The estimated cost of the proposed procurement is \$1,000,000.00. An estimated amount of \$15,000.00 for concurrent repair parts required by PRON No. C9-9-84220-O1-C9-A5 will be committed but not included in

the total cost of the proposed procurement. The proposed procurement will include an option provision for 100% increase of the initial quantity of the equipment.

2. Procurement by negotiation of the above described equipment is necessary because the purchase request cites UMMIPS Priority Designator "02" for deliveries 31 July 1970 through 31 January 1971 in support of Southeast Asia. Admiral Corporation, the developer of the equipment, is the only known source who can meet the required delivery schedule.

3. Use of formal advertising for procurement of the above described equipment is impracticable because solicitation and award thereunder cannot be affected in time to meet the required delivery schedule.

Determination: The proposed contract is for supplies for which the public exigency will not permit the delay incident to formal advertising.

The document was dated March 6, 1969, and signed by an Army civilian at the U.S. Army Chicago Procurement Agency.

March 20, 1969: In the Department of Commerce Business Daily dated March 20, 1969, page 4, column No. 1, the pending procurement of the recorder-reproducer AN/GSH-6() was listed but the nomenclature was AN/GSM-6(). While this may have been simply a typographical error, the mistake may have been a deliberate attempt to disguise the pending purchase. It certainly has ominous overtones in light of subsequent developments.

May 1, 1969: The U.S. Army Chicago Procurement Agency, 623 South Wabash Avenue, Chicago, issued negotiation DAAG11-69-R-4527 to the Admiral Corp., Chicago, scheduled for closing of the single bid on May 6, 1969, covering 200 units of the AN/GSH-6() recorder-reproducer. This negotiation was justified because of the "urgent" need for delivery, but the first article text report was not required until 225 days after the date of the contract, and production units—10—were not to be delivered until after 390 days from the date of the contract. The actual delivery schedule was protracted through 500 days after the date of the award of the contract, which certainly is not an urgent schedule considering you can get airframes in 18 months from an award of a contract to any reliable airframe manufacturer.

May 16, 1969: The date set for closing of the bid from the Admiral Corp. found the Army in possession of two bids, one of which came from the Admiral Corp. bidding at the top of the budget at approximately \$1,000,000 with the other unsolicited bid from a small business manufacturer that was roughly \$200,000 lower than the Admiral bid. The small business, which had adequate technical competence and financial capability for production of the units, offered even a possibly lower price if the Army would supply the previously delivered manufacturing drawing for examination. The drawings were not delivered and the Chicago Army Procurement Agency immediately transferred procurement cognizance of this program to Fort Monmouth.

May 28, 1969: The low bidder for the recorder-reproducer contract—the small manufacturer who had offered the un-

solicited bid—formed a team of nine members of their organization including the manager of mechanical engineering, manager of electromechanical engineering, production engineering, quality assurance, purchasing, general services and contracting, which met with five civilian Army personnel. At this session the small business group was, apparently, again denied access to a procurement model, denied the right to see the manufacturing drawings, and was urged to withdraw their bid. The representatives of the small business asserted their right to the contract, agreed to accept liquidated damages against the proposed delivery schedule and suggested, if necessary, that the case be referred to the Small Business Administration for review and issuance of a certificate of competency.

June 3, 1969: On this date, 6 days after the meeting between members of the Electronics Command and the representatives of the small business, one of the Army civilians involved in the incident issued a notice of cancellation under the then pending negotiation, DAAG11-69-R-4527, stating that cancellation was due to a change in requirements. A review

had been made of the Army requirements for the recorder-reproducer and a higher authority than the man who had originally issued the certification of "urgency" had discovered that there was no real urgency after all and that the equipment could be procured through an open two-step competitive action.

September 25, 1969: The U.S. Army Electronics Command, 225 South 18th Street, Philadelphia, issued a two-step procurement action under DAAB05-70-B-0381, where the first step for the open, competitive bidding was scheduled for October 27, 1969. All interested bidders were required to prequalify by supplying a detailed technical proposal showing how they intended to manufacture the AN/GSH-6() recorder-reproducer. Again, apparently deliberately, the previously supplied manufacturing details, drawings, and technical manuals were withheld from potential, would-be suppliers.

February 5, 1970: In spite of the lack of adequate technical data for bid preparation, five firms qualified under phase I of the 70-B-0381 procurement action, and on February 5, 1970, the following bids were recorded:

Name of firms bidding step II under 70-B-0381	191 units B.C.P.1	191 units Mil Pack	ancillary total	Total bid Mil Pack
1. Raycomm Industries, P.O. Box 971, Freehold, N.J.	\$1,584.00	\$1,587.00	\$30,000.00	\$333,117.00
2. Admiral Systems Corp., 2060 N. Kolmar Ave., Chicago	1,870.00	1,872.00	19,500.00	377,052.00
3. National Radio, 111 Washington St., Melrose, Mass.	2,285.00	2,285.00	58,870.00	495,362.30
4. Universal Industries, 13280 N. California St., Chicago	2,604.14	2,605.65	90,620.00	588,299.15
5. Emerson Electric, 8100 Florissant Ave., St. Louis	2,472.00	2,474.00	237,608.00	710,142.00

1 Best commercial pack, as differentiated from military packaging requirements.

ANCILLARY ITEMS.—THE ANCILLARY ITEMS REQUIRED UNDER THIS TRANSACTION ARE ITEMIZED BELOW

Name of firm bidding here	Drawings	Data	Test plan	Literature	Provision	Training	Total
1. Raycomm ¼ percent-20	\$9,000	\$1,000	\$2,000	\$12,000	\$2,000	\$4,000	\$30,000
2. Admiral Systems, terms net	5,000	1,000	1,100	8,000	2,400	2,000	19,500
3. National Radio, net	7,928	1,125	6,236	20,818	13,038	9,725	58,870
4. Universal Industries 1 percent-10	43,500	18,000	4,650	13,108	4,962	6,400	90,620
5. Emerson Electric, net	119,810	12,588	4,627	33,828	44,225	22,530	237,608

I would like to invite your attention to the fact that Raycomm Industries quoted a total bid of \$333,117 for the identical equipment justified for \$1 million to Admiral Corp. of Chicago on the basis of "urgency for delivery." It is of particular interest also that Admiral Corp., under competitive bidding circumstances, quoted \$377,052, over \$600,000 less than their initial noncompetitive bid of nearly \$1 million for the identical equipment requirement. Although the Admiral Corp. did not finally receive the contract, this instance clearly demonstrates the enormity of the certification of "urgency" issued by the Chicago Electronics Command Office.

March 23, 1970: Contract DAAB05-70-C-3415 was awarded to Raycomm Industries, Inc., Post Office Box 971, Freehold, N.J., for \$333,117 to cover 191 units of the AN/GSH-6() recorder-reproducer. The awarding of the contract came 1 year and 17 days after the certification of "urgency" from an Army civilian employee at the U.S. Army Chicago Procurement Agency in order to justify a noncompetitive, sole-source award for this identical equipment to the Admiral Corp. of Chicago at a cost of \$1 million.

This, then, is a saving of over \$600,000 to the taxpayer which is purely accidental and would never have happened had it not been for the unsolicited proposal from a small business concern which is not identified by name in this report because the management of the company fears reprisals. Those reprisals have, in fact, already begun, and if they continue, may form the basis of another detailed report in the near future.

Mr. Speaker, this has been a very involved and detailed presentation, but all aspects of this case are important. We have seen the early development of a much needed piece of equipment, followed by a monumental delay in production, and then, suddenly a certification of urgency by a Chicago employee of the U.S. Army in what was, apparently, an attempt to justify the awarding of a million dollar contract to a Chicago manufacturer to produce \$333,000 worth of equipment. The implications are serious. The case now, without further detailed investigation, is only circumstantial, although the facts are these:

First. An Army employee in Chicago did, on March 6, 1969, certify false urgency, on an official document, for de-

livery of AN/GSH-6() recorder-reproducer in order to hand the Admiral Corp. of Chicago a million-dollar contract for which Admiral Corp. sought a million dollars in May of 1969 under what they believed to be noncompetitive conditions. Then in February 1970, with full knowledge competitive conditions existed, the Admiral Corp. of Chicago turned around and quoted \$377,052 for the identical equipment requirement.

Second. Had it not been for the unsolicited bid in May 1969 under DAAG11-69-R-4527, the contract for the AN/GSH-6() recorder-reproducers would have indeed been awarded to the Admiral Corp. of Chicago at a cost of \$1 million to the American taxpayer.

Third. Four Army civilian employees at Fort Monmouth could not have been completely unaware of the certification of urgency that was issued at the Chicago Electronics Command Office and then, apparently, cooperated in the fullest extent with their silence in an attempt to coerce the unsolicited bidder into withdrawing its bids while withholding vital manufacturing details from the business community in general.

Fourth. The five Army civilian employees are, at the very least, guilty of negligence in certifying urgency in the attempt to award a contract that, by conservative estimates had to carry a profit of \$600,000.

Mr. Speaker, what these Army civilians apparently tried to do in this case is shameful. All five of them should be removed from their positions of authority and trust, and severely reprimanded for their conduct in this affair. I have, today, asked the Secretary of Defense what disciplinary action has been taken against these five individuals, and what steps have been taken to prevent this type manipulation of Government contracts from happening in the future. What motivated these employees is questionable, but surely, such certification of false urgency should be grounds for dismissal. It is remotely possible that the five men involved were all ignorant of the fact that the requirement for the recorder-reproducer had existed for 6 years before the certification of urgency. If that is the case, they are too negligent to continue in their present positions spending the taxpayers' money. I strongly urge the Secretary of Defense to take immediate action to halt the continuing inequities in military procurement procedures.

CAPTIVE NATIONS IN THE SEVENTIES

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

Mr. DERWINSKI. Mr. Speaker, in 1969 our Congress observed the 10th anniversary of the Captive Nations Week resolution, which the 86th Congress passed in July 1959 and which President Dwight D. Eisenhower signed into Public Law 86-90. In further commemoration of the event, the 91st Congress passed House Resolution 368, which I was privileged to

cosponsor, and on the basis of which a special House document was published under the title of "Tenth Anniversary of the Captive Nations Week Resolution 1959-69." On the eve of the new decade these and other acts expanded the solid foundation for future Captive Nations Week observances—the 1970 one being scheduled for July 12-18—and, in a sense more important, a growing awareness on the part of our people of the basic strategic importance of the captive nations to U.S. national security and that of the free world.

Mr. Speaker, it is ironical, to say the least, that all of the free Asian peoples have come to understand the meaning and significance of the captive nations concept and strategy far more perceptively than our own people. Not only this, on respective scales of performance, they have, curiously enough, demonstrated more vigorously and enthusiastically their observances of the American Public Law 86-90 than have many Americans. Of course, the answer to this paradox lies in the fact that when your very life and existence is threatened directly, as it is in all of free Asia, you cannot but view the total situation of the struggle more acutely, more sharply, and with greater insight. On a projection of present trends and developments, I have no doubt that Americans will be prompted by evolving circumstances to show equal perception and insight into this crucial captive nations concept.

Mr. Speaker, as we move into this new and challenging decade, I know of no one in this country who has more incisively explained and thought out the captive nations concept and strategy than Dr. Lev E. Dobriansky of Georgetown University. As the author of the Captive Nations Week resolution, he has been maligned for over a decade by Moscow and its Red satraps as an "imperialist," "war monger," and "reactionary." His current article on "Captive Nations in the Seventies" presents a structure of thought and reasoning that forthrightly challenges many of our transient notions in foreign policy, the conduct of Vietnamization, the failure of the House leadership to create a Special Committee on Captive Nations and many other issues. This article appears in the spring issue of *The Ukrainian Quarterly*, a publication of the Ukrainian Congress Committee of America, which is one of the few widely respected and authoritative journals on East European and Asian problems read by analysts not only in the free world but behind the three totalitarian Red curtains. I commend this article for studied reading and discussion as a way out of our present impasse of uncertainty and confusion:

CAPTIVE NATIONS IN THE SEVENTIES

(By Lev E. Dobriansky)

The captive nations in the aggregate, and particularly those in the Soviet Union and Red China, will undoubtedly assume an increasingly determinative role in world affairs during the 70's—for global peace or war. Little is it recognized, let alone understood, that numerous captive nations are involved in the mounting struggle between Moscow and Peking or that many potential captive nations exist in Southeast Asia, the Middle

East, and in Latin America—the present targets of systematic Red psycho-political warfare engineered by our prime enemy, the guardians of Soviet Russian imperio-colonialism. Shifts either way, within the Red Empire or in extension of it, cannot but seriously affect the security of the United States and that of the Free World. The ultimate question is how well prepared are we to cope with and capitalize on these inevitable shifts?

ILLUSIONS OF THE SIXTIES

Overlapping illusions of the 60's actually predetermine a marked incapacity to meet such unavoidable exigencies, as, once again, was so clearly demonstrated by the most recent case of the Russian rape of Czechoslovakia. The prominent illusions of the 60's, unfortunately carried over into this decade, are in logical order as follows: (1) cessation of the Cold War, (2) detente with the imperio-colonialist Russians, (3) make-believe confetti diplomacy, resulting in irrelevant treaties on nuclear test bans, fisheries, airway routes, consular establishments, hoped-for strategic arms control and other extra-tangential minutia, (4) ineffectual polycentrism in the Red Empire and (5) an impulsive, myopic neo-isolationism with shortsighted premiums on domestic priorities. With evidence and rational analysis, each of the illusions can be easily exploded, but the crucial point here is that each and all in combination have muddled our thinking and have also thickly clouded the foremost reality that has caused and fundamentally explains, in a sequential cumulation of events, our most pressing problems both internationally and domestically. That towering reality is the captive nations in the aggregate and their exploitation by Moscow and its syndicate members in their ever-present, compulsive drive for world domination.

If it could stand adequate definition, a talked-about policy of uncertainty and so-called pragmatic adjustment is essentially a weak continuation of past U.S. policy toward the USSR, the center of our chief enemy. It rests on identical grounds of misconception and misunderstanding with regard to the nature of the Soviet Union, not to speak of the determining structure of the Red Empire itself, and offers practically nothing in the way of constructive Free World leadership for the attraction of freedom forces both within and outside the USSR. Even in the light of the Brezhnev doctrine itself, to predicate a policy on a prayed-for evolution of divisive forces within the Red Empire, without providing a magnetic, psycho-political pull for these forces, suggests a measure of naiveté in relation to Russian strategy and operations. Without the prerequisites of perspective, vision and a firm comprehension of the highly vulnerable structure of the enemy, sheer play-it-by-ear pragmatism in our foreign policy will virtually insure the outbreak of a third world war. All the phraseology about non-confrontation and the need for negotiation will be so much past rhetoric. In point of fact, play-it-by-ear pragmatism has led us into two world wars, and regardless of our different military posture today, it will certainly lead us into a third one. It is both frightening and inconceivable that this would be our policy orientation for the 70's.

To prevent a well nigh inevitable catastrophe, it is indispensable for us in this decade to dissolve as quickly as possible the lingering illusions of the 60's and to face up to the essential truths of our situation. The first is that the Cold War has not begun to cease or even to lessen; on the contrary, it is more extensive, and in certain areas more intensive, now than ever before. Vietnam, where the Russians have had us by the tail for years, the deep Russian penetration in the Middle East, Moscow's conversion of Cuba as

a base for hemispheric subversion,¹ and the U.S. itself gradually transformed into an enterprising terrain for Red political warfare are just a few notable examples of the Cold War being waged by Moscow and its proxies. In this and the broader context of Russian cold war strategy, wishful thinking about a detente with the worst empire in the history of mankind simply smacks of a truly supreme illusion.

Make-believe, confetti diplomacy may serve short-run political ends, but essentially it contributes nothing to the solution of basic problems and to the solidification of grounds for the avoidance of a hot global war. On the one side, it is employed as a demonstration of time and effort being devoted to the pursuit of peace, thus satisfying the natural instincts of most citizens while obfuscating the realities surrounding them; on the other side, it buys time for the rectification of some outstanding political and economic problems, in Moscow's unrelenting drive for strategic military superiority, and its steady progression of Cold War operations on all continents.² As for the illusion of polycentrism in the Red Empire, let it be said that a real monolith never existed in the empire, even when it was exclusively synonymous with the USSR three decades ago. There is a chasmic difference between effectual polycentrism and an ineffectual one, where in the latter superficial inter-Party squabbles and rifts have prevailed for more than forty years. Plainly, so long as the USSR is the predominant power center of the Red Empire and enjoys political sanctuary within, room for effectual polycentrism is nil, notwithstanding Red China.

A dismantling of the first four illusions obviously leaves no ground for entertaining the last one on neo-isolationist strength and concern. For it is evident that the last feeds on the preceding four. A neo-isolationist mentality either believes the others to be true or is a mere expression of cowardice in coping with the problems of the world environment in which, whether we like it or not, we constitute an integral and critical part. In any case, the insular bias is a most useful tool for the enemy's strategy.

THE DOMINO THEORY AT WORK

The captive nations also are an integral and critical sector of the world environment. No matter how desperately some wish to brush their reality under the rug, with softer references and distorting interpretations, periodic lessons abound as to their blunt existence. The captive nations are the peoples imprisoned within the Red states under the dictatorship of the Communist Parties, and their consummate experiences attest to the overall truth that both in theory and action communism is but a mythology shielding the worst form of totalitarianism and imperio-colonialism in the history of mankind. For different reasons, many in our Government have feared and resisted a popular concentration on these nations. Yet, a more solid course for education in freedom by contrast cannot be found than this. The more one concentrates on the approximately 1 billion souls in the captive nations, the more one begins to appreciate his freedoms and the pressing need of unity and solidarity for general freedom, not only among the still free nations of the non-communist world but also with the one-third of humanity in the captive nations.

In a column devoted to "demonstrations" an eminent analyst asks "Why is there an absence of humane feeling about the enslaved populations in Eastern Europe and

particularly in the Soviet Union?"³ For those duned into these "demonstrations," the answer lies in the fact that they haven't been taught and know scarcely anything about these captive nations. Even their parents share in this deficiency which could be expeditiously righted through governmental action. But common sense also plays its role. An old Spanish proverb warns, "A handful of common sense is worth a bushel of warning." When in this postwar period Red totalitarian aggression has been so blunt and obvious as in the cases of China, Korea, and Vietnam, one cannot but wonder about the common sense of otherwise many learned people in the Free World. We can perhaps forgive them for being unable to perceive the subtle and indirect aggressions undertaken by both Peking and Moscow in Asia, the Middle East, Africa and Latin America, not to mention the U.S. itself, but it is plainly unforgivable in these crass cases.

Inadequate as it may be, a modicum of common sense should guide the laboring citizen to think all this through in terms of the steady aggregation of captive nations since the early 20's. Much has been said about the domino theory in relation to Southeast Asia, but there can be no question as to its empirical application to this growth in the family of captive nations since the 20's. Fifty years of proliferated Red totalitarian and imperial rule are but a minute in historical time. Without over-simplification but with the guiding thread of essentiality, all one need do on a global map is to first encircle in red the Russian area encompassing Moscow and Leningrad, then in concentric form the non-Russian area from Byelorussia and Ukraine to Azerbaijan to the old Far Eastern Republic, then the Baltic States, then Central-South Europe over to North Korea, mainland China and North Vietnam, finishing for the exceptional moment with a red spot covering the island of Cuba. In Eurasia, the dominoes fell, one by one, as events permitted.

Clearly, as shown below, the domino theory has been at work in the very expansion of the Red Empire, which began in Moscow and in terms of ultimate, determining power today rests on Moscow for its survival. This list of captive nations cannot be too often reproduced for our sustained memories:⁴

The captive nations—Who's next?

Country and people:	Year ¹
Armenia	1920
Azerbaijan	1920
Byelorussia	1920
Cossackia	1920
Georgia	1920
Idel-Ural	1920
North Caucasia	1920
Ukraine	1920
Far Eastern Republic	1922
Turkestan	1922
Mongolian People's Republic	1924
Estonia	1940
Latvia	1940
Lithuania	1940
Albania	1946
Bulgaria	1946
Serbia, Croatia, Slovenia, etc. in Yugoslavia	1946
Poland	1947
Rumania	1947
Czechoslovakia	1948
North Korea	1948
Hungary	1949
East Germany	1949
Mainland China	1949
Tibet	1951
North Vietnam	1954
Cuba	1960

¹ Of Communist domination.

² David Lawrence, "Why Not Protests on Soviet Policy?", December 18, 1969.

³ For further elaboration, see *Tenth Anniversary of the Captive Nations Week Resolution, 1959-1969*, U.S. Congress, 1969, p. 105.

Who's next? South Vietnam? Algeria? Colombia? Congo? Laos? Tanzania? Cambodia? Thailand? Greece? Guatemala? Chile? Israel?

President Nixon truthfully declared in 1969 that the non-negotiable issue in South Vietnam is the right of the national self-determination and the independence of the free Vietnamese. What unfortunately was not stressed, and which explains much more, is that the United States cannot honorably afford again the addition of another free nation to the long list of captive nations. Too many knowledgeable Americans still recall the sell-out at Yalta and elsewhere of several East European nations by the Harrimans and other diplomatic undertakers providing the hears of coalition governments and the like. Examine again the list of captive nations; each was targeted just as South Vietnam, Laos, Thailand, and others are today. An organic concept of captive nations enables us to view current crises differently and more perceptively.

NEW INSIGHTS UNDER CONCEPT

The concept of captive nations is historically founded, organic in character, and a guiding one for bold and decisive action. It has been wisely said, where necessity pinches, boldness is prudence. To exercise prudent boldness demands also a guiding concept. Despite the worldwide publicity given to the U.S. Captive Nations Week Resolution ten years ago and the annual reports on it since, it still remains a mystery how relatively few in the Free World comprehend the concept. Moscow, Peking and the Red satraps perceived its significance quickly and vehemently.⁵ We have sustained a cultural lag toward it.

Public Law 86-90 defines the broad concept of the captive nations clearly and succinctly. The captive nations are those that in the past fifty years have been overtaken and subjugated by Soviet Russia imperio-colonialism and its several totalitarian offsprings. Quite plainly, how all of the Red present came to be what it is, regardless of rifts and squabbles, is the answer as to who are the captive nations. As the list above shows, to enumerate them accurately and historically, one must begin in 1920, not in the 1940's or later.

It must be borne in mind that the first international wars and aggression waged by Soviet Russian imperio-colonialism under the deceptive guise of communism were against newly independent states and nations like Byelorussia, Ukraine, Georgia, Armenia, Azerbaijan and several others that are now imprisoned in the Soviet Union. The second wave of this imperialist aggression reduced Latvia, Estonia and Lithuania to captivity in the early 40's; and the third wave in the later 40's enslaved a whole new group into the growing family of captive nations, such as Poland, Hungary, Czechoslovakia, Albania and so forth. Inspired, assisted and trained offsprings of this Red tradition of conquest and domination of peoples dropped the totalitarian curtain about the peoples of Yugoslavia, mainland China, North Korea, North Vietnam and Cuba in this and the decade after.

If the domino process has ever been at work, it certainly and unquestionably has been in the methodical Red conquest and aggregation of captive nations. If one fails to understand this process, executed largely and basically through the whole panoply of psycho-political warfare techniques, he then does not know the history of Eurasia these past fifty years. Any appreciation of the fundamental distinction between the captive nations—the exploited peoples themselves—and the Red totalitarian states is completely lost on him. It is this working distinction, implicit in the very concept of the captive nations, that has cast profound

⁵ For documented evidence, see Lev E. Dobriansky, *The Vulnerable Russians*, New York, 1967, p. 453.

¹ See "Castro and the Americas," *Congressional Record*, February 10, 1970, pp. 3185-3190.

² Herman F. Achminov, "Kremlin Plays A Waiting Game," *Institute for the Study of the USSR*, Munich, November 1969.

fear in the professional propagandists of the Red states. More, an inability to see this organic process of politico-military conquest from 1917 to the present beclouds also the important truth as to the chief enemy of the Free World.

THE CHIEF ENEMY

Some Free Asian leaders may well honestly disagree with the logical and factual determination of the Soviet Union—more precisely Soviet Russian imperio-colonialism—as the chief enemy. In one sense they are not wrong when their immediate danger of a proximate and aggressive Red China is properly and justly weighed. No matter where, sheer survival for freedom is an incomparable, conditioning force. Moreover, the collapse of Red China would spell the beginning of the end of the Red Empire. Nevertheless, at the moment there is a more general truth affixed to the global framework which we must face with equal awareness and perspective. And that is the primacy of the Soviet Russian enemy. In the broader global framework and on the basis of historical evolution itself, let us not forget the fundamental Soviet Russian contributions that have been made to the training, economic and military equipment, and the apparatus of the so-called communists on mainland China, to the formation and equipment of the North Korean army and the tragic Korean war that ensued, and to the totalitarian and mini-imperialist Hanoi regime, and aid which has protracted the Vietnam war more than any other Red totalitarian factor.

Concerning the war in Vietnam, which really involves three fundamental factors— they are, the seventeen million captives in North Vietnam, the aggression by totalitarian Hanoi backed essentially by Russian Moscow, and the valiant endeavor of the patriotic and nationalist South Vietnamese not to be forced behind the Red totalitarian curtain—this simple conflict could have been over three or four years ago if it hadn't been for the circumstantial combination of sophisticated Soviet Russian aid and America's complete misconduct of the war. This war has produced more pseudo-rationalist nonsense than any war in this century.

In saying this, one is not siding with the human bulls and caribou of American society, for even the healthiest of organisms are capable of such poisonous excesses. The virtual and overt traitors of freedom in the U.S., meaning specifically the professional pacifists, the melodramatic and poor imitations of mid-19th century Bakuninists and Blanquists, who ignorantly spout Marxism, the ridiculously bearded Trotskyists, the basically ignorant and scant minority of students, and many naive clerics and so-called liberals—always pawns for the professional Red revolutionary who manipulated this species in the 30's and is repeating it now—are of course political warfare fodder for Hanoi, Peking, Havana and Moscow. Like the Russians, they protesteth "peace" or "mir" too much, and we cannot but wonder what piece they seek. Most significantly, their stony silence about the captive nations indicates their motives and objectives.

ASIANIZATION, NOT VIETNAMIZATION

Relative to the captive nation of North Vietnam and the potential one in South Vietnam, we in America have so far failed in coping with what some call revolutionary warfare and what is really Russian-developed psycho-political warfare as applied in Vietnam. The so-called and misnamed Vietnamization of the war in Vietnam could have been accomplished years ago, in fact during the Eisenhower period. What was required was a psycho-political warfare concept extending into North Vietnam and buttressed by American armed logistics. With American military withdrawal from Vietnam, its ap-

plication should be seriously considered in a new context of Asianization of the war with the presence of not only more Korean divisions but also Free Chinese and other Asian divisions.⁶ Developments in Laos, Cambodia and Thailand alone show the broad front of Red aggression and political warfare from the Mekong Delta to Calcutta.

Regrettably, we Americans still don't understand this psycho-political warfare, which today extends even to the terrain of the United States itself. If any one is to be charged with a specific irresponsibility in the United States for this institutional incapacity, it is Senator Fulbright of the Foreign Relations Committee. He and the ever-blundering Harrimans have for years opposed and sat on the Freedom Academy measures in the U.S. Congress which are purposed to equip Americans and their allies in the ways and means of this type of warfare. This is by no means an unfounded charge; it can be easily documented and justified. Its tragedy is that it involves other peoples, including the captive people of North Vietnam and all others in the extensive Red Empire. It involves us, completely and irrevocably.

INDOMITABLE NATIONALISM IN THE CAPTIVE WORLD

By the very nature of realities prevailing in the captive world, conditions of psycho-political warfare are always extensive and omnipresent. It has been truly said, "In a free country there is much clamor with little suffering; in a despotic state there is little complaint, but much grievance." In the Soviet Union, which Alexander Solzhenitsyn has accurately described as a "sick society," the dozen and more captive nations are being subjected to a new wave of political repressions, cultural genocide, religious oppression, imperio-colonialist economic exploitation, revived MVD operations, and concentration camp consignments. All this and more in the sweep of Russian consolidating moves for Moscow's expanding Cold War operations in Asia, the Middle East, and the Western Hemisphere.

In mainland China, North Korea and North Vietnam the captive peoples are under the worst conditions of totalitarian tyranny, economic privation, and dehumanization left in the train of a grotesque "cultural revolution," guerrilla war activities on the Korean peninsula, a war of aggression by Hanoi. In captive Cuba similar forms of Red exploitation of the people prevail as that unhappy island is being rapidly transformed into a Russian base for continental political warfare. And in Central Europe the Russian rape of Czechoslovakia last year confirmed again the oppression and imperio-colonialism imposed on the captive peoples in that area.

Among the numerous forces at work for freedom in the captive world, the most dominant is the indomitable force of nationalism. This natural force means national self-determination and independence, economic freedom and opportunity, cultural progress and a respectful place in a peaceful community of independent nations. Expressed in many ways, this persistent force is rampant in the Soviet Union; it is manifested daily in Central Europe; it permeates all of Asia; it is the basis for Cuban resistance and hope. As the record well shows, nationalism is the greatest insurmountable obstacle to Red totalitarianism and Soviet Russian imperio-colonialism.

In Ukraine, the largest captive non-Russian nation both in the Soviet Union and in Eastern Europe, this spirit of nationalism abounds and expresses itself persistently in many, diverse forms. Without Ukraine, the

Soviet Union could scarcely endure. This fundamental insight has even surfaced to the level of open, literary expression within the USSR itself, where increasing doubts surround the possible survival of the Soviet Union by 1984.⁷ In any studied analysis, this captive nation is the focal point of the captive non-Russian resistance in the USSR.

THE BIND WE'RE IN

Whether viewed from the East or the West, efforts to wean less powerful Red states from the direct or indirect control and influence of the powerful Soviet Russian center will come to naught so long as this center is afforded psycho-political sanctuary within the substrate empire of the Soviet Union. This truth is the clear lesson of the Czechoslovakian tragedy. The free governments in the West clearly found themselves in a bind. And they will continue to be in this bind unless a radical shift is made in policy toward the captive nations within the USSR.

That such a policy shift can be executed with maximum contribution to peace has been justified time and time again on a number of issues. In areas of diplomatic relations, meaningful cultural relations, Voice of America and Radio Liberty broadcasts and many others, the shift would begin to place Moscow in a bind as concerns its aggressive Cold War operations, aid in Vietnam and the Middle East, as well as in Cuba and our hemisphere. A progressively insecure Cold War aggressor begins to generate his own curbs and limitations.

The Brezhnev doctrine further substantiates the truth of our bind. In essence, a contemporary version of traditional Russian imperialism, this doctrine can be applied by Moscow to any Red state in the West or in the East, including mainland China; even to ostensibly socialist states in the Free World, all for the goal of insuring the security of the mythical commonwealth of socialist states. This doctrine is in itself a confession of intent and also weakness. The fundamental weakness is represented by the existence and struggles of the captive nations.

CAPTIVE NATIONS WEEK, A SPECIAL COMMITTEE AND THE MEDIA

An old French adage teaches us, "the weakness of the enemy forms a part of our own strength." The captive nations in the aggregate constitute the foremost weakness of the totalitarian Red Empire. As such, they are one of the most essential parts of our Free World Strength. The more we concentrate on the Captive nations, the more we intensify the weakness, the insecurity and the doom of all Red governments. But to advance along this sure road toward world freedom and the avoidance of a general hot war, citizens of the Free World must scotch certain misconceptions and wishful thoughts.

The first misconception is about the captive nations themselves. The captive nations concept must be clearly understood. The family of captive nations extends from Central Europe into the Soviet Union out to Asia and over to Cuba. Second, it is a species of wishful thinking to believe that any genuine détente is possible with the vast Red Empire. The dynamics of history, greased with the victories of Red totalitarianism and the world wide network of Red psycho-political warfare, simply do not favor this. Wishful, too, is the misleading notion of spheres of influence, a sideline of the containment policy. It not only compromises principle with its accommodationism but also is unrealistic and self-defeating. Our enemies don't pour billions of investment into Cold War operations for physical exercise and self-enjoyment.

Contrary to absurdities witnessed in some places of the Free World, including the United States, the youth, the workers and

⁶ See "Asianization—Not Vietnamization of the Vietnam War," *Insight On the News*, Miami, February 15, 1970, p. 9.

⁷ See Andrei Amalrik, *Will the Soviet Union Survive Until 1984?*, New York, 1970, p. 93.

the intellectuals in the captive world know what it means to be deprived of freedom. With their grasp of the real and true values of human existence, these captives of Red totalitarianism are today freedom's most trusted allies; tomorrow they shall be its sternest guardians.

The eventual solution of the titanic struggle in this century rests not only with military arms, but rather with the effective linkage of the forces of freedom in the non-Red world with those of all the captive nations, particularly those in the huge concentration camp called the Soviet Union. The forging of this link with the truly genuine NLF's and their tremendous legions behind all three Red curtains can only be effected through the means of psycho-political penetrations that are indispensable to the deterrence of a hot general war. The captive nations are our formidable allies, and had we sensibly tapped this resource in North Vietnam, the war there would have been over long ago.

In this new decade, there are three ways for you, as an individual citizen, to advance the lines and goals expressed here. One is to urge your Congressman to support the establishment of a Special Committee on the Captive Nations in the House of Representatives.⁸ The benefits of such a committee would be immense, both domestically and internationally. Second, our media—the press, TV, and radio—have consistently minimized the captive nations issue and, as Vice President Agnew correctly maintains, have contributed to a heavy imbalance in popular thinking concerning the world situation and its impact here. By protest and demand for public service programs you can correct this unfair condition.

And third, by participating in the annual Captive Nations Week observance held every third week of July (1970—July 12-18) you can let our enemies know that we will never acquiesce to any permanent captivity of the nations in Eurasia and Cuba and also our captive allies that we are determined to work for their freedom, which in essence means our national freedom as well. In this, you will be in solidarity with our Free Asian allies who are fighting for their survival and who conduct some of the largest Captive Nations Week observances.⁹ The captive nations will play their role for world freedom in the 70's, about this there can be no doubt. Will you play your role for our own freedom—without more local wars, needless sacrifices, and wasteful internal confusion and division?

UNSOLICITED CREDIT CARDS

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

Mr. HANLEY. Mr. Speaker, I was very pleased to see that the Senate last Wednesday passed a bill, S. 721, which would ban the distribution of unsolicited credit cards. The bill also limits the liability of any cardholder for the unauthorized use of a lost or stolen card.

The Senate is indeed to be commended for this important piece of consumer legislation.

Several months ago, in recognition of the growing national problem caused by the distribution of unsolicited credit cards, I introduced H.R. 13244 to severely restrict the mailing of unsolicited credit cards. At that time, this bill con-

tained the strongest language of any credit card measure then pending.

Our Subcommittee on Postal Operations held a series of hearings on H.R. 13244, and I was most gratified by the great support which the measure received from a broad segment of the American public.

The Subcommittee on Postal Operations then made several technical improvements in my bill and reintroduced it to give other members of the Post Office and Civil Service Committee a chance to cosponsor this popular measure.

The Committee on Post Office and Civil Service approved the new bill, H.R. 16542, and the report was filed on March 26.

In the meantime, the Senate was working on S. 721, introduced by Senator PROXMIRE and several other distinguished Senators. When introduced, this bill provided only that the Federal Reserve Board prescribe regulations governing the conditions under which unsolicited credit cards could be distributed. The bill also contained liability provisions similar to those in the bill which ultimately passed.

Senator PROXMIRE's Subcommittee on Financial Institutions began hearings on S. 721 on December 4. I was the lead-off witness. While I strongly endorsed the liability section of S. 721, I had serious reservations about directing the Federal Reserve Board to promulgate regulations without sufficient guidelines. I stated:

We in Congress should establish even stronger guidelines than are provided in S. 721. Frankly, the Federal Reserve Board has evidenced little interest in supporting strong and effective curbs on the alarming proliferation of unsolicited credit cards.

To my gratification, the Senate Banking and Currency Committee subsequently amended S. 721 to ban the distribution of unsolicited credit cards. It was in this form that S. 721 passed the Senate.

Therefore, we in the House have pending before us two major credit card bills in somewhat different forms. I have no particular pride of authorship. I am principally interested in protecting the American consumer against the malicious effects of unsolicited credit cards.

In view of the overwhelming Senate action on S. 721, and the broad support of our H.R. 16542, I am very hopeful that we can quickly develop a bill for final passage which will greatly circumscribe or completely eliminate the alarming proliferation of unsolicited credit cards.

MAYOR RICHARD J. DALEY—A SURE HAND

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

Mr. ANNUNZIO. Mr. Speaker, today the distinguished mayor of the city of Chicago, Hon. Richard J. Daley, completes 15 years of outstanding service to our great city.

He has been the head of a city government at a time when all of the cities of America are going through a transition

period. Our society is changing from a rural to an urban society, and consequently our cities are beset with problems involving all aspects of community life—education, pollution, transportation, housing, sanitation, health services—and all of the other social and economic problems that face people when they are concentrated in such vast numbers within the confines of a city.

On behalf of the leader of our Chicago delegation, DAN ROSTENKOWSKI, and the other members of our Chicago delegation—WILLIAM DAWSON, WILLIAM MURPHY, ABNER MIKVA, JOHN KLUCZYNSKI, ROMAN PUCINSKI, and SID YATES—it is an honor for me to extend sincerest congratulations to Richard J. Daley for 15 years of monumental service to the people of my city.

Through hard work and devotion to his duties as mayor of our city, Dick Daley has proven that our form of elected representation works—and works well. He has accomplished what few men have achieved in public life.

Mayor Daley has moved forward with bold vision and with determination to improve health and sanitation services, to modernize the fire department, to complete construction of the modern O'Hare International Airport, to install a vast network of efficient freeways to initiate urban renewal projects for removal of slum areas, to revitalize the downtown business area, to improve the police system and the welfare system by appointing able administrators, and to make countless other improvements.

Mayor Daley has indeed been able to meet the challenge of the urban crisis, and everywhere in Chicago there are signs of the progress that has been made and the intense desire of Dick Daley to serve the people of Chicago.

In addition to being mayor of our city, he is also the county chairman of the Democratic Party. He has often said "good government is good politics," and more of us should be concerned about good government and good politics, because America cannot progress without more and more political participation, especially participation in a constructive and sound manner on behalf of the people of America.

At this point in the CONGRESSIONAL RECORD, I want to insert an article written by Harry Golden, Jr., which appeared in the Midwest magazine section of the Sunday, April 19, 1970, Chicago Sunday Times. The article follows:

A SURE HAND, A HARD HAT: 15 YEARS OF MAYOR DALEY

(By Harry Golden Jr.)

Richard J. Daley, head of Chicago government for precisely 15 years on Monday, is a hard-hat mayor—a chief executive who has helped create a Chicago where the sound of construction never ceases.

He presides over a dynamic city of architecturally distinguished new buildings, a revitalized public transit system, new expressways, of vaulting bridges and massive public projects above and below ground.

No sooner is a project like O'Hare Airport a reality than the mayor is planning its expansion, and ultimate replacement.

Few men in their lifetimes have been able to look upon so complete a change that they themselves have wrought in their physical environment.

⁸ See *Captive Nations Week, Red Nightmare, Freedom's Hope*, USGPO, Washington 1966, pp. 310.

⁹ E.g., "Resolution on 1970 Captive Nations Week," *Asian Outlook*, Taipei, December 1969, p. 41.

Daley has combined a dedication to renewal and a mastery of finance to bring about the metamorphosis of his home town. But he says he's far prouder of his administration's social welfare record than in physical renewal.

It will remain for historians to judge whether Daley's role as the builder has been superseded by his work as an administrator and behind-the-scenes architect of such innovative programs as the federal war on poverty (\$50 million a year in Chicago), the Model Cities programs (\$38 million) and his own Office of Inquiry and Information, first city agency in the nation to offer direct communication between the administration and the public.

But the city will offer physical evidence of Daley for the next three quarters of a century in such monuments to his administration as the Civic Center, graced—some think ironically—with the inscrutable work of Picasso. Critics say that, in his zest for public works and business development, Daley has neglected the cultural.

But Daley showed how to use urban renewal to create the University of Illinois at Chicago Circle—a brand-new university for 20,000 students. "They talked about that for 35 years before we got it built," says the mayor.

And he prodded the board of the Chicago Public Library to proceed with planning for a \$25 million new central building that will preserve the most artistic features of the present building on Michigan Av.

Even when Daley gives the plans impetus, years must pass between the idea and the realization.

As Daley completes his 15th year as mayor Monday, the gigantic projects he has announced but not yet seen through doubtless will figure in his reflections on whether to run for a fifth four-year term.

Since early 1969, Daley has been fending off reporters' questions about his political plans.

"Ask me about it early in 1971," he would say.

Any doubt that he intends to run again seemed to be dispelled for political observers recently.

On the day of the last City Council session April 8, the mayor disclosed his intention in a governmental triple play. Within an eight-hour span, he mediated the dispute between contract home buyers and owners, urged a tougher anti-pollution code to reduce further the sulphur content of coal used in the city and led the City Council in ordering an unprecedented emergency outlay of \$500,000 to cope with hunger.

Two days earlier, he took another step which some observers regarded as a clue to his fourth-term plans. He ordered his city department heads to reduce spending. He told the bosses of 52 city agencies he wants a corporate budget surplus of 6 per cent this year, rather than the normally expected 4 per cent. That would mean a year-end surplus of \$25.3 million to apply to the 1971 budget.

Though Daley must be taken at his word that he ordered the economies because of the unpredictability of the present business climate, it should not be forgotten that mayors like surpluses to offset tax increases in election years.

As Daley starts his 16th year in office, he has a number of projects with which to kick off that auspicious occasion.

For instance, although a \$400 million expansion is under way at O'Hare, he is convinced the city needs a third major airport. He has asked (and will shortly get) the airlines to make greater use of Midway. But though he recently said that a third airport may not be needed for another decade, he wants planning to go forward, and thus far he is persuaded that the best place to put the \$500 million facility is in Lake Michigan somewhere off the South Side.

Then there's a \$650 million sewer-tunnel system that he proposed last Nov. 7 to clean up Chicago waterways and relieve flooding in the metropolitan area.

Still another major project—even closer to realization—is a \$600 million replacement of the Loop L with a subway transit under Franklin, Randolph, Van Buren and Wabash and extension of lines north, south and west. An elaborate financing arrangement to raise funds for this project would include a special tax, matching state funds and a federal grant. Work could very well start early in the 1970s.

Mayor Daley already holds seniority among all big-city American mayors. He was first elected April 5, 1955, succeeding Martin J. Kennelly, and he took the oath of office in the City Council chamber 15 days later.

On April 23, 1969, Daley eclipsed the previous record of mayoral service in Chicago established by the late Edward J. Kelly, who served in office from April 13, 1933, until April 15, 1947.

To be sure, Mayor Daley could count on the momentum of a flourishing economy to help rebuild the city.

But the statistics that emerge from his public works and from administration policies that have encouraged development are nonetheless striking in any inter-city comparison, even after allowance is made for the effect of inflation.

He instigated at least 30 urban renewal projects involving a total of \$250 million.

He prodded into existence virtually the entire Chicago expressway system and provided it with the revolutionary median-strip transit line. Late this year or early in 1971, he will give the green light to construction of the \$800 million crosstown expressway from the Kennedy-Edens Expressway interchange on the north to the Dan Ryan at a point south of its intersection with the Chicago-Skyway.

The current five-year program of public works planned by all public agencies in the period ending in 1973 totals \$3.5 billion. It must be remembered that Daley has an overriding say in the building policies of most public agencies other than the city itself.

He appoints all members of the Chicago Board of Education, the boards that run the library and park systems, and half of the members of the board that runs McCormick Place. And his political organization dominates the elective board of the Sanitary District and the government of Cook County.

His influence is everywhere. Nowhere is it so evident as in guiding projects through the Public Building Commission of Chicago, an agency that he got the General Assembly to create the year he became mayor.

PBC undertakes construction of projects needed by other public agencies. PBC then issues bonds for the work. The bonds are retired with "rents" paid by the other public agencies. PBC obviously was created partly to circumvent what the Daley Administration regards as archaic state constitutional limitations on borrowing without a vote of the people.

The first project of PBC was the \$87 million Civic Center. About a year ago, PBC undertook 20 new school projects that will cost \$200 million.

On March 31, PBC voted to build a \$10 million underground parking garage because the McCormick Place governing board found it couldn't complete the reconstruction of the hall itself, let alone the garage, much under the approximately \$100 million available from other sources.

At the same meeting, PBC undertook a \$65 million package of public works including police, fire and health installations proposed by Mayor Daley to the City Council last Jan. 27. In both matters, the PBC vote was affirmative and unanimous. Mayor Daley presided as chairman of the PBC.

Beyond the public projects, however, Daley

has been instrumental in encouraging the construction of each new skyscraper.

The City Building Department is under orders to "bend over backwards" to assist any private construction. Officials of that department routinely go to architects' offices to point out the least expensive way a new project can meet the building code requirements.

Through the City Council, which he dominates, Daley pursues zoning policies which some anti-administration aldermen condemn as too permissive but which unquestionably promotes new construction.

Priorities for water and sewer extensions are often rearranged on order of the mayor so that a street, water or sewer line can be built in time to lure a new factory to the city.

Here is an example of how Daley brings the prestige of his office to bear on an important occasion: a few years ago Sears Roebuck & Co. had tentatively decided to build one of the nation's largest office buildings in suburban Chicago. Daley personally appealed to Sears officers to locate the huge, \$100 million building, with three million square feet of floor space, in Chicago.

The city sold Sears a one-block section of Quincy St. to let the project go forward this year immediately west of the Loop in Wacker.

Ald. Leon M. Despres (5th), the most articulate critic of the mayor, asserted: "You have to say that a cardinal point of his policy, perhaps the cardinal point, has been the subsidy and encouragement of the central area—the Loop and the Near North Side. They have been nourished, caressed, assisted, encouraged and dealt with in every way to produce the maximum development. And the administration has encouraged as many public works as possible because they are showy and profitable—profitable to the contractors and to the insiders and the friends of insiders."

"But these projects," Despres complains, "are not part of a coherent plan. They ignore the gray areas of our city and its decaying neighborhoods and they go forward without regard to the needs of light, air, traffic and livability."

The mayor shrugs off such criticism. Lewis W. Hill, Daley's commissioner of development and planning, said the Despres charges are easy to refute.

"Any review of the capital improvements programs of the last 15 years," Hill said, "will show that the preponderant expenditures have been in the neighborhoods—in street and alley lighting, local street improvements, police, fire, health and sanitation facilities."

"The current five year program calls for city investments totaling \$2.3 billion, of which only \$140 million is for the area from Chicago to Roosevelt and from the Chicago River to Lake Michigan."

"Even if we add the non-city McCormick Place at \$100 million, the total for the central area would still be only \$240 million, or about 10 per cent of the whole."

Hill went on, "Probably the clearest expression of this dedication to the improvement of the urban environment can be seen in urban renewal. In contrast to other cities, Chicago has not even one downtown central business district urban renewal project."

Hill noted facetiously, "As to favors granted to encourage developments, perhaps Ald. Despres is referring to the recent modification of the zoning requirements approved by the city to permit construction of Woodlawn Gardens, by the not-for-profit organization formed by the Woodlawn Organization and the Kate Marmont Foundation to provide moderate income housing at 60th and Cottage Grove in his ward."

Mayor Daley's appointments for a week's groundbreakings and dedications look something like this:

Monday morning, for instance, he used the

silver-plated shovel on the site of a new school.

On Tuesday, he attended steel topping-out ceremonies at McCormick Place.

On Thursday, he broke ground for a \$38 million O'Hare Airport parking garage—biggest in the world.

Records of the City Building Department show that new construction, public and private, in Daley's 15 years as mayor has totaled \$5,669,701,974—or about \$378 million a year.

In the five years previous to his administration, also boom years, new construction was valued at \$1,064,817,183—or about \$213 million a year.

Dick Daley the doer and builder?

"Construction is what brings jobs," said Paul N. Zimmerer, executive director of the Mayor's Committee for Economic and Cultural Development. "That's what brings money and activity and the base for taxes."

But, underlying all, said Zimmerer, is Mayor Daley's love for the City of Chicago.

"If you love something," he said, "you want to see it grow."

Again, on behalf of the Chicago delegation, we want to extend best wishes to Mayor Richard J. Daley for abundant good health and for continued service to the people of our city and the people of America.

SALUTE TO SECRETARIES

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

Mr. PRICE of Illinois. Mr. Speaker, I am indeed proud to pay tribute to our secretaries during National Secretaries Week.

For the 19th consecutive year, the last full week in April has been designated as Secretaries Week, with business, industry, education, government, and the professions joining in its observance. In 1970, Secretaries Week is April 19–25, with Wednesday, April 22, set aside as Secretaries Day. Under the sponsorship of the National Secretaries Association—International—the world's leading secretarial organization, the theme will again be "Better Secretaries Mean Better Business."

The week is acknowledged by Federal, State, and municipal governments and is observed with special NSA sponsored activities. In the District of Columbia, Mayor Washington signed a proclamation on April 17, urging recognition for all secretaries for the vital role they play.

Washington's Capital Chapter and District of Columbia Chapter will join together in the activities of the week, beginning with a church service on Sunday, April 19, at the Christ Church. And a morning walking tour of Old Alexandria on Saturday, April 25.

The highlight of the week will be Secretaries Day, April 22, with a reception and banquet being held in Blackie's House of Beef. The speaker will be Hon. William L. Gifford, Special Assistant for Legislative Affairs to the Secretary of Labor, and entertainment will be by Bo Kinnel and his cordovox.

I am familiar with this organization as Margaret Morrison, a member of my staff, is an active member and a former officer.

I commend our secretaries and I am glad to have this opportunity to partici-

pate in National Secretaries Week with the National Secretaries Association—International.

ADDRESS BY SECRETARY OF DEFENSE MELVIN R. LAIRD

(Mr. GERALD R. FORD asked and was given permission to extend his remarks at this point in the RECORD and to include an address by the Secretary of Defense, Melvin R. Laird.)

Mr. GERALD R. FORD. Mr. Speaker, the Secretary of Defense, our former colleague from Wisconsin, Mr. Laird, made a most important address today in New York City. Addressing the annual Associated Press luncheon he warned of the increasing strategic capability of the Soviet Union and of some of the hard choices which we are going to have to face up to in the area of national security. In order that all Members might have an opportunity to read the Secretary's speech in full I include it in the RECORD with these remarks.

ADDRESS BY THE HONORABLE MELVIN R. LAIRD

I was particularly pleased when your President, Paul Miller of Gannett Newspapers, called me on a Saturday morning several months ago to invite me to speak to the Annual Luncheon of the Associated Press on the subject of the strategic balance. I told him that I regarded this forum as particularly appropriate to express my views on the need to make available to the American people additional information regarding national security.

When I assumed office 15 months ago, I immediately established as a top priority goal the restoration of credibility in the Department of Defense. Since then we have attempted to follow President Nixon's stated desire to make more information available to the American people.

The editors of the Associated Press and all members of the communications media in this country have a deep interest in this subject. I pledge to you that we shall continue to devote maximum attention to reducing and hopefully eliminating overclassification in the Department of Defense. And, we will provide all the information we can within the limits of national security, consistent with the safety and legal rights of our citizens.

This open news policy has brought about significant progress in at least five major areas where information was previously withheld from the American people.

1. Previous policy was to restrict public discussion of Prisoner of War matters. Present policy is to foster public discussion and to focus worldwide attention on the plight of our prisoners of war in order to gain humane treatment for them and to obtain their release.

2. Previous policy was to withhold from the public information on chemical warfare and biological research matters. Present policy is to keep the public informed about our new policies in these two areas, the reasons for these new policies, and the steps being taken to implement them.

3. Previous practices on reporting the costs of major weapons systems led to a major credibility problem in the Department of Defense. Our new policy of full disclosure on major weapons costs will help to restore the Department's credibility and will assist us in gaining better control of costs and in developing better management practices.

4. For several years, the American people were denied knowledge about our activities in Laos. Today, the American people are

being informed about what we are doing and what we are not doing in Laos.

5. In the past, overuse of classification denied to the American people pertinent information on the nature and scope of the strategic nuclear threat. In my view, there is still too much classification, but we have tried and will continue to make more and more information available on this subject which is so crucial for the future security of our country.

In my remarks today I will attempt to shed more light on the crucial subject of the strategic threat. In particular, I want to discuss with you editors the nature and scope of the growing Soviet threat, recognizing full well that, in Vienna, our negotiators have just begun round two of the Strategic Arms Limitation Talks, commonly called SALT.

I hope for success at SALT. I want to emphasize that point. I also want to emphasize that our top military leadership hopes for success at SALT. Where the security of the United States is involved, it is this objective—insuring national security—which is most important. A lower-cost means to achieve that objective, lower compared to what otherwise may be required—if it can be achieved within tolerable risks—is obviously most desirable to all Americans, civilian and military.

The budget we have recommended to Congress for the next fiscal year demonstrates how deeply the Nixon Administration is committed to progress at SALT. We have called this year's defense budget a transitional budget. It is transitional because in terms of military capability, it is basically a status quo, stand-pat budget. We have postponed basic national security decisions in the strategic field in order to give maximum opportunity for SALT to be successful, and to foster a meaningful beginning for the era of negotiation President Nixon and the American people seek.

The objective of the Nixon Administration is to restore and maintain peace. With regard to SALT, the President's actions and words document this Administration's accent on negotiation rather than confrontation.

In my Defense Report to Congress in February, I expressed concern that the United States, by the mid-1970's, could find itself in a second-rate strategic position with regard to the future security of the Free World.

Today, in keeping with our policy of maximum information, I intend to present additional reasons for this concern.

It is important to discuss the growing strategic threat because it is essential for the American people to understand the complex issues involved, if we are to insure our national security interests through the decade of the 1970's. The American people need to understand the reasons President Nixon is pursuing the course he has recommended in this year's transitional budget.

As Secretary of Defense, I must face the fact that we are taking a risk by postponing hard decisions which the increasing Soviet threat poses for us. I recognize that in the interests of lasting peace, some risks must be taken. But, it is my judgment that as the American people are provided additional information, such as we are discussing here today, they will agree that we are literally at the edge of prudent risk. And the inescapable conclusion will be that if the Soviet strategic offensive buildup continues, the risk to our nation will become too great to sustain without major offsetting actions.

Therefore, what I particularly want to focus on today is the basic asymmetry between what the United States has been doing and what the Soviet Union has been doing in the field of strategic nuclear weapons in recent years.

In a word, for the past five years, the United States has virtually been in neutral

gear in the deployment of strategic offensive forces, while the Soviet Union has moved into high gear in both deployment and development of strategic nuclear weapons. In the 1965-67 time period, the United States decided on a level of strategic nuclear forces, including Multiple Independently Targeted Reentry Vehicles (MIRVs), which was deemed adequate to preserve our deterrent posture for the threat of the 1970's which was projected then. No basic change has been made in the force level decisions established in the mid-1960's.

The Soviet Union, by contrast, has engaged in a major effort since 1965 to change the balance of power. The United States then, unlike the situation today, clearly occupied a superior position.

Except for the minimum "hedge" that Safeguard will provide, we have not responded to the Soviet strategic offensive buildup with new deployment programs. We did not respond in past years because the United States deliberately chose to assume that the Soviet buildup at most was aimed at achieving a deterrent posture comparable to that of the United States. We have not responded this year because, as I have said, we fervently hope that SALT can render such a response unnecessary.

As much as we might wish it otherwise, however, we must concentrate our attention on what the Soviet Union is actually doing. In the current situation of a diminishing U.S. deterrent and Soviet momentum, we simply cannot base our plans and programs on what we hope the Soviet Union may do either unilaterally or in SALT. The Soviets have a momentum going both in strategic weapons deployments and in strategic weapons developments. If their strategic posture could be expected to stay at the operationally deployed posture which exists today, I believe we would have a tolerable situation. What must concern us, however, is the momentum the Soviets have established both in deployments and developments and where that momentum may carry them.

Let me explain in more detail the basic problem.

The most crucial aspect of national security is the strategic balance between nations that have competing interests in the world. The strategic balance has a direct effect on relations between the superpowers. It has an indirect effect on other nations both in terms of their own relations with each other and in terms of their relations with the superpowers. As one example, a situation of clear superiority on the part of the Soviet Union would have profound implications for any future political or military confrontation between NATO and the Warsaw Pact. In fact, a clear strategic superiority on the part of the Soviet Union would affect our interests and our obligations throughout the world.

In our continuing debate on defense matters, it has been said many times that the driving force behind the so-called strategic arms race is the "action-reaction" phenomenon. The recent ABM-MIRV discussions in this country illustrate this. The argument is made, for instance, that the deployment of defensive missiles by one side tends to generate increased offensive deployments by the other side.

I certainly agree that one side's actions definitely can influence what the other side does. But just as weapons in themselves are not the cause of wars, neither are a country's actions in weapons deployment—in themselves—the driving force in a so-called arms race. The fundamental driving force in an arms race is what one country perceives as possible objectives of another country's actions.

Let me explain it this way. Our goal is a stable peace. Our strategic policy to achieve that goal is deterrence. As publicly stated, the basic rationale for United States weapons deployment in the strategic field has been

and remains deterrence. Our actions of the past several years underscore the fact that deterrence is our fundamental policy and that we seek no more than a posture of effective deterrence.

Because we in the United States seek a posture of deterrence to protect our interests and those of our allies, we obviously could recognize as legitimate a Soviet desire for a comparable deterrent to protect its interests.

I know that the actions of the Soviet Union in recent years have raised questions in the minds of some of you editors and others about the true objectives they are pursuing.

As I have said many times, I do not believe that it is appropriate for me, as Secretary of Defense, to attempt to assess the strategic intentions of another country. However, under my responsibilities, I must be concerned about present and potential strategic capabilities.

You representatives of a free press understand fully the national security price an open society must pay when competing with adversaries who cloak their plan in secrecy and attempt to hide both their objectives and their hardware behind the mantle of a closed society. The whole world knows what we in the United States have and what we plan in the national security field. Meaningful essentials are laid bare in an open forum—in official statements, in Congressional hearings, in the give and take of Congressional and public debate and in the reports of a free and competitive press. I would not have it any other way.

Let me emphasize again my conviction that the American people have a right to know even more than has been available in the past about matters which affect their safety and security. There has been too much classification in this country. In particular, too much has been withheld in the past about what has been going on in the closed societies of the Soviet Union and Communist China.

As we all pray for success in Vienna, let me point out that, in my view, the American people will support an arms limitation agreement only if they are confident they have the relevant facts about the strategic balance.

The facts I am about to present are not taken from external Soviet discussions of their strategic forces. They do not come from press conferences in Moscow, from testimony in the Kremlin, from news stories in Pravda, or from published annual Defense Reports by Marshal Grechko.

Rather, the information I am presenting to you is based on our own observations of what the Soviets are doing—and on our belief that this information and these facts should not be withheld from the American people and should be made available to others in the world.

Let us examine what has happened in the past five years to shift the relationship between U.S. and Soviet strategic forces and to provide an accelerated momentum to the Soviets in the strategic field:

In 1965, the Soviet Union had about 220 launchers for the relatively old-fashioned missiles—SS-6's, SS-7's and SS-8's—some-what similar to our Titan. We had 54 Titans in the inventory at that time.

Today, these two forces remain essentially the same. So in this category of old-fashioned multimegaton weapons the Soviets had and still maintain a better than 4-1 advantage.

In 1965, the Soviet Union had no relatively small ICBM launchers comparable to our Minuteman. By 1965, we had 880 Minuteman missiles operational and had established that the total force level for Minuteman would be 1,000 launchers. In the 1965-67 time period, the United States finalized plans to convert a portion of the established Minuteman force to a MIRV Minuteman III configuration.

Today, the Soviet Union has over 800 such launchers operational, and a projected force that could exceed 1,000 launchers within the next two years. These launchers include both the SS-11 and SS-12 missiles. Concurrently, flight testing of an improved SS-11 missile continues. Thus, at present construction rates, the Soviets will achieve parity in Minuteman-type launchers within the next two years or so and could move into a substantial lead in this category by the mid-1970's if they continue to deploy these missiles. The previously scheduled U.S. program to MIRV a substantial part of Minuteman continues in progress.

In 1965, there were no operational launchers for the large Soviet SS-9 missile which, in its single warhead version, can carry up to 25 megatons.

Today, I can report to you that there are some 220 SS-9's operational with at least 60 more under construction. Testing of an SS-9 multiple reentry vehicle—the triplet version—continues. The U.S. has no counterpart to this program involving large missiles. So, in this area, the Soviets have and will maintain a monopoly.

In 1965, neither a depressed trajectory ICBM nor a Fractional Orbital Bombardment System existed in either the Soviet or U.S. inventory.

Today, the Soviets have tested both configurations and could have an operational version already deployed. The United States has developed nothing comparable to these systems.

In 1965, the Soviet Union had about 25 launchers for Submarine Launched Ballistic Missiles (SLBMs) on nuclear submarines, and about 80 more on diesel submarines. Most were designed for surface launch only. The U.S. had 464 SLBM launchers operational on 29 submarines in 1965 and Congress had authorized the last of the 41 nuclear-powered submarines in our Polaris Force in the previous fiscal year.

Today, the Soviets have over 200 operational launchers on nuclear submarines for submerged launch SLBMs and about 70 operational launchers on diesel submarines. In the next two years, the Soviets are expected to have some 400-500 operational launchers on Polaris-type submarines, and at present construction rates—6-8 submarines a year—could match or exceed the number in the U.S. force by 1974-75. United States Polaris submarines still number 41 and no increase is projected in current plans. Conversion of 31 of our Polaris submarines to the MIRVED Poseidon missile is planned, and eight conversions have already been authorized by Congress.

In 1965, there was no development underway of a so-called Undersea Long-Range Missile System (ULMS) in the United States and there appeared to be none in the Soviet Union.

Today, the United States is spending relatively small sums in the research and development area on preliminary investigations of such a system. I can also report to you today that the Soviet Union, on the other hand, already is testing a new, long-range missile for possible Naval use.

In 1965, the Soviet heavy bomber force consisted of slightly over 200 aircraft, about 50 of which were configured as tankers. The U.S. heavy bomber force strength was about 780 in 1965.

Today, the Soviet heavy bomber force is slightly under 200, with about 50 still configured as tankers. U.S. heavy bomber strength has declined to about 550 today.

In 1965, we estimated that the Soviet Union had a complex of ABM launchers being constructed around Moscow as well as a number of radars under construction which could provide early warning acquisition and tracking functions for ABM use.

Today, we believe that 64 Moscow ABM launchers are operational together with so-

plicated early warning radars and tracking capabilities. ABM testing for new and/or improved systems continues. Today, the first two Safeguard sites have been authorized, but will not be operational before 1974—75. This modified deployment schedule is considerably behind the schedule Congress has approved in 1967 for the planned Sentinel area defense, which called for initial capability in 1972, and nation-wide coverage in 1975.

Thus, in the space of five years—from 1965 to 1970—the Soviet Union has more than tripled its inventory of strategic offensive nuclear weapon launchers from about 500 to about 1700—which includes some 200 heavy bombers in both totals—and continues the momentum of a vigorous construction program. In that same period, the Soviet Union has virtually quadrupled the total megatonnage in its strategic offensive force. The United States, on the other hand, in the same time period, made no increase in its established level of 1710 strategic nuclear missile launchers and reduced its heavy bomber strength of 780 by over 200. In that same period the United States also reduced its megatonnage by more than 40%.

To repeat: The United States has taken no action to increase the total of approved strategic offensive delivery vehicles in the past five years in response to the rapid growth in Soviet strategic delivery vehicles. We have, of course, maintained certain options and other steps have been taken to preserve our deterrent in the face of this increase.

Two programs that have been the subject of intense public discussion are, of course, our MIRV and Safeguard systems.

Let me emphasize that MIRV is needed to preserve our deterrent. Many people do not fully understand why it is necessary for us to continue the previously planned, Congressionally-approved and funded deployment of MIRV systems. The point is made that the current number of strategic nuclear weapons on alert in our force is sufficient for immediate retaliatory use in a crisis. Because MIRVing would more than double the number of deliverable weapons, the conclusion is drawn that this is unnecessary.

This conclusion could be valid, if we assumed that the Polaris, Minuteman, and Bomber forces all would survive a surprise attack and that the Soviet Union would not deploy an extensive ABM system. However, as was pointed out in my Defense Report in February, the rapidly-growing Soviet strategic offensive forces could seriously threaten both the U.S. Minuteman and strategic bomber forces by the mid-1970's.

Assuming we do not take additional actions to offset the expanding threat—and this apparently is what some people urge—I must, as Secretary of Defense, face the disquieting possibility that in the mid-to-late 1970's we would no longer be able to rely on either the Bomber or Minuteman force to survive a surprise attack. In such a situation, we would be left with only the Polaris/Poseidon deterrent force in our strategic arsenal for high confidence retaliatory purposes. This would pose intolerable risks for American security.

Thus, the critical choice in the face of that situation is this:

1. Do we rely on the fraction of the 656 current weapons that will be at sea on our Polaris force if we do not convert to Poseidon and do not defend our land-based strategic forces?

2. Or, do we continue the previously established program to convert 31 Polaris submarines to the long-approved Poseidon MIRV program—which would provide approximately the same number of sea-based retaliatory weapons on alert that we currently have today in the sea-based and land-based retaliatory forces combined, but with much reduced megatonnage?

Pending a successful outcome in the Stra-

tegic Arms Limitation Talks, therefore, prudence dictates that we must continue our approved program to MIRV current forces.

Moreover, as the experience of the past five years demonstrates, it would be dangerous and imprudent to place unquestioned reliance on the invulnerability of any single strategic system for more than five to seven years into the future.

This is why we must also, at the very least, preserve an option to defend a portion of our land-based retaliatory forces. That is a major part of what the proposed minimal addition to the Safeguard Defensive program is designed to do. I will come back to that.

Because we want to give the Strategic Arms Limitation Talks every chance of succeeding, we are deliberately accepting certain risks by postponing hard choices related to strategic offensive weapons. These risks are acceptable only in the context of proceeding with the MIRV deployments that have been programmed and approved for several years and the Safeguard increment we are recommending this year.

A second and equally important reason for MIRV is that it helps preserve our deterrent by increasing confidence in our ability to penetrate Soviet strategic defensive forces which, by the mid-to-late 1970's, also could be quite formidable. In addition to the extensive air defense capabilities they already possess, the Soviets are pursuing a vigorous antiballistic missile research and development program designed to improve the present operational system or to develop substantially better second-generation ABM components.

We now have evidence that the Soviet Union is testing an improved long-range ABM missile. They are also expanding their radar surveillance coverage. We cannot rule out the possibility that they have or will give the extensively deployed SA-5 surface-to-air missile system an ABM role. We believe such a role is technically feasible for this system.

With regard to Safeguard, which I mentioned previously, let me say this. In addition to other objectives, the reoriented Safeguard program, initiated last year, is designed to provide protection for our land-based deterrent forces, the Minuteman and Bombers. As you know, the President directed that each phase of the Safeguard deployment is to be reviewed each year to ensure that we are doing as much as necessary but not more than that required by the threat. The increments of Safeguard proposed so far will provide protection for a portion of our land-based deterrent, and permit flexibility with regard to our future course of action.

Without approval by Congress of the Modified Phase II Safeguard protection proposed by the President, we would be forced to recommend going forward this year with other strategic nuclear offensive force programs.

All of my comments so far have, of course, been focused on the more immediate and troublesome threat posed by the Soviet strategic force buildup. The nuclear weapons program of Communist China also concerns us and directly relates to the need for preserving timely Safeguard options as we move toward the mid-1970's. Time does not permit a discussion of this issue and the interrelationship of maintaining adequate strategic offensive and defensive forces to meet both the Soviet and Communist Chinese threats.

Where does all this leave us, and what is President Nixon attempting to do with the decisions he has incorporated in his Fiscal Year 1971 transitional defense budget?

Clearly, this Administration has not accelerated the previously planned deployment of offensive systems during our 15 months in office. On the contrary, we have slowed it down. The only major change we have made has been modification of the previously approved Sentinel ABM deployment; and

that change was a slowdown, not a speed-up. We slowed the original deployment plan Congress approved, keyed it to the emerging threat on an annual review basis, and reoriented it to provide more timely protection needed for our land-based deterrent forces.

If the programmed forces established by the last Administration some years ago and approved by Congress were deemed appropriate and necessary for the security of the United States in the 1970's against the then projected threat, I am at a loss to understand how critics can claim that the Nixon Administration has escalated the arms race. The record clearly shows that we have not done so. We have chosen instead to defer major new weapons decisions as long as possible pending developments in the Strategic Arms Limitation Talks. In continuing the MIRV and ABM programs, we are simply going ahead with programs on which our deterrent policy was formulated by previous Administrations, even before the current momentum of Soviet strategic programs became clear.

With regard to the important talks which have just resumed in Vienna, the President has stated that every U.S. system is negotiable. To those who argue that the U.S. should take specific, and perhaps unilateral, action at the start of these negotiations, I would reply that the place to resolve these issues is at the conference table with the Soviets. Let us try to find out at the conference table the meaning of the Soviet Union's increased weapons deployments and let us conduct these important negotiations with full recognition of these continuing Soviet deployments.

My appraisal today has covered some of the available evidence of the Soviet military buildup. I am not unmindful, however, of possible other directions of Soviet policy that could be relevant to our security. There have been reports that Soviet economic problems may place pressure upon their leadership to devote major attention to internal matters, thus reducing the recent emphasis on a continued military buildup.

As Secretary of Defense, I will continue to hope that the shift in national priorities we have instituted in America will be duplicated in the Soviet Union. But until evidence of that shift is discernible in weapons deployment activities, I have no alternative but to base my actions and recommendations on the evidence available, much of which I have shared with you editors today and, through you, with the American people.

THE LATE BILL HENRY

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

Mr. GERALD R. FORD. Mr. Speaker, only a few months ago, on the occasion of the 30th anniversary of Mr. Bill Henry's column in the Los Angeles Times, the distinguished majority leader, the chairman of the California delegation (Mr. HOLIFIELD) and our late beloved colleague Mr. Lipscomb, joined me in tributes from this floor to a veteran Washington newsman and a warm friend.

Now, we are saddened to learn of Bill's death, just a few days before he was to have received from President Nixon the highest civilian honor of our country, the Medal of Freedom. In expressing the condolences of all of us to his wonderful wife, Corinne, and to their daughters and grandchildren, may I share with Bill's many friends in the House the

tribute paid him last week by the President.

[From the Los Angeles Times, April 14, 1970]

TEXT OF A NOTE FROM PRESIDENT NIXON TO MRS. BILL HENRY

Pat and I were deeply saddened to learn of Bill's death and we join in sending our heartfelt sympathy to you. Bill was a man deeply dedicated to his profession and he set high goals for himself. His intense loyalty to our nation, his passion for freedom and justice were the only challenges he needed in life. Bill loved people. He believed in them and he worked for them.

He wrote a fine chapter in the world of newspaper reporting. And all of us who had the privilege to know him personally will miss our warm and generous friend who sparkled with zest for life.

We know how proud Bill was of you. And we pray that the memory of your happy years together and of his great achievements in life will bring you comfort in this very difficult time.

THE UNHERALDED WHO SUPPORT THE PUBLIC TRUST

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

Mr. HALL. Mr. Speaker, the U.S. Government maintains a civilian staff of over 2.7 million personnel. In so large and complex an organization, it often happens that the key element, the individual employee who has devoted many years of service to his job, may have his efforts go largely unnoticed. I am very pleased, therefore, when employees who have continuously demonstrated a high degree of proficiency are properly honored for their abilities.

Such a case recently occurred in St. Louis, where Mrs. Pearlina Golliday of the National Personnel Records Center was presented with the Federal Employee of the Year award in the Administrative Services category. Currently an employee of GSA, Mrs. Golliday has been a dedicated public servant for 27 years. During her tenure with the Federal Government, she has received several awards for her administrative abilities, including the outstanding performance rating and several Sustained Superior Performance awards. Mrs. Golliday was selected out of the 38,000 Federal employees in the area by a group of both Federal executives and distinguished members of the non-Federal community.

The award was presented by General Services Administrator Robert L. Kunzig, who was the featured speaker at the event. In his remarks, Mr. Kunzig aptly recognized the high value of the career civil servant, indicating that it was the Federal Career Service which has provided the continuity of administration at the National level that is the envy of many countries. Kunzig noted the Nation's pride in career service personnel, and challenged them to progressive thinking during the next decade. He cited President Nixon's recent message to Congress, which pointed out the need for a reduction, termination, or restructuring of those programs which are obsolete, of low priority, or in need of basic reform, and called on each Federal em-

ployee to actively pursue the President's goals. He said that understanding, flexibility, and responsiveness were essential leadership traits in the career Federal employee, and congratulated Mrs. Golliday, as well as Miss Joyce Allen, and Mr. John Johnson, who were also honored at the ceremony, for demonstrating those qualities.

At this point, I would like to have inserted into the RECORD an article from the St. Louis Post-Dispatch of March 14, 1970, regarding the event:

THREE HONORED AS TOP FEDERAL EMPLOYEES HERE

Three employees of federal agencies were honored last night with awards naming each as a Greater St. Louis Federal Employee of the Year. They were selected from among 37 candidates competing in categories of administrative services, managerial and technical, and professional and scientific.

Honored were Mrs. Pearlina Golliday, National Personnel Records Center; Miss Joyce Allen, Army Aviation Systems Command, and John I. Johnson, Air Force Aeronautical Chart and Information Center. The awards were presented at a banquet at Stouffer's Riverfront Inn. Winners were selected for exceptional performance and devotion to federal service, participation in community activities, and self-education improving the value of the individual to his agency.

Robert L. Kunzig, administrator of the General Services Administration, was guest speaker. More than 1000 federal employees attended the event.

LAOS AND CAMBODIA LOOM AS NEWEST BATTLEFIELDS

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

Mr. BOLAND. Mr. Speaker, Laos and Cambodia loom before us as the newest battlefields in Southeast Asia. The startling testimony made public yesterday by Senator STUART SYMINGTON's Subcommittee on Foreign Relations reveals this country's role in what is aptly termed a "secret war." The transcript of testimony—as chilling and chastening a document as we are likely to read in a long time—shows that tens of thousands of Americans have been taking part in the Laotian war over the past several years. The grim toll: nearly 200 dead, hundreds more wounded, and billions of dollars wasted in a war that virtually any military strategist would consider futile. The role of the U.S. Ambassador to Laos is roughly akin to that of commander in chief of all military operations. He coordinates air, ground, and intelligence missions with the kind of feudal sovereignty that even the Laotian Government itself might envy. The United States is paying half the cost—quite literally, half the cost—of running that government. Indeed, the United States is even paying two-thirds the cost of operating Laotian embassies abroad.

Is this the "limited involvement" President Nixon cited in his guarded press release a few weeks ago?

The answer is obvious—indeed, conspicuous. The Nixon administration—and the Johnson administration before it—have concealed the extent of American military activities in the countries bordering Vietnam. Stonily aloof to the

American people and its representatives in the Congress, two administrations have been pursuing a war without our consent.

The military situation in Cambodia threatens to become as forbidding as the one in neighboring Laos. Cambodia's new regime, energetically pressing the war against Communist insurgents, has appealed to the world for military aid. And the United States, it is said, is seriously contemplating shipments of arms. It is a familiar situation to anyone even cursorily aware of Southeast Asia's recent history. First, arms. Then, "advisers" to train Asian troops in the use of such arms. Then—perhaps inevitably—American troops to guide the war effort.

The lessons of this country's harrowing decade in Vietnam has schooled few administration officials in the futility of Asian civil wars. After 40,000 American deaths, after 10 years of devastating war, we appear no closer to a meaningful peace settlement than we were in the early 1960's. Now the war is spreading into Laos and Cambodia, threatening to engulf the entire area conventionally referred to as Indochina. Are we prepared for such a war? Are we prepared to continue sacrificing American lives and wasting American dollars in a kind of Messianic campaign to thwart anything even tenuously comparable to communism in Southeast Asia? I think not.

Several weeks ago I introduced a resolution calling on the administration to reveal the extent of military operations in Laos and demanding that such operations not be increased without the consent of Congress.

Today I am introducing a new resolution.

It maintains that this country's military activities in the countries bordering Vietnam should be limited to only those missions necessary to shield American troops in South Vietnam against enemy infiltration, and that troop withdrawals from Vietnam should be accelerated so that no American combat forces remain there 1 year from today.

We have spilled enough of our blood and dissipated enough of our resources in Southeast Asia.

The time to stop is now.

LEAVE OF ABSENCE

By unanimous request (at the request of Mr. ALBERT) leave of absence was granted to:

Mr. PATTEN, for today and tomorrow, on account of official business.

Mr. PATMAN, for today, on account of official business.

Mr. LENNON, for today and rest of week, on account of official business.

Mr. EILBERG, for Monday and Tuesday of this week, on account of religious reason.

Mr. PEPPER, for today, on account of official business.

Mr. GETTYS (at the request of Mr. BOGGS), for today, on account of official business.

Mr. GRIFFIN (at the request of Mr. BOGGS), for today, on account of illness in family.

Mr. HAGAN (at the request of Mr.

GRAY), for today, on account of official business.

Mr. FALLON (at the request of Mr. GARMATZ), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

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

- Mr. HALPERN, for 5 minutes, today.
- Mr. CONTE, for 10 minutes, today.
- Mr. MILLER of Ohio, for 5 minutes, today.
- Mr. HOGAN, for 5 minutes, today.
- Mr. McCLOSKEY, for 60 minutes, April 21.

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

- Mr. FARBSTEIN, for 20 minutes, today.
- Mr. GONZALEZ, for 10 minutes, today.

EXTENSION OF REMARKS

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

- Mr. JONES of Alabama.
- Mr. WYATT prior to the vote on H.R. 780 and to include extraneous matter.
- Mr. DEVINE (at the request of Mr. KYL) to extend his remarks on Senate Joint Resolution 1069 and S. 1968.

(The following Members (at the request of Mr. DELLENBACK) and to include extraneous material:)

- Mr. QUIE in two instances.
- Mr. FINDLEY in two instances.
- Mr. STEIGER of Wisconsin in three instances.
- Mr. DERWINSKI in two instances.
- Mr. ASHBROOK in two instances.
- Mr. McCLODY.
- Mr. CONTE.
- Mr. DUNCAN.
- Mr. GERALD R. FORD in two instances.
- Mr. JONAS.
- Mr. WYMAN in two instances.
- Mr. ANDERSON of Illinois in two instances.
- Mr. BURTON of Utah in five instances.
- Mr. GUBSER.
- Mr. SCHERLE.
- Mr. MYERS.
- Mr. JOHNSON of Pennsylvania.
- Mr. THOMPSON of Georgia.
- Mr. BERRY.
- Mr. HASTINGS.
- Mrs. MAY.
- Mr. WATSON.
- Mr. REID of New York in three instances.

(The following Members (at the request of Mr. DANIEL of Virginia) and to include extraneous material:)

- Mr. EVINS of Tennessee in three instances.
- Mr. ALBERT.
- Mr. CULVER.
- Mr. HUNGATE.
- Mr. ROONEY of New York.
- Mr. MARSH in two instances.
- Mr. CAREY in two instances.

Mrs. HANSEN of Washington in two instances.

- Mr. DINGELL in two instances.
- Mr. HOWARD in two instances.
- Mr. JACOBS in two instances.
- Mr. RARICK in three instances.
- Mr. COHELAN in six instances.
- Mr. GONZALEZ.
- Mr. GARMATZ.
- Mr. ANDERSON of California.
- Mr. MIKVA in six instances.
- Mr. SYMINGTON.
- Mr. STOKES in three instances.
- Mr. COLMER in two instances.
- Mr. FOUNTAIN in two instances.
- Mr. ROGERS of Florida in five instances.
- Mr. REES.
- Mr. GALLAGHER in two instances.
- Mr. RODINO in two instances.
- Mrs. SULLIVAN in three instances.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 3685.—An act to increase the availability of mortgage credit for the financing of urgently needed housing, and for the other purposes; to the Committee on Banking and Currency.

ADJOURNMENT

Mr. DANIEL of Virginia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 43 minutes p.m.), the House adjourned until tomorrow, Tuesday, April 21, 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:

1939. A letter from the Secretary of Health, Education, and Welfare, transmitting the fifth annual report of the Advisory Council on State Departments of Education, pursuant to title V of Public Law 89-10; to the Committee on Education and Labor.

1940. A letter from the Chairman, Water Resources Council, transmitting a report and comprehensive plan for the Pascagoula River Basin, Ala. and Miss., pursuant to the Water Resources Planning Act (Public Law 89-80); to the Committee on Interior and Insular Affairs.

1941. A letter from the Chairman, Water Resources Council, transmitting a report and comprehensive plan for the Sabine River Basin, La. and Tex., pursuant to the Water Resources Planning Act (Public Law 89-90); to the Committee on Interior and Insular Affairs.

1942. A letter from the Chairman, Water Resources Council, transmitting a report and comprehensive plan for the White River Basin, Ark. and Mo., pursuant to the Water Resources Planning Act (Public Law 89-80); to the Committee on Interior and Insular Affairs.

1943. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice transmitting reports concerning visa petitions approved according certain beneficiaries third and sixth preference classification, pursuant to the provisions of section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

1944. A letter from the Secretary of the Interior, transmitting the third report on

the national requirements and cost of water pollution control, pursuant to section 16(a) of the Federal Water Pollution Control Act, as amended; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. STAGGERS: Committee of conference. Conference report on H.R. 10105 (Rept. No. 91-1008). Ordered to be printed.

Mr. O'NEILL of Massachusetts: Committee on Rules. House resolution 938. Resolution for consideration of H.R. 4599, a bill to extend for 2 years the period for which payments in lieu of taxes may be made with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments (Rept. No. 91-1009). Referred to the House Calendar.

Mr. MATSUNAGA: Committee on Rules. House Resolution 939. Resolution for consideration of H.R. 14685, a bill to amend the International Travel Act of 1961, as amended, in order to improve the balance of payments by further promoting travel to the United States, and for other purposes (Rept. No. 91-1010). Referred to the House Calendar.

Mr. MATSUNAGA: Committee on Rules. House Resolution 940. Resolution for consideration of H.R. 14714, a bill to amend authority of the Secretary of the Interior under the act of July 19, 1940 (54 Stat. 773), to encourage through the National Park Service travel in the United States, and for other purposes (Rept. No. 91-1011). Referred to the House Calendar.

Mr. ANDERSON of Tennessee: Committee on Rules. House Resolution 941. Resolution for consideration of H.R. 15073, a bill to amend the Federal Deposit Insurance Act to require insured banks to maintain certain records, to require that certain transactions in U.S. currency be reported to the Department of the Treasury, and for other purposes (Rept. No. 91-1012). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROYHILL of Virginia (for himself, Mr. HOGAN, and Mr. MARSH):

H.R. 17096. A bill to provide certain medical and surgical services to officers and members of the Fire Department of the District of Columbia and of police forces in the District of Columbia retired under the Policemen and Firemen's Retirement and Disability Act for total disabilities; to the Committee on the District of Columbia.

By Mr. DELLENBACK:

H.R. 17097. A bill to extend benefits under section 8191 of title 5, United States code, to law enforcement officers and firemen not employed by the United States who are killed or totally disabled in the line of duty; to the Committee on the Judiciary.

H.R. 17098. A bill to provide for advance notice to the U.S. Fish and Wildlife Service and certain State agencies before the beginning of any Federal program involving the use of pesticides or other chemicals designed for mass biological controls, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. FALLON (for himself, Mr. BLATNIK, Mr. KLUCZYNSKI, Mr. MCCARTHY, Mr. HOWARD, Mr. HARSHA, Mr. DON H. CLAUSEN, Mr. McEWEN, Mr. LATA, and Mr. SAYLOR):

H.R. 17099. A bill to provide for construction of contained dredged spoil disposal facilities for the Great Lakes and connecting channels, and for other purposes; to the Committee on Public Works.

By Mr. FLOOD:

H.R. 17100. A bill to provide for orderly trade in textile articles and articles of leather footwear, and for other purposes; to the Committee on Ways and Means.

By Mr. FULTON of Pennsylvania:

H.R. 17101. A bill, to extend the Voting Rights Act of 1965 with respect to the discriminatory use of tests, and for other purposes; to the Committee on the Judiciary.

By Mr. GUDE:

H.R. 17102. A bill to amend the act of June 27, 1960 (74 Stat. 220), relating to the preservation of historical and archeological data; to the Committee on Interior and Insular Affairs.

By Mr. HALPERN:

H.R. 17103. A bill to amend the Foreign Assistance Act of 1961; to the Committee on Foreign Affairs.

H.R. 17104. A bill to establish a minimum reward for information leading to the apprehension and conviction of violators of the Federal narcotic laws, and for other purposes; to the Committee on Ways and Means.

By Mr. KYL:

H.R. 17105. A bill to authorize the Corps of Engineers to provide further flood control at Ottumwa, Iowa; to the Committee on Public Works.

By Mr. MORTON:

H.R. 17106. A bill to amend section 837 of title 18, United States Code, to strengthen the laws concerning illegal use, transportation, or possession of explosives and the penalties with respect thereto, and for other purposes; to the Committee on the Judiciary.

H.R. 17107. A bill to amend the Fish and Wildlife Coordination Act, as amended; to the Committee on Merchant Marine and Fisheries.

By Mr. OTTINGER (for himself, Mr. HECHLER of West Virginia, Mr. REES, Mrs. CHISHOLM, Mr. CLEVELAND, Mr. PRICE of Illinois, Mr. DADDARIO, Mr. MIKVA, Mr. BUTTON, Mr. KOCH, Mr. ROE, Mr. CONYERS, Mr. HARRINGTON, Mr. HALPERN, Mr. HAYS, Mr. HATHAWAY, Mr. STANTON, and Mr. MORSE):

H.R. 17108. A bill to authorize the U.S. Commissioner of Education to make grants to or contracts with public educational and social service agencies for the conduct of special educational programs and activities concerning the use of drugs; to the Committee on Education and Labor.

By Mr. REID of New York:

H.R. 17109. A bill to amend chapter 1 (Federal-Aid Highways) of title 23, United States Code, as amended, to establish local highway planning review commissions to consider conservation problems in connection with the construction of federally aided highways; to the Committee on Public Works.

By Mr. ROBERTS:

H.R. 17110. A bill to provide for orderly trade in textile articles and articles of leather footwear, and for other purposes; to the Committee on Ways and Means.

By Mr. ROGERS of Florida:

H.R. 17111. A bill to amend the Internal Revenue Code of 1954 to allow income tax deductions for certain payments made and expenses incurred in providing or securing higher education; to the Committee on Ways and Means.

By Mr. ROTH:

H.R. 17112. A bill to create a catalog of Federal assistance programs, and for other purposes; to the Committee on Government Operations.

By Mr. RYAN:

H.R. 17113. A bill to amend the Clean Air Act to provide for regional air quality commissions, to provide for national air quality

standards, to provide for standards for designated industries, to authorize individual actions, to ban leaded gasoline, to authorize assistance for State vehicle inspection programs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. VANIK:

H.R. 17114. A bill to amend the Internal Revenue Code of 1954 to increase the credit against tax for retirement income; to the Committee on Ways and Means.

By Mr. CHARLES H. WILSON:

H.R. 17115. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968; to the Committee on the Judiciary.

By Mr. WYMAN:

H.R. 17116. A bill to consent to the New Hampshire-Maine interstate school compact; to the Committee on the Judiciary.

By Mr. MOSS (for himself, Mr. REID of New York, Mr. BROOMFIELD, Mr. MONAGAN, Mr. HORTON, Mr. MACDONALD of Massachusetts, Mr. UDALL, Mr. ZABLOCKI, Mr. MORSE, Mr. GUDE, and MURPHY of Illinois):

H.R. 17117. A bill to amend section 402 of chapter 4 of part I of the Foreign Assistance Act of 1961 to provide additional authorization in supporting assistance for the national land reform program enacted March 26, 1970, by the Government of Vietnam; to the Committee on Foreign Affairs.

By Mr. FALLON:

H.J. Res. 1179. Joint resolution granting the consent of Congress to amendments to the compact creating the Potomac Valley Conservancy District and establishing the Interstate Commission on the Potomac River Basin; to the Committee on Public Works.

By Mr. GUDE:

H.J. Res. 1180. Joint resolution authorizing the President to proclaim National Volunteer Firemen's Week from September 19, 1970, to September 26, 1970; to the Committee on the Judiciary.

By Mr. HASTINGS:

H.J. Res. 1181. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. MADDEN:

H.J. Res. 1182. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. BOLAND:

H. Con. Res. 577. Concurrent resolution to express the sense of the Congress on U.S. military policy in Southeast Asia; to the Committee on Foreign Affairs.

By Mr. DICKINSON:

H. Con. Res. 578. Concurrent resolution authorizing the reprinting of a "Compilation of Works of Art and Other Objects in the United States Capitol," as a House document, and for other purposes; to the Committee on House Administration.

By Mr. DONOHUE (for himself, Mr. CLAY, Mr. BUTTON, Mr. MURPHY of New York, and Mr. ULLMAN):

H. Con. Res. 579. Concurrent resolution expressing the sense of the Congress in opposition to the high interest rate policy; to the Committee on Banking and Currency.

By Mr. PEPPER (for himself, Mrs. GRIFFITHS, Mr. NIX, Mr. WALDIE, Mr. WIGGINS, and Mr. DENNEY):

H. Con. Res. 580. Concurrent resolution authorizing certain printing for the Select Committee on Crime; to the Committee on House Administration.

By Mr. BOLLING:

H. Res. 930. Resolution providing for the consideration of the bill (H.R. 8298); to the Committee on Rules.

By Mr. CONTE (for himself, Mr. ADAMS, Mr. ADDABBO, Mr. BINGHAM, Mr. BOLAND, Mr. BRADEMAS, Mr.

BROWN of California, Mr. BURKE of Massachusetts, Mr. BUTTON, Mr. CLAY, Mr. CLEVELAND, Mr. CONYERS, Mr. DADDARIO, Mr. FASCELL, Mr. WILLIAM D. FORD, Mr. FRASER, Mr. FRIEDEL, Mr. GIBBONS, Mr. GROVER, Mr. HAMILTON, Mr. HARRINGTON, Mr. HATHAWAY, Mr. HELSTOSKI, and Mr. HOWARD):

H. Res. 931. Resolution expressing the sense of the House that the President implement the majority report of the Cabinet Task Force on Oil Import Control; to the Committee on Ways and Means.

By Mr. REUSS (for himself, Mr. HUNGATE, Mr. KARTH, Mr. KOCH, Mr. KYROS, Mr. LONG of Maryland, Mr. LOWENSTEIN, Mr. MATSUNAGA, Mr. MEEDS, Mr. MESKILL, Mr. MIKVA, Mr. MOORHEAD, Mr. MORSE, Mr. OBEY, Mr. O'HARA, Mr. O'NEILL of Massachusetts, Mr. OTTINGER, Mr. PEPPER, Mr. PIKE, Mr. PODELL, Mr. REES, Mr. ROBISON, Mr. ROSENTHAL, Mr. RYAN, and Mr. RODINO):

H. Res. 932. Resolution expressing the sense of the House that the President implement the majority report of the Cabinet Task Force on Oil Import Control; to the Committee on Ways and Means.

By Mr. REUSS (for himself, Mr. ST GERMAIN, Mr. ST. ONGE, Mr. SCHEUER, Mr. SMITH of New York, Mr. STOKES, Mr. STRATTON, Mr. TIERNAN, Mr. TUNNEY, Mr. VIGORITO, Mr. WHALEN, Mr. WOLFF, Mr. WYDLER, Mr. FARBSTEIN, and Mr. KEITH):

H. Res. 933. Resolution expressing the sense of the House that the President implement the majority report of the Cabinet Task Force on Oil Import Control; to the Committee on Ways and Means.

By Mr. ROTH (for himself, Mr. ADAIR, Mr. MESKILL, Mr. ZWACH, Mr. BOLAND, Mrs. DWYER, Mr. CLEVELAND, Mr. BUTTON, Mr. HANSEN of Idaho, Mr. MCCLOSKEY, Mr. PELLY, Mr. DENNEY, Mr. COWGER, Mr. DELLENBACK, Mr. RIEGLE, Mr. SCOTT, Mr. BIESTER, Mr. BYRNE of Pennsylvania, Mr. DONOHUE, Mr. HARRINGTON, Mr. LEGGETT, Mr. OTTINGER, and Mr. WIDNALL):

H. Res. 934. Resolution expressing the support of the House of Representatives with respect to the Strategic Arms Limitation Talks, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ROTH (for himself, Mr. ADAIR, Mr. FARBSTEIN, Mr. MORSE, Mr. FRASER, Mr. ROSENTHAL, Mr. LLOYD, and Mr. YATRON):

H. Res. 935. Resolution expressing the support of the House of Representatives with respect to the Strategic Arms Limitation Talks, and for other purposes; to the Committee on Foreign Affairs.

By Mr. WYMAN (for himself, Mr. SCOTT, Mr. WAGGONER, Mr. SIKES, Mr. DUNCAN, Mr. COLLIER, Mr. JOHNSON of Pennsylvania, and Mr. BURKE of Florida):

H. Res. 936. Resolution creating a select committee to conduct an investigation of certain activities of William Orville Douglas, Associate Justice of the U.S. Supreme Court, to determine whether impeachment proceedings are warranted; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. PELLY:

H.R. 17118. A bill for the relief of Irving D. Smith; to the Committee on the Judiciary.

By Mr. PERKINS:

H.R. 17119. A bill for the relief of St. John's

College at Santa Fe, N. Mex.; to the Committee on Education and Labor.

By Mr. PODELL:

H.R. 17120. A bill for the relief of Luh Chih Nan; to the Committee on the Judiciary.

By Mr. SCHERLE:

H.R. 17121. A bill for the relief of Jesse Pursell and Sam Corbino; to the Committee on the Judiciary.

By Mr. STUBBLEFIELD:

H.R. 17122. A bill for the relief of Dr. Camilo C. Balacuit and his wife, Dr. Norma Balacuit; to the Committee on the Judiciary.

By Mr. HALEY:
H. Res. 937. Resolution expressing congratulations to Ringling Brothers and Barnum and Bailey Circus on the 100th anniversary of the Greatest Show on Earth; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

451. By the SPEAKER: Petition of Henry Stoner, York, Pa., relative to the use of plain English in legislation affecting the general public; to the Committee on the Judiciary.

452. Also, petition of the Council of the City of Philadelphia, Pa., relative to wage increases for postal employees; to the Committee on Post Office and Civil Service.

453. Petition of the Board of County Commissioners, Union County, Fla., relative to designating Cape Kennedy as the operational base for the space shuttle system; to the Committee on Science and Astronautics.

EXTENSIONS OF REMARKS

PASSOVER—THE JEWISH FESTIVAL OF FREEDOM, AND ITS MEANING FOR JEWS IN THE U.S.S.R.

HON. RICHARD S. SCHWEIKER

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Monday, April 20, 1970

Mr. SCHWEIKER. Mr. President, this evening at sundown Jewish communities throughout the world will begin the yearly observance of Passover, the 8-day festival commemorating the exodus of the Jewish people from Egypt in ancient times.

Passover celebrates a people's escape from slavery and tyranny. It affirms the right of man to live in freedom and human dignity. It tells an ancient story, but as long as tyranny exists anywhere in our world, the Passover story will have a contemporary message for all of us, whether we are Jews or not.

The Jewish exodus from Egypt thousands of years ago to escape persecution was, unfortunately, only the first of a long history of such migrations for the Jewish people. Since Moses first asked the Egyptian Pharaoh to "let my people go," that call has been echoed on behalf of the Jewish people against many tyrants, in many places and in many ages. And today the call, "Let my people go," must be for the Jews living in the Soviet Union, who are forbidden by the Soviet Government to emigrate to Israel and who at the same time cannot fully practice their religion or enjoy their culture in the country where they dwell.

This evening Jewish families will begin Passover in their homes with the traditional Seder meal and service. And many of these families will add to the Seder a special ritual for their more than 3 million brethren in the Soviet Union. A separate matzo—unleavened bread—will be set aside at the Metzta of Hope, hope that the Jews of the Soviet Union will soon enjoy not only fairer treatment as Soviet citizens, but also the freedom to emigrate to Israel if they desire.

Passover, then, is an appropriate time for all of us to survey the current status of Jews in the Soviet Union, a topic in which I have long been deeply concerned as both a Member of the House of Representatives and as a Senator.

Earlier this month I wrote to a group of students at the University of Pennsylvania who were arranging for a Soviet Jewry Week at the University from April 6 through 9. In the letter I stated

my own personal views of the plight of Soviet Jewry and what responsibilities we as Americans should take on the matter.

I ask unanimous consent that my letter to Jay Blum, chairman of Soviet Jewry Week at the University of Pennsylvania, be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,

Washington, D.C., April 2, 1970.

Mr. JAY BLUM,
Chairman, Soviet Jewry Week, Hillel Foundation, University of Pennsylvania, Philadelphia, Pa.

DEAR Mr. BLUM: I strongly commend and support you and your fellow students at the University of Pennsylvania who have arranged for Soviet Jewry Week at the University, April 6 through 9, 1970. There is a serious need for more public information and discussion of this grave problem, the plight of Jews living in the Soviet Union.

Once again, as throughout Jewish history, a totalitarian government is oppressing the Jews living within its borders. While the Soviet Jews may not be so much in danger of bodily harm, the soul of this community of three million Jews—its culture and its religion—is rapidly being put to death.

Many of these Jews would like to emigrate to Israel, but they cannot.

Many of them would like to practice their religion and see it exist without governmental restraints, but they cannot.

Many of them would like to provide Jewish schools for their children, and enjoy Jewish literature, drama and associations for themselves, but they cannot.

And, as if the denial of all these rights is not enough, Soviet propaganda—especially since the Six-Day War—has been vilifying the Jews as a group and attacking the State of Israel. Jews who express a desire to emigrate to Israel are being intimidated.

Jewish life in the Soviet Union is being successfully stamped out. Only 60 synagogues function today in the country, compared to 500 ten years ago. Altogether the Soviet Union has only three rabbis who function in that capacity. Moscow has not seen a bar mitzvah ceremony in 18 years, even though it has a Jewish population of half a million. A younger Jewish generation has come of age without formal Jewish training, without Bibles and prayerbooks or any religious articles.

Of course, Soviet policy has always been opposed to all religion. But among the religions of the Soviet Union, there is evidence that Judaism is put under unique restrictions. And while the Soviet Union prides itself on the cultural autonomy of diverse nationalities within its borders, somehow this cultural freedom does not extend to Jews, even though the government calls them a nationality.

Since I came to Congress in 1961, as a member of the House of Representatives, I have joined consistently with other Con-

gressmen and Senators in issuing calls for improved treatment of Jews in the Soviet Union. I have personally introduced resolutions on the subject. And we intend to continue, because the issue requires it and because occasionally the Soviet Union shows it can be affected by such pressure.

In 1965, for example, in response to criticism from abroad, the Soviet Government lifted its eight year ban on the making of Passover matzos.

The Soviet Government has permitted what has become an annual occasion of Jewish spirit and solidarity—the Simchas Torah celebration when thousands of young Jews gather outside the Moscow synagogue to dance and sing.

And in 1957, again as a response to world opinion, the Government permitted a rabbinical seminary to open in Moscow. However, it is not now functioning because the housing permits of its students were revoked in 1962.

Can the identity of the Jewish people of the Soviet Union survive this growing suppression, restriction and intimidation? The answer will depend on the Soviet leaders, of course. The answer will depend on the tenacity of the Soviet Jews themselves. But the answer will also depend on people like us.

With the blessings of life in America that we enjoy, we must not be complacent. We must fight against injustice and oppression wherever it exists.

Some thirty years ago, as the world watched, the Nazis brought a holocaust upon the Jewish community of Europe, wiping out six million lives. This tragedy is all too fresh in our minds, and it should be fresh in the minds of the Soviet leaders. So all mankind has a stake in how the Soviet Union treats its Jewish minority.

We must call on the Soviet Union to permit emigration to Israel for all those Jews who desire to leave. We must call on the Soviet Union to improve the religious and cultural climate within the Soviet Union for the Jews that will remain. We must urge the Soviet Union to join us on the side of mankind.

Sincerely,

RICHARD S. SCHWEIKER,
U.S. Senator.

Mr. SCHWEIKER. In addition, Mr. President, a most informative article outlining the up-to-date situation of Jews in the Soviet Union appeared in the ADL Bulletin of February 1970, published by the Anti-Defamation League of B'nai B'rith. The article, entitled "The Agony of Soviet Jews," was by written by Owen S. Rachleff, associate director of the league's European affairs department. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows: