



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 92^d CONGRESS, FIRST SESSION

SENATE—Thursday, January 21, 1971

The 21st day of January being the day prescribed by Public Law No. 643, 91st Congress, second session, for the meeting of the first session of the 92d Congress, the Senate assembled in its Chamber at the Capitol.

The VICE PRESIDENT called the Senate to order at 12 o'clock meridian.

The Chaplain, Rev. Edward L. R. Elson, D.D., offered the following prayer:

Almighty God, who has made and preserved us a nation, we thank Thee for Thy providential care over us in times past. We rejoice in Thy truth which has instructed us, in Thy love which has enfolded us, and in Thy pervading spirit which has strengthened and inspired us.

O Lord, give Thy grace and wisdom to all who serve in the Government of this Nation. May the new Congress in this new year lay hold upon the fresh opportunities for generating constructive programs and for bringing to all the spirit of reconciliation and concord. Endow all who serve Thee in this place with nobility of character, a fervent patriotism, and the spirit of the servant. Be especially near to those who in this Chamber assume solemn vows to serve Thee and the people of this land that in days to come they may go from strength to strength.

And finally, Thou God of our fathers and our God, make this Nation not only a citadel of material strength and military might but a great bastion of moral and spiritual power for the welfare of all mankind.

In the Redeemer's name we pray.
Amen.

ELECTION CERTIFICATES AND CREDENTIALS

The VICE PRESIDENT. The Chair lays before the Senate the credentials of 33 Senators elected for 6-year terms beginning January 3, 1971.

All certificates, the Chair is advised, are in the form suggested by the Senate, except the ones from Pennsylvania and Massachusetts which use the word "Commonwealth" instead of "State," and five others in various State forms.

If there be no objection, the reading of the 28 certificates in the form recommended by the Senate will be waived and they will be printed in full in the RECORD.

There being no objection, the certificates and credentials were ordered to be printed in the RECORD, as follows:

CXVII—1—Part 1

EXECUTIVE DEPARTMENT,
Annapolis, Md.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 3rd day of November, 1970, J. Glenn Beall, Jr. was duly chosen by the qualified electors of the State of Maryland a Senator from said State to represent said State in the Senate of the United States for a term of six years, beginning on the 3d day of January, 1971.

Witness: His Excellency our Governor, Marvin Mandel, and our seal hereto affixed at the City of Annapolis, this 1st day of December, in the Year of Our Lord, One Thousand, Nine Hundred and Seventy.

MARVIN MANDEL,
Governor.

BLAIR LEE III,
Secretary of State.

AUSTIN, TEX.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 3d day of November, 1970 Lloyd Bentsen was duly chosen by the qualified electors of the State of Texas a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3d day of January, nineteen hundred and seventy-one.

Witness: His excellency our Governor of Texas, and our seal hereto affixed at Austin, Texas, this the 20th day of November, in the year of our Lord nineteen hundred and seventy.

PRESTON SMITH,
Governor of Texas.

By the Governor:

MARTIN DIES, JR.,
Secretary of State.

NASHVILLE, TENN.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 3rd day of November, 1970, William E. Brock, III, was duly chosen by the qualified electors of the State of Tennessee a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1971.

Witness: His excellency our governor, Buford Ellington, and our seal hereto affixed at Nashville, this 25th day of November, in the year of our Lord 1970.

BUFORD ELLINGTON,
Governor.

JOE C. CARR,
Secretary of State.

STATE OF NEW YORK,
Executive Chamber.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the third day of November, 1970, James L. Buckley was duly chosen by the qualified electors of the State of New York a Senator from said State to

represent said State in the Senate of the United States for the term of six years, beginning on the third day of January, 1971.

Witness: His excellency our governor, Nelson A. Rockefeller, and our seal hereto affixed at Albany this twenty-eighth day of December, in the year of our Lord one thousand nine hundred and seventy.

By the Governor:

NELSON A. ROCKEFELLER,
Governor.

JOHN P. LOMENZO,
Secretary of State.

STATE OF NORTH DAKOTA,
Executive Office.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 3rd day of November, 1970, the honorable Quentin N. Burdick was duly chosen by the qualified electors of the State of North Dakota a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1971.

Witness: His excellency our Governor William L. Guy, and our seal hereto affixed at Bismarck this 17th day of November, in the year of our Lord 1970.

By the Governor:

WILLIAM L. GUY,
Governor.

Attest:

BEN MEIER,
Secretary of State.

STATE OF WEST VIRGINIA,
Executive Department.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 3rd day of November, 1970, Robert C. Byrd was duly chosen by the qualified electors of the State of West Virginia a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1971.

Witness: His excellency our Governor Arch A. Moore, Jr., and our seal hereto affixed at Charleston, West Virginia, this 29th day of December, in the year of our Lord 1970.

By the governor:

ARCH A. MOORE, JR.,
Governor.

JOHN D. ROCKEFELLER IV,
Secretary of State.

COMMONWEALTH OF VIRGINIA.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 3rd day of November, nineteen hundred and seventy Harry F. Byrd, Jr. was duly chosen by the qualified electors of the State of Virginia a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January, nineteen hundred and seventy-one.

In testimony whereof the Governor of Virginia hath hereunto signed his name and affixed the Lesser Seal of the Commonwealth at Richmond this 23rd day of November in the year of our Lord one thousand nine hundred and seventy and in the one hundred and ninety-fifth year of the Commonwealth.

By the Governor:

LINWOOD HOLTON,
Governor.

Secretary of the Commonwealth.

TALLAHASSEE, FLA.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the third day of November, A.D., 1970, Lawton Chiles was duly chosen by the qualified electors of the State of Florida, a Senator from said State to represent said State in the Senate of the United States for the term of six years beginning on the 3rd day of January, A.D., 1971.

Witness: His Excellency our Governor, Claude R. Kirk, Jr., and our Seal hereto affixed at Tallahassee, this twelfth day of November, A.D., 1970.

By the Governor:

CLAUDE R. KIRK, Jr.,
Governor.

TOM ADAMS,
Secretary of State.

HONOLULU, HAWAII.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the third day of November, 1970, Hiram L. Fong was duly chosen by the qualified electors of the State of Hawaii a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3d day of January, 1971.

Witness: His excellency our Governor John A. Burns, and our seal hereto affixed at the State Capitol this fourth day of December, in the year of our Lord 1970.

By the Governor:

JOHN A. BURNS,
Governor.

THOMAS P. GILL,
Lieutenant Governor.

STATE OF MICHIGAN,
Executive Office.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the third day of November, 1970, Philip A. Hart was duly chosen by the qualified electors of the State of Michigan a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January, 1971.

Witness: His excellency our Governor, William G. Milliken, and our seal hereto affixed at Lansing this tenth day of December, in the year of our Lord 1970.

By the Governor:

WILLIAM G. MILLIKEN,
Governor.

JAMES M. HARE,
Secretary of State.

STATE OF NEBRASKA.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 3rd day of November, 1970, Roman L. Hruska (R), was duly chosen by the qualified electors of the State of Nebraska a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January, 1971.

Witness: His excellency our governor Norbert T. Tiemann, and our seal hereto affixed at Lincoln this 30th day of November in the year of our Lord, 1970.

NORBERT T. TIEMANN,
Governor.

FRANK MARSH,
Secretary of State.

STATE OF MINNESOTA,
Executive Department.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 3rd day of November, 1970, Hubert H. Humphrey was duly chosen by the qualified electors of the State of Minnesota a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1970.

Witness: His excellency our Governor Harold LeVander, and our seal hereto affixed at St. Paul, Minnesota, this 30th day of November, in the year of our Lord 1970.

By the Governor:

HAROLD LEVANDER,
Governor.

JOSEPH L. DONOVAN,
Secretary of State.

STATE OF WASHINGTON,
Office of the Governor.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the third day of November, nineteen hundred and seventy, Henry M. Jackson was duly chosen by the qualified electors of the State of Washington a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January, nineteen hundred and seventy-one.

In witness whereof, I have hereunto set my hand and caused the Seal of the State of Washington to be affixed at Olympia this twenty-third day of December, A.D. nineteen hundred and seventy.

By the Governor:

DANIEL J. EVANS,
Governor.

A. LUDLOW KRAMER,
Secretary of State.

THE COMMONWEALTH OF MASSACHUSETTS.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the third day of November, nineteen hundred and seventy, Edward M. Kennedy was duly chosen by the qualified electors of the Commonwealth of Massachusetts a Senator from said Commonwealth to represent said Commonwealth in the Senate of the United States for the term of six years, beginning on the third day of January, nineteen hundred and seventy-one.

Witness: His Honor the Lieutenant Governor Our Acting Governor, and our seal hereto affixed at Boston, this second day of December, in the year of Our Lord nineteen hundred and seventy.

By His Honor the Lieutenant Governor, Acting Governor:

FRANCIS DARGENT,
Lieutenant Governor.

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

STATE OF MONTANA,

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the third day of November, 1970, Mike Mansfield was duly chosen by the qualified electors of the State of Montana a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3d day of January, 1971.

Witness: His excellency our governor Forrest H. Anderson, and our seal hereto affixed at the Capital, Helena, Montana, this eighteenth day of November, in the year of our lord 1970.

By the governor:

FORREST H. ANDERSON,
Governor.

FRANK MURRAY,
Secretary of State.

CHEYENNE, WYO.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 3rd day of November, 1970, Gale McGee was duly chosen by the qualified electors of the State of Wyoming a Senator from said state to represent said state in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1971.

Witness: His excellency our governor Stanley K. Hathaway, and our seal hereto affixed at Cheyenne, Wyoming, this 3rd day of December, in the year of our Lord 1970.

STANLEY K. HATHAWAY,
Governor.

THYSEN THOMASON,
Secretary of State.

SANTA FE, N. MEX.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 3d day of November, 1970, Joseph M. Montoya was duly chosen by the qualified electors of the State of New Mexico a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3d day of January, 1971.

Witness: His excellency our governor David F. Cargo, and our seal hereto affixed at Santa Fe, N.M., this 18th day of Nov., in the year of our Lord 1970.

By the governor:

DAVID F. CARGO,
Governor.

ERNESTINE D. EVANS,
Secretary of State.

STATE OF UTAH,
EXECUTIVE DEPARTMENT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the Third day of November, Nineteen Hundred and Seventy, Frank E. Moss was duly chosen by the qualified electors of the State of Utah a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the Fourth day of January, 1971.

Witness: His excellency our governor, and our seal hereto affixed at Salt Lake City, Utah this First day of December, in the year of our Lord 1970.

CALVIN L. RAMPTON,
Governor.

CLYDE L. MILLER,
Secretary of State.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS,
Executive Chamber, Providence.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the third day of November, 1970, John O. Pastore was duly chosen by the qualified electors of the State of Rhode Island a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January, 1971.

Witness: His excellency our governor, Frank Licht, and our seal hereto affixed at Providence this twelfth day of November, in the year of our Lord 1970.

By the governor:

FRANK LICHT,
Governor.

STATE OF VERMONT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 3rd day of November 1970 Winston L. Prouty was duly chosen by the qualified Electors of the State of Vermont a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January 1971.

Witness: His Excellency our Governor Deane C. Davis and our seal hereto affixed at

Montpelier, Vermont, this 17th day of November in the year of Our Lord 1970.

DEANE C. DAVIS,
Governor.

STATE OF WISCONSIN,
To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the Third day of November, nineteen hundred and seventy, William Proxmire was duly chosen by the qualified electors of the State of Wisconsin a Senator from said State to represent said State in the Senate of the United States for the term of six years, commencing on the Third day of January, A.D., 1971.

In testimony whereof, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this 23rd day of November, in the year of our Lord one thousand nine hundred and seventy.

JACK B. OLSON,
Acting Governor.

COMMONWEALTH OF PENNSYLVANIA,
Governor's Office.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the third day of November 1970, Hugh Scott was duly chosen by the qualified electors of the Commonwealth of Pennsylvania a Senator from said Commonwealth to represent said Commonwealth in the Senate of the United States for the term of six years, beginning on the 3rd day of January 1971.

Given under my hand and the Great Seal of the Commonwealth, at the City of Harrisburg, this twenty-fifth day of November, in the year of our Lord, one thousand nine hundred and seventy and of the Commonwealth the one hundred and ninety-fifth.

RAYMOND P. SHAFER,
Governor.

MISSISSIPPI EXECUTIVE DEPARTMENT,
Jackson.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 3rd day of November, A.D., 1970, John C. Stennis was duly chosen by the qualified electors of the State of Mississippi a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3d day of January, 1971.

Witness: His excellency our governor John Bell Williams, and our seal hereto affixed at Jackson, this 9th day of November, in the year of our Lord, 1970.

JOHN BELL WILLIAMS,
Governor.

STATE OF MISSOURI,
Executive Office.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the Third day of November, 1970, Stuart Symington was duly chosen by the qualified electors of the State of Missouri a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3d of January, 1971.

Witness: His excellency, our governor Warren E. Hearnes, and our seal hereto affixed at Jefferson City, Missouri, this Fifteenth day of December, in the year of our Lord 1970.

By the governor:

WARREN E. HEARNES,
Governor.

Attest:

JAMES C. KIRKPATRICK,
Secretary of State.

STATE OF OHIO.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the third day of November, 1970, Robert Taft, Jr. was duly chosen by the qualified electors of the State of Ohio a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January, 1971.

Witness: His Excellency our Governor James A. Rhodes, and our Seal hereto affixed at Columbus, Ohio, this Eleventh day of December, in the year of Our Lord nineteen hundred seventy.

By the Governor:

JAMES A. RHODES,
Governor.

TED W. BROWN,
Secretary of State.

STATE OF CALIFORNIA,
Executive Department.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the third day of November, 1970, John V. Tunney was duly chosen by the qualified electors of the State of California as Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1971.

In Witness Whereof, I have set my hand and caused the Great Seal of the State of California to be affixed hereto this 22nd day of December, 1970.

RONALD REAGAN,
Governor.

Attest:

H. P. SULLIVAN,
Secretary of State.

STATE OF CONNECTICUT,
Executive Department.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the third day of November, nineteen hundred and seventy, Lowell P. Welcker, Jr., was duly chosen by the qualified electors of the State of Connecticut a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January, nineteen hundred and seventy-one.

Witness: His Excellency our Governor, John Dempsey, and our seal hereto affixed at Hartford, this twenty-fifth day of November, in the year of our Lord nineteen hundred and seventy.

JOHN DEMPSEY,
Governor.

ELLA T. GRASSO,
Secretary of the State.

STATE OF NEW JERSEY.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 3rd day of November, 1970, Harrison A. Williams, Jr., was duly chosen by the qualified electors of the State of New Jersey a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1971.

Witness: His Excellency our Governor William T. Cahill, and our Seal hereto affixed at Trenton, this 1st day of December, in the year of our Lord 1970.

By the Governor:

WILLIAM T. CAHILL,
Governor.

PAUL J. SHERWIN,
Secretary of State.

The VICE PRESIDENT. The Chair directs the clerk to read the five certificates in accordance with the forms of

the States from which they came, for the information of the Senate.

The legislative clerk read the following five certificates:

STATE OF NEVADA,
Executive Department.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that at a general election held in the State of Nevada on Tuesday, the third day of November, nineteen hundred and seventy, Howard W. Cannon was duly elected by the qualified electors of the State of Nevada a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the third day of January, nineteen hundred and seventy-one, having received the highest number of votes cast for said office at said election, as appears by the certificate of the duly constituted and qualified Board of Canvassers now on file in the office of the Secretary of State at Carson City, Nevada.

In testimony whereof, I have hereunto set my hand and caused the Great Seal of State to be affixed at Carson City, this tenth day of December, in the year of our Lord one thousand nine hundred and seventy.

By the Governor:

PAUL LAXALT,
Governor.

JOHN KOONTZ,
Secretary of State.

STATE OF ARIZONA,
Office of the Secretary.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

I, Wesley Bolin, Secretary of State do hereby certify that on the 3rd day of November, 1970, Paul Fannin was duly chosen by the qualified electors of the State of Arizona a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1971.

Witness: His Excellency our Governor,

JACK WILLIAMS.

In witness whereof I have hereunto set my hand and affixed the Great Seal of the State of Arizona. Done at Phoenix, the capital, this 27th day of November A.D. 1970.

WESLEY BOLIN,
Secretary of State.

THE STATE OF INDIANA,
Office of the Governor.

To all who shall see these presents, Greetings:

Know ye, that R. Vance Hartke, having been duly elected to the office of United States Senator within and for the State of Indiana, I therefore in the name and by the authority of the State of Indiana do hereby commission him United States Senator, State of Indiana, and do authorize and empower him to execute and fulfill the duties of that office according to law. To have and to hold the said office with all the rights and emoluments thereto legally pertaining for his elective term and until his successor shall have been duly elected and qualified.

In testimony whereof, I hereto set my hand and cause to be affixed the Great Seal of State. Done at the City of Indianapolis, this 3rd day of December in the year of our Lord 1970 and of the Independence of the United States.

By the Governor:

EDGAR D. WHITCOMB,
LARRY CONRAD,
Secretary of State.

STATE OF MAINE.

To all who shall see these Presents, Greetings:

Know ye, that Edmund S. Muskie of Waterville, in the County of Kennebec, on the third day of November, in the year of our

Lord, One Thousand Nine Hundred and Seventy, was chosen by the electors of this State, a United States Senator to represent the State of Maine in the United States Senate, for the term of six years, beginning on the third day of January, nineteen hundred and seventy-one.

In testimony whereof, I have caused the Seal of State to be hereunto affixed. Given under my hand at Augusta, the eighteenth day of November in the year of our Lord one thousand nine hundred and seventy, and in the one hundred and ninety-fifth year of the Independence of the United States of America.

By the Governor:

JOSEPH T. EDGAR,
Secretary of State.

THE STATE OF DELAWARE.

TO THE PRESIDENT OF THE SENATE OF THE UNITED STATES:

Be it known, An election was held in the State of Delaware, on Tuesday, the third day of November, in the year of our Lord one thousand nine hundred and seventy that being the Tuesday next after the first Monday in said month, in pursuance of the Constitution of the United States and the Laws of the State of Delaware, in that behalf, for the election of a Senator for the people of the said State, in the Senate of the United States

Whereas, The official certificates or returns of the said election, held in the several counties of the said State, in due manner made out, signed and executed, have been delivered to me according to the laws of the said State, by the Superior Court of the said counties; and having examined said returns, and enumerated and ascertained the number of votes for each and every candidate or person voted for, for such Senator, I have found William V. Roth, Jr. to be the person highest in vote, and therefore duly elected Senator of and for the said State in the Senate of the United States for the Constitutional term to commence at noon on the third day of January in the year of our Lord one thousand nine hundred and Seventy-One

I, Russell W. Peterson Governor, do, therefore, according to the form of the Act of the General Assembly of the said State and of the Act of Congress of the United States, in such case made and provided, declare the said William V. Roth, Jr. the person highest in vote at the election aforesaid, and therefore duly and legally elected Senator of and for the said State of Delaware in the Senate of the United States, for the Constitutional term to commence at noon on the third day of January in the year of our Lord one thousand nine hundred and seventy-one

Given under my hand and the Great Seal of the said State, in obedience to the said Act of the General Assembly and of the said Act of Congress, at Dover, the 27th day of November in the year of our Lord one thousand nine hundred and seventy and in the year of the Independence of the United States of America the one hundred and ninety-fifth

By the Governor:

RUSSELL W. PETERSON,
EUGENE BUNTING,
Secretary of State.

ADMINISTRATION OF OATHS

The VICE PRESIDENT. The Senators to be sworn in will present themselves at the desk in groups of four, as their names are called by the clerk in alphabetical order.

The clerk will call the names.

The legislative clerk called the names of Mr. BEALL, Mr. BENTSEN, Mr. BROCK, and Mr. BUCKLEY.

These Senators, escorted by Mr. MATHIAS, Mr. TOWER, Mr. BAKER, and Mr.

JAVITS, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the official oath book.

The legislative clerk called the names of Mr. BURDICK, Mr. BYRD of Virginia, Mr. BYRD of West Virginia, and Mr. CANNON.

These Senators, escorted by Mr. YOUNG, of North Dakota, Mr. SPONG, Mr. RANDOLPH, and Mr. BIBLE, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the official oath book.

The legislative clerk called the names of Mr. CHILES, Mr. FANNIN, Mr. FONG, and Mr. HART.

These Senators, escorted by Mr. GURNEY, Mr. GOLDWATER, Mr. ALLOTT, and Mr. GRIFFIN, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the official oath book.

The legislative clerk called the names of Mr. HARTKE, Mr. HRUSKA, Mr. HUMPHREY, and Mr. JACKSON.

Mr. CURTIS. Mr. President, I ask unanimous consent that the oath may be administered to Mr. HARTKE, of Indiana, without prejudice to the outcome of an appeal pending in the Supreme Court of the United States, and without prejudice to the outcome of any recount that the Supreme Court might order; and I further ask unanimous consent that a letter setting forth the details be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

INDIANAPOLIS, IND.,
January 15, 1971.

Re statement on status of Roudebush vs. Hartke contest for U.S. Senate in Indiana.

Senator CARL CURTIS,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: Following the tabulation of votes cast for the United States Senate race on November 3, 1970, the unofficial tabulation indicated that out of more than 1.7 million votes, Senator Hartke was the leader by 4,283 votes.

Information obtained from various counties throughout the State of Indiana indicated that there may have been a large number of erroneous votes cast. Congressman Roudebush pursued the remedy set out by Indiana Statute (Burns Indiana Statutes 29-5401) and requested his right to a recount in eleven Indiana Counties. Senator Hartke filed motions to dismiss the Recount petitions in each of the eleven counties, on the premise that a recount is in violation of Article I, Section 5, of the United States Constitution.

Congressman Roudebush filed motions in opposition to the motions to dismiss. The first two courts to hear the motions to dismiss (a Republican Judge in Marion County and a Democrat Judge in Lake County) found in favor of Roudebush and ordered the recount to begin.

Senator Hartke then went to the Federal Courts (U.S. District Court, Southern District of Indiana, Cause No. IP 70-C-694)

asking for injunctive relief. Judge S. Hugh Dillin granted an interlocutory injunction preventing the recount from proceeding. A three Judge panel was named (two Democrats—one Republican) and a hearing held on December 17, 1970. The Federal 3 Judge panel, by a 2 to 1 vote, issued a restraining order preventing the recount. The Attorney General of Indiana had also opposed the restraining order on behalf of the citizens of Indiana.

Both the Attorney General of Indiana and Congressman Roudebush petitioned the Supreme Court of the United States to stay the injunction pending appeal. Justice Thurgood Marshall refused both petitions. Senator Hartke's answer to the above petitions was that to stay the injunction would do him irreparable harm.

A full appeal has now been filed in the Supreme Court of the United States. The case is pending and waiting the filing of pleadings by Senator Hartke. It is our contention that the election is not over until we have a recount, or the Supreme Court tells us that we cannot have a recount. The other factor would be the unconditional seating of Senator Hartke.

I am enclosing a copy of the Jurisdictional statement filed with the Supreme Court. It sets out the Indiana Statute pertaining to recount. The Indiana Statute does not question the Senate's right to judge the qualifications of its members, nor is the Judiciary attempting to meddle in legislative affairs. A recount is a ministerial function only—to make sure the vote count is correct. It would be difficult for the Senate to judge the election returns, if a recount is not conducted.

For all of the above reasons, we are hopeful that if Senator Hartke is seated, it will be conditioned upon the outcome of the appeal pending in the Supreme Court of the United States, and the recount, should we be allowed to conduct it. It is our belief that Congressman Roudebush was elected on November 3, 1970, and that a recount will verify his election as U.S. Senator.

Thank you for all of your assistance in this matter. Should you have any further questions, please call me.

Sincerely,

GORDON K. DURNIL,
Campaign Coordinator.

These Senators, escorted by Mr. BAYH, Mr. CURTIS, Mr. MONDALE, and Mr. INOUE, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the official oath book.

The legislative clerk called the names of Mr. KENNEDY, Mr. MANSFIELD, Mr. MCGEE, and Mr. MONTOYA.

These Senators, escorted by Mr. BROOKE, Mr. METCALF, Mr. HANSEN, and Mr. ANDERSON, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the official oath book.

The legislative clerk called the names of Mr. MOSS, Mr. MUSKIE, Mr. PASTORE, and Mr. PROUTY.

These Senators, escorted by Mr. BENNETT, Mrs. SMITH, Mr. PELL, and Mr. AIKEN, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the official oath book.

The legislative clerk called the names of Mr. PROXMIER, Mr. ROTH, Mr. SCOTT, and Mr. STENNIS.

These Senators, escorted by Mr. NELSON, Mr. BOGGS, Mr. SCHWEIKER, and Mr. EASTLAND, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the official oath book.

The legislative clerk called the names of Mr. SYMINGTON, Mr. TAFT, Mr. TUNNEY, Mr. WEICKER, and Mr. WILLIAMS.

These Senators, escorted by Mr. EAGLETON, Mr. SAXBE, Mr. CRANSTON, Mr. RIBICOFF, and Mr. CASE, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the official oath book.

CALL OF THE ROLL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 1 Leg.]		
Aiken	Fannin	Moss
Allen	Fong	Muskie
Allott	Fulbright	Nelson
Anderson	Goldwater	Packwood
Baker	Gravel	Pastore
Bayh	Griffin	Pearson
Beall	Gurney	Pell
Bellmon	Hansen	Percy
Bennett	Harris	Prouty
Bentsen	Hart	Proxmire
Bible	Hartke	Randolph
Boggs	Hatfield	Ribicoff
Brock	Hollings	Roth
Brooke	Hruska	Saxbe
Buckley	Hughes	Schweiker
Burdick	Humphrey	Scott
Byrd, Va.	Inouye	Smith
Byrd, W. Va.	Jackson	Sparkman
Cannon	Javits	Spong
Case	Jordan, N.C.	Stennis
Chiles	Jordan, Idaho	Stevens
Church	Kennedy	Stevenson
Cook	Long	Symington
Cooper	Mansfield	Taft
Cotton	Mathias	Talmadge
Cranston	McClellan	Thurmond
Curtis	McGee	Tower
Dole	McGovern	Tunney
Dominick	McIntyre	Welcker
Eagleton	Metcalfe	Williams
Eastland	Miller	Young
Ellender	Mondale	
Ervin	Montoya	

Mr. BYRD of West Virginia. I announce that the Senator from Washington (Mr. MAGNUSON) is necessarily absent.

I also announce that the Senator from Georgia (Mr. RUSSELL) is absent because of illness.

Mr. GRIFFIN. I announce that the Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The VICE PRESIDENT. A quorum is present.

LIST OF SENATORS BY STATES

Alabama.—John Sparkman and James B. Allen.

Alaska.—Ted Stevens and Mike Gravel.

Arizona.—Paul J. Fannin and Barry Goldwater.

Arkansas.—John L. McClellan and J. W. Fulbright.

California.—Alan Cranston and John V. Tunney.

Colorado.—Gordon Allott and Peter H. Dominick.

Connecticut.—Abraham Ribicoff and Lowell P. Weicker, Jr.

Delaware.—J. Caleb Boggs and William V. Roth, Jr.

Florida.—Edward J. Gurney and Lawton Chiles.

Georgia.—Richard B. Russell and Herman E. Talmadge.

Hawaii.—Hiram L. Fong and Daniel K. Inouye.

Idaho.—Frank Church and Len B. Jordan.

Illinois.—Charles H. Percy and Adlai E. Stevenson III.

Indiana.—Vance Hartke and Birch Bayh.

Iowa.—Jack Miller and Harold E. Hughes.

Kansas.—James B. Pearson and Robert Dole.

Kentucky.—John Sherman Cooper and Marlow W. Cook.

Louisiana.—Allen J. Ellender and Russell B. Long.

Maine.—Margaret Chase Smith and Edmund S. Muskie.

Maryland.—Charles McC. Mathias, Jr. and J. Glenn Beall, Jr.

Massachusetts.—Edward M. Kennedy and Edward W. Brooke.

Michigan.—Philip A. Hart and Robert P. Griffin.

Minnesota.—Walter F. Mondale and Hubert H. Humphrey.

Mississippi.—James O. Eastland and John C. Stennis.

Missouri.—Stuart Symington and Thomas F. Eagleton.

Montana.—Mike Mansfield and Lee Metcalf.

Nebraska.—Roman L. Hruska and Carl T. Curtis.

Nevada.—Alan Bible and Howard W. Cannon.

New Hampshire.—Norris Cotton and Thomas J. McIntyre.

New Jersey.—Clifford P. Case and Harrison A. Williams, Jr.

New Mexico.—Clinton P. Anderson and Joseph M. Montoya.

New York.—Jacob K. Javits and James L. Buckley.

North Carolina.—Sam J. Ervin, Jr. and B. Everett Jordan.

North Dakota.—Milton R. Young and Quentin N. Burdick.

Ohio.—William B. Saxbe and Robert Taft, Jr.

Oklahoma.—Fred R. Harris and Henry Bellmon.

Oregon.—Mark O. Hatfield and Robert W. Packwood.

Pennsylvania.—Hugh Scott and Richard S. Schweiker.

Rhode Island.—John O. Pastore and Claiborne Pell.

South Carolina.—Strom Thurmond and Ernest F. Hollings.

South Dakota.—Karl E. Mundt and George McGovern.

Tennessee.—Howard H. Baker, Jr. and Bill Brock.

Texas.—John G. Tower and Lloyd Bentsen.

Utah.—Wallace F. Bennett and Frank E. Moss.

Vermont.—George D. Aiken and Winston L. Prouty.

Virginia.—Harry F. Byrd, Jr. and William B. Spong, Jr.

Washington.—Warren G. Magnuson and Henry M. Jackson.

West Virginia.—Jennings Randolph and Robert C. Byrd.

Wisconsin.—William Proxmire and Gaylord Nelson.

Wyoming.—Gale W. McGee and Clifford P. Hansen.

NOTIFICATION TO THE PRESIDENT

Mr. MANSFIELD submitted the following resolution (S. Res. 1), which was read, considered by unanimous consent, and agreed to:

Resolved, That a committee consisting of two Senators be appointed by the Vice President to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and that the Congress is ready to receive any communication he may be pleased to make.

The VICE PRESIDENT. In accordance with the resolution, the Chair appoints the majority leader, the Senator from Montana (Mr. MANSFIELD), and the minority leader, the Senator from Pennsylvania (Mr. SCOTT), as members of the committee on the part of the Senate.

NOTIFICATION TO THE HOUSE

Mr. SCOTT submitted the following resolution (S. Res. 2), which was read, considered by unanimous consent, and agreed to:

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

HOUR OF DAILY MEETING

Mr. BYRD of West Virginia submitted the following resolution (S. Res. 3), which was read, considered by unanimous consent, and agreed to:

Resolved, That the hour of daily meeting of the Senate be 12 o'clock meridian unless otherwise ordered.

THE ELECTION OF SENATOR HARTKE

(Subsequently, on January 22, 1971, Mr. BAYH made the following statement, which by unanimous consent was ordered to be printed in the RECORD at this point.)

Mr. BAYH. Mr. President, during the swearing-in ceremonies in this body yesterday, the able junior Senator from Nebraska (Mr. CURTIS) rose to ask that my distinguished friend and colleague, the senior Senator from Indiana (Mr. HARTKE) be sworn in "without prejudice" to a lawsuit pending in the U.S. Supreme Court. And Mr. CURTIS further asked that a letter, in his words "setting forth the details," be inserted in the RECORD.

As to Senator CURTIS' "without prejudice" request, let me point out that examination of the guiding precedents for such requests reveals unambiguously that they are without meaning or force of law. The plain fact is, all of us are

sworn in without prejudice to any subsequent contest which any of our opponents might raise at any time during our term of office. There is no statute of limitations on the filing of a contest, and nothing in the taking of the oath precludes such filing subsequent thereto.

The writer of the letter which Senator CURTIS placed in the RECORD does not understand this. He speaks of "conditional" as against "unconditional" oaths. But there is no such thing as a "conditional" oath of office for a U.S. Senator. There is one, and only one, oath, and we have all taken it in identical form, and it confers upon each of us identically the same privileges and prerogatives. The precedents I shall shortly quote make this point abundantly clear.

It is also worth noting, Mr. President, that Senator HARTKE's opponent has failed to avail himself of the appropriate remedy for whatever complaint he might have concerning the election. Eighty days have elapsed since that election, but the Senate itself has yet to receive a petition of contest or even a request for a recount. Surely, that is a curious omission on the part of an aspirant to membership in this body.

In addition, the letter inserted in yesterday's RECORD is less than candid about other aspects of the legal contest to date—most notably in its failure to mention that the Chief Justice of the United States and not only Mr. Justice Marshall turned down a petition for an interlocutory decree to vacate the injunction granted by the U.S. district court. Similarly disingenuous is the letterwriter's contention that a recount conducted by Indiana County courts is a ministerial function only. The opinion of the district court is highly instructive on this and many other points, and I ask unanimous consent that relevant excerpts from that opinion be printed in the RECORD at the conclusion of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit 1.)

Mr. BAYH. Now, Mr. President, with reference to the request by the junior Senator from Nebraska (Mr. CURTIS) that my distinguished colleague, the senior Senator from Indiana (Mr. HARTKE), be sworn in without prejudice, I think it would be instructive for the Senate to take note of the guiding precedents for this sort of request. In the judgment of no less an authority than the late revered "Mr. Republican," former Senator Robert A. Taft of Ohio, the words "without prejudice" mean absolutely nothing; "it is," said Senator Taft, "wholly unnecessary to make such a statement."

The most recent precedent upon which that language is based occurred in 1953 involving the swearing in of Senators Chavez of New Mexico and Langer of North Dakota. The then majority leader, Senator Taft of Ohio, said:

My own view is that these Senators should be permitted to take the oath and be seated. It is my further view that the oath is taken without prejudice to the right of anyone contesting the seat to proceed with the contest, and without prejudice to the right of anyone protesting or asking for expulsion from the Senate to proceed . . .

Therefore, I ask that these Senators be allowed to take the oath as I have said, without prejudice. I understand that such would be the case anyway, regardless of any statement which I might make. (Emphasis added)

Thereafter the Vice President made the following comment:

No statement on the part of any Senator is necessary. If a Senator elect takes the oath, he becomes a Senator and remains a Senator unless he is relieved of his duties by some action of the Senate.

Moments later the following colloquy took place:

Mr. JOHNSON of Colorado. I should like to know the significance of the term "without prejudice." I should like to know the difference between a full oath and an oath which is taken without prejudice.

Mr. TAFT. My own opinion is that there is no difference.

Mr. JOHNSON of Colorado. I have been told that when the stipulation "without prejudice" is injected into the taking of the oath, at a later time, when a vote is taken upon the qualifications of the particular Senator, he may be ousted by majority vote, whereas if that stipulation is not entered at the time he takes the oath, a two-thirds vote is required to oust him, in a case involving any question of character or other qualifications. Is that correct?

Mr. TAFT. My own opinion, after consultation with the Parliamentarian, is that nothing which I or any other Senator may say today in using the words "without prejudice" makes the slightest difference, unless the Senate takes some action. When a man takes the oath he becomes a Senator . . . So far as I know, it is wholly unnecessary to make such a statement. The law is the same anyway. If a Senator takes the oath, I do not believe that that fact changes the basis of the vote, or the percentage of the vote required, which is determined by the character of the case, rather than by anything done at the time the oath is administered.¹

The conclusion to be drawn from the foregoing is, clearly, that all Senators are seated "without prejudice" since, first, there is nothing in the law to prevent a challenge to the validity of any Senator's election at any time during his term of office; and, second, there is absolutely no distinction in law or custom between—in Senator Johnson's words—"a full oath and an oath which is taken without prejudice."

EXHIBIT 1

[U.S. District Court, Southern District of Indiana, Indianapolis Division, No. IP 70-C-694]

OPINION

(Vance Hartke, Plaintiff, vs. Richard L. Roudebush, Samuel J. Walker, John R. Hammond, Duge Butler, Defendants, Theodore Sendak, Attorney General of Indiana, Intervening Defendant)

This cause was heard before a three-judge District Court convened pursuant to 28 U.S.C. § 2284, on plaintiff's application for a preliminary injunction to enjoin the operation and enforcement of Chapter 54 of Title 29 of the Indiana Election Code, Burns Ind. Stat. Ann. § 29-5401 through § 29-5417, upon the ground that the application and operation of such statutes in respect to an election for the office of United States Senator is unconstitutional.

At the general election of November 3, 1970, the plaintiff, Vance Hartke, an incum-

¹ Congressional Record, 83d Congress, 1st session (1953), p. 7.

bent United States Senator for Indiana, and the defendant Richard L. Roudebush were opposing candidates for Hartke's office. The canvass reflected that Hartke received the highest number of votes cast for such office, and on November 16, 1970, the Secretary of State certified him to the Governor of Indiana as duly elected and the Governor, on December 3, 1970, gave to said candidate a certificate of his election, in the form required by Burns Ind. Stat. Ann. § 29-5309.¹ The certificate has been filed with the Secretary of the United States Senate.

(Following are verbatim excerpts from the Court's opinion:)

"On November 17, 1970, defendant Roudebush filed in the Superior Court of Marion County, Indiana, a petition for a recount of the votes cast in selected precincts of Marion County, stating in said petition his desire to contest said election . . . The Superior Court of Marion County overruled a motion to dismiss the petition, and proceeded to appoint . . . a recount commission . . . relying upon the Indiana recount statute, Burns Ind. Stat. Ann. 29-5401-29-5417. . . .

"On December 3, 1970, plaintiff Hartke brought this action to enjoin the defendant recount commission from proceeding with the recount in Marion County, and to enjoin the defendant Roudebush generally from taking further action to obtain a recount in the other counties in which his recount petitions were filed. . . .

"Regardless of the position taken, all parties agree as to the supremacy of the Senate itself to make the final determination as to the winner of the recent election. . . .

"The great weight of authority supports plaintiff's position that court proceedings for recount or contest with regard to an election . . . for United States Senator are unconstitutional, as in conflict with Article 1, Section 5, whether brought in state or federal court . . .

". . . the Supreme Court of Indiana has had occasion to speak three times in the past twenty years on the subject of legislative recounts, attempted under the statute here involved . . .

". . . and in each case the Supreme Court of Indiana issued a writ of prohibition restraining the court from proceeding with the recount on the ground that it was constitutionally impermissible in the light of Article 4, Section 10 (of the Indiana Constitution.)

"If, as cannot possibly be denied, it is unconstitutional under Indiana law for an Indiana Circuit or Superior Court to conduct a recount for the office of member of the General Assembly . . . a fortiori it is manifestly repugnant to the Constitution of the United States for such a court to attempt to conduct a recount for the office of United States Senator . . .

"The question involved here is one of federal constitutional law, and the state statute involved is not of an uncertain nature. Neither is the state statute susceptible of limiting construction, because it has already been construed three times by the Supreme Court of Indiana and thrice held unconstitutional . . .

". . . It is essential to plaintiff's rights that the integrity of the ballots cast at such election be preserved, i.e., that they be held in their original envelopes, with the seals intact, and that the integrity of the tally sheets, voting machines, and other paraphernalia of

¹ Section 29-5309. "The secretary of state as soon as he shall receive such certified statements, shall compare and estimate the votes given for United States senator and for representative in congress, and certify to the governor the persons having the highest number of votes as duly elected; and the governor shall give to each of the persons returned to him as aforesaid a certificate of his election, sealed with the seal."

the election likewise be preserved until such time as they may be called for by the Senate, so that no question may arise as to the character of the evidence which the Senate will be called upon to judge. Plaintiff's rights will be irreparably harmed if such evidence is compromised, for which there can be no adequate remedy at law . . . Like Humpty Dumpty, the seals on the ballots cannot be put back together again, if once destroyed.

"The respective motions to dismiss the action are therefore each denied, and a preliminary injunction will issue forthwith, as prayed for by the plaintiff . . ."

NOTICE OF HEARING ON A NOMINATION

Mr. JACKSON. Mr. President, on next Monday, January 25, the Committee on Interior and Insular Affairs will hold an open public hearing on the President's nomination of the Honorable ROGERS C. B. MORTON to be the Secretary of the Interior. The hearing will begin at 10 a.m., in room 1202 of the New Senate Office Building. The public is invited to attend and any Member of the Senate wishing to participate is welcome to do so.

For the information of the Senate, I ask unanimous consent that a biographical sketch of Mr. Morton be placed in the RECORD at this point in my remarks.

There being no objection, the biograph-

ical sketch was ordered to be printed in the RECORD, as follows:

ROGERS C. B. MORTON

Rogers Clark Ballard Morton, of Easton, Maryland; born September 19, 1914, Louisville, Kentucky; son of David C. and Mary B. Morton; attended public schools and Woodberry Forest School, Orange, Virginia; graduated from Yale University, B.A., 1937; Ballard and Ballard Company, 1939-1951, President, 1947-51; Vice President, the Pillsbury Company, 1953-Jan. 1971; elected to the United States House of Representatives, 88th Congress, in 1962, and re-elected to the 89th, 90th, 91st and 92nd Congresses; served on the Committee on Interior and Insular Affairs, 1963-68; Committee on Merchant Marine and Fisheries, 1963-68; Select Committee on Small Business, 1967-68; Committee on Ways and Means, 1969-present; Member of the Public Land Law Review Commission, 1965-66 and the President's Commission on the Status of Puerto Rico, 1965-66; Member of Board of Visitors, United States Naval Academy, 1966-1970; Chairman, Republican National Committee, 1969-Jan. 1971; Army veteran of World War II; Member, Advisory Board, Air Training Command, U.S. Air Force, 1958-63; married Anne Jones, 1939; one son, David, and one daughter, Mrs. Anne McCance.

PROGRAM

Mr. MANSFIELD. Mr. President, in accordance with the usual practice, the

Senate concurring, no business will be transacted until after the President delivers his state of the Union message tomorrow evening.

DEFERRAL OF DEBATE ON RULES CHANGES UNTIL MONDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that deliberation and debate on the question of amending the rules of the Senate be deferred until Monday next, and that this deferral shall not be prejudicial to the rights or the positions of any opponent or proponent of any rules change.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

ADJOURNMENT UNTIL 8 P.M. TOMORROW

Mr. MANSFIELD. Mr. President, if there be no further business to come before the Senate, I move that the Senate stand in adjournment until 8 p.m. tomorrow evening.

The motion was agreed to; and (at 12 o'clock and 40 minutes p.m.) the Senate adjourned until tomorrow, Friday, January 22, 1971, at 8 p.m.

HOUSE OF REPRESENTATIVES—Thursday, January 21, 1971

This being the day fixed by the 20th amendment of the Constitution and Public Law 91-643 of the 91st Congress for the annual meeting of the Congress of the United States, the Members-elect of the House of Representatives of the 92d Congress met in their Hall, and at 12 o'clock noon were called to order by the Clerk of the House of Representatives, Hon. W. Pat Jennings.

The Chaplain, Rev. Edward G. Latch, D.D., prefaced his prayer with these words of Scripture:

Blessed is the nation whose God is the Lord.—Psalms 33: 12.

O God and father of us all, whose glory is in all the world and whose goodness lives in every heart, at the beginning of the 92d Congress, we pause in Thy presence to lift our hearts unto Thee in prayer. Like our fathers we climb this holy hill of our national life and pray for clear minds, clean hands, and a creative faith as we face the grave responsibilities of this new year and accept the challenging tasks of this new Congress.

We commend our Nation unto Thee that leaders and people being led by Thy spirit may courageously live through these difficult days and come to an era of enduring peace, lasting prosperity, and true brotherhood.

Hear us as we reverently unite in offering unto Thee the prayer of our Lord:

Our Father, who art in heaven, hallowed be Thy name, Thy kingdom come, Thy will be done on earth as it is in heaven. Give us this day our daily bread. And forgive us our trespasses as we for-

give those who trespass against us. And lead us not into temptation, but deliver us from evil. For Thine is the kingdom, and the power, and the glory, forever. Amen.

The CLERK. Representatives-elect to the 92d Congress, this is the day fixed by statute as prescribed by the 20th amendment of the Constitution for the meeting of the 92d Congress.

As the law directs, the Clerk of the House has prepared the official roll of the Representatives-elect.

Credentials for the 435 districts to be represented in the 92d Congress have been received and are now on file with the Clerk of the 91st Congress.

The names of those persons whose credentials show they were elected in accordance with the laws of the several States and of the United States will be called; and as the roll is called, following the alphabetical order of the States, beginning with the State of Alabama, Representatives-elect will answer to their names to determine whether or not a quorum is present.

The reading clerk will call the roll.

The Clerk called the roll by States and the following Representatives-elect answered to their names:

[Roll No. 1]

ALABAMA
Edwards, Jack
Dickinson
Andrews,
George W.

ALASKA
Begich (at large)

ARIZONA
Rhodes
Udall

Nichols
Flowers
Buchanan
Bevill

Jones,
Robert E.

ALASKA
Begich (at large)

ARIZONA
Steiger, Sam

ARKANSAS
Alexander
Mills
Hammer-
schmidt
Pryor, David

CALIFORNIA
Clausen,
Don H.
Johnson,
Harold T.
Moss
Leggett
Burton,
Phillip
Maillard
Dellums
Miller,
George P.
Edwards, Don
Gubser
McCloskey
Talcott
Teague,
Charles M.
Waldie
McFall
Sisk
Anderson,
Glenn M.
Mathias
Holfield
Smith,
H. Allen
Hawkins
Corman
Clawson, Del
Rousselot
Wiggins
Rees
Goldwater
Bell
Danielson
Roybal
Wilson,
Charles H.
Pettis
Hanna
Schmitz
Willson, Bob
Van Deerlin
Veysey

COLORADO
McKevitt
Brotzman
Evans,
Frank E.
Aspinall

CONNECTICUT
Cotter
Steele
Giaino
McKinney
Monagan
Grasso

DELAWARE
duPont (at large)

FLORIDA
Sikes
Fuqua
Bennett
Chappell, Jr.
Frey
Gibbons
Haley
Young,
C. W. Bill
Rogers,
Paul G.
Burke
Pepper
Fascell

GEORGIA
Hagan
Mathis
Brinkley
Blackburn
Thompson,
Fletcher
Flynt
Davis,
John W.
Stuckey
Lundrum
Stephens

HAWAII
Matsunaga
Mink

IDAHO
McClure
Hansen, Orval