HOUSE OF REPRESENTATIVES—*Wednesday, February 3, 1971*

The House met at 12 o'clock noon.

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

Thou shalt keep the commandments of the Lord thy God, to walk in His ways and to fear Him.—Deuteronomy 8: 6.

Eternal God, our Father, by whose providence our fathers were led to these shores and by whose power they established here a government of the people, by the people, and for the people, guide Thou our Nation into the ways of truth and peace. Remove from among us all bitterness, all bigotry, and grant that seeking what is just and good and concerned about the needs of others we may learn to live together in unity and love.

Grant to our President, our Speaker, these Representatives, and those who work with them the wisdom to know Thy will and the strength to do it day by day. Direct their deliberations, prosper their planning, motivate their minds as they labor for good of our country that truth and justice, peace and good will may be established among us now and for generations to come.

In the Master's name, we pray. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Leonard, one of his secretaries.

RESIGNATION FROM COMMITTEE ON HOUSE ADMINISTRATION

The SPEAKER laid before the House the following resignation from a committee:

FEBRUARY 3, 1971.

Hon. CARL ALBERT,
Speaker of the House of Representatives.

DEAR MR. SPEAKER: I herewith submit my resignation from the Committee on House Administration.

Sincerely yours,
JOE D. WAGGONNER, Jr.,
Member of Congress.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

COMMUNICATION FROM THE CLERK OF THE HOUSE IN THE MATTER OF CHARLES F. ECKERT AGAINST THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, D.C.,
January 22, 1971.

The Honorable the SPEAKER,
U.S. House of Representatives.

DEAR SIR: The Clerk of the House of Representatives received on January 2, 1971, from the U.S. Marshal by certified mail (return receipt number 688-442) an attested copy of the Summons, together with a copy of the Complaint filed by Charles F. Eckert v. The Senate of the United States and The House of Representatives of the United States (Civil Action File No. 70-3530) in the United States District Court, Eastern District of Pennsylvania, Philadelphia, Pennsylvania 19107.

The summons required the House of Representatives to answer the complaint within sixty days after service.

The summons and complaint in question are herewith attached, and the matter is presented for such action as the House in its wisdom may see fit to take.

Sincerely,
W. PAT JENNINGS,
Clerk, U.S. House of Representatives.

U.S. MARSHAL,
EASTERN DISTRICT OF PENNSYLVANIA,
Philadelphia.

Re Charles F. Eckert *v.* House of Representatives, 70-3530.

DEAR SIR: In accordance with Rule 4, Subdivision 4, of the Rules of Civil Procedure, I am enclosing herewith one true and attested copy of the Summons, together with one copy of the Complaint in the above entitled case.

Sincerely yours,
CHARLES S. GUY,
U.S. Marshal.
GERALDINE MCLAUGHLIN,
Deputy U.S. Marshal.

[No. CA 70-3530, U.S. District Court, Eastern District of Pennsylvania, U.S. Courthouse, Philadelphia, Pa., of the United States of America]

CHARLES F. ECKERT, PETITIONER-PLAINTIFF, *v.* THE SENATE OF THE UNITED STATES OF AMERICA, AND THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA, RESPONDENTS-DEFENDANTS

(Complaint in and of trespass)

Petition to the U.S. district court for relief from a deprivation of rights.

Paragraph 1

YOUR HONOR: I Charles F. Eckert acting under my right as an American Citizen do hereby envoke Article One of the Bill of Rights of the Constitution of the United States of America. In that I as a Citizen, person and member of the people do hereby petition the United States Government and the United States Federal Court System for a redress of grievances. I do hereby file suit with the United States Federal Court System a grievance and complaint and suit seeking relief from a deprivation of my rights which has resulted as a result of the actions and or the lack of actions on the part of the respondents and or the defendants, the Senate and the House of Representatives of the United States of America.

Paragraph 2

Article One of the Bill of Rights of the Constitution of the United States of America, states:

"Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press; or the right of the people peaceably to assemble and to petition the Government for a redress of grievances."

Paragraph 3

I call the attention of the Court to the United States Code Annotated, 42 U.S.C. § 1983. It states:

"§ 1983. Civil action for deprivation of rights."

Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress.

Paragraph 4

Your Honor, I charge that the defendants have under color of statute, ordinance, regulation, custom and usage subjected and caused me to be subjected to a deprivation of my rights, privileges and immunities which are secured by the Constitution and laws of the United States of America. The defendants have failed through their actions, reactions, and lack of action to uphold and enforce and follow the rules and guidelines and orders of the Constitution of the United States of America. By so doing, they have deprived me of my rights, my privileges, and immunities.

Paragraph 5

The Constitution of the United States, Article One, Section 8-1, States:
"*THE CONGRESS* shall have power; to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defence and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States."

Paragraph 6

The Constitution of the United States, Article One, Section 7-1, States:
"*ALL bills* for raising revenue shall originate in the House of Representatives, but the Senate may propose or concur with Amendments as on other bills.

Paragraph 7

The Constitution of the United States, Article XVI, States: "*The Congress* shall have power to lay and collect taxes on incomes, from whatever sources derived, without apportionment among the several States, and without regard to any census or enumeration."

Paragraph 8

The Constitution of the United States, Article IV, Section 2-1, States: The Citizens of each State shall be entitled to all privileges and communities of citizens in the several States."

Paragraph 9

The Bill of Rights of the Constitution, Article X, States: "The powers not delegated to the United States by the Constitution, not prohibited by it to the States, are reserved to the States respectively or to the people.

Paragraph 10

The Constitution of the United States of America, Article VI, 2, States:
"*This Constitution and the laws of the United States* which shall be made in pursuance thereof and all treaties made, or which shall be made, under the authority of the United States, *shall be the supreme law of the land*, and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

Paragraph 11

The Constitution of the United States of America, Article XIV, par. 1, States:
"*All persons* born or naturalized in the United States, and *subject to the jurisdiction thereof, are citizens of the United States* and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall

any State deprive any person of life, liberty, or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

Paragraph 12

Your Honor, the Constitution of the United States of America shows and orders beyond the shadow of any doubt that the Congress has been delegated with and has claimed the sole power to tax American Citizens. This power to tax carrys with it the responsibility to provide on a regulated proper basis the equal distributing under proper regulation, of revenue to provide the people and or the country with a *complete system of action and means* to *pay the debts* and *provide for the common defence* and *general welfare* of the *United States*, AND ITS PEOPLE. The people are the United States.

Paragraph 13

Your Honor, the defendants have not provided a *complete system of action and means and methods*. The defendants have taken my money and have not extended the services that I have been taxed for. The Constitution demands complete services, not just a part of a service.

Paragraph 14

The Constitution of the United States of America requires that the Congress pay the debts of the United States. The debts of the United States are the debts of each and every State. The debts of the States are the debts of the cities and towns and representation boundaries of the people. The defendants are required to pay these necessary debts, and the defendants are indeed taking monies and taxes under the color of statute, ordinance, regulation custom and usage. However the Defendants are not paying the required debts first with this money.

Paragraph 15

The defendants have not paid the full cost of the debt of welfare in my city and my state and my country.

Paragraph 16

The defendants have not paid the full cost of the debt of protection; (police and fire and health and defense departments) in my city and my state and my country.

Paragraph 17

The defendants have not paid the full cost of the debt of education, (Grades 1 thru 12 required by law) that is necessary to the welfare and protection of the United States of America, in my city and my state and my country.

Paragraph 18

The defendants have not paid the full cost of the debt of health and medical care that is necessary to the welfare and protection of the United States of America, in my city and my state and my country.

Paragraph 19

The defendants have not paid the full cost of the debt of administrative costs that are necessary to run the country, and the city and the state, where I reside.

Paragraph 20

The defendants and the defendants who have retired, died, or left office denied me my rights and privileges and immunities of full American Citizenship; and services, unrendered, which is a denial and deprival of my property without due process.

Paragraph 21

Your Honor, If the defendants went to a car dealer and paid for a new car in cash they would expect delivery of their purchase. However if the defendants purchase were not delivered the defendants would soon start complaining, and demanding action.

Paragraph 22

Your Honor, I Charles F. Eckert support and uphold the Constitution of the United States of America. My oath of Allegiance and duty and responsibility is solely to the United States Constitution. The Constitution of the United States of America is the United States of America. People come and go, but do not let the Constitution go down the drain, for if it does we all go down with it.

Paragraph 23

Your Honor, I Charles F. Eckert do hereby seek relief from injustice, from a deprivation of my rights, privileges, and immunities. I do hereby seek a court ruling and order in my favor ordering the defendants to immediately begin the action means and methods necessary for a *complete system* of action and means and methods to pay the debts and provide for the common defense and general welfare of the United States in its complete entirety and full payment for all debts necessary to the survival of the complete United States and her people.

Therefore, Petitioner Plaintiff prays that the Court will look favorably upon his petition and complaint against the defendants.

Respectfully submitted,

CHARLES F. ECKERT.

NATO BURDEN-SHARING RESOLUTION

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

Mr. YATRON. Mr. Speaker, in 1948 the 80th Congress debated a historic foreign policy resolution sponsored by the late Senator Arthur H. Vandenberg. That congressional declaration put the Senate on record as favoring collective defense arrangements, based on continuous and effective self-help and mutual aid.

Adoption of the Vandenberg resolution in June of that year paved the way for Senate ratification of the North Atlantic Treaty and creation of the North Atlantic Treaty Organization—NATO.

Today, a quarter of a century after the end of World War II, the 92d Congress seems likely to begin another great debate. The resolution—S. 292—introduced last year by the distinguished Senator from Montana, MIKE MANSFIELD, and cosponsored by 51 of his colleagues, recommends that we substantially reduce the number of U.S. forces stationed in Europe. The key provision of that resolution reads as follows:

It is the sense of the Senate that, with changes and improvements in the techniques of modern warfare and because of the vast increase in capacity of the United States to wage war and to move military forces and equipment by air, a substantial reduction of United States forces permanently stationed in Europe can be made without adversely affecting either our resolve or our ability to meet our commitment under the North Atlantic Treaty.

The Senate majority leader maintains that West Germany is today one of the most prosperous countries in the world.

Senator MANSFIELD has said:

The age of empire, the era of occupation, the period of the cold war and one-sided financial pre-eminence are of the past.

The stage is set, therefore, for a major debate on the question: Should the United States, a quarter of a century after World War II, keep its 310,000 troops in Western Europe?

The Nixon administration's position was outlined by Secretary of State William Rogers on December 3, 1970. Addressing the opening session of the NATO Foreign Ministers Conference at Brussels, Secretary Rogers read a Presidential message ruling out troop reductions "unless there is reciprocal action from our adversaries."

Mr. Speaker, while the debate on this critically important question continues, I believe that a number of interim steps could be taken by our NATO allies to ease the financial burden upon the United States. All revolve around the concept of burden sharing.

Burden sharing can be implemented in two principal ways, neither of which involves the withdrawal of American troops: First, our NATO allies could contribute a great deal more to the enormous cost of maintaining our forces in Europe, and, second, they could assume some of the military missions and functions now being carried out by U.S. personnel.

Under the budgetary category, our allies could pay the salaries of local nationals employed at American installations. In Germany, for example, we pay 62,000 civilians nearly a quarter of a billion dollars a year.

The host country could also foot the bill for construction costs, goods purchased on the local market, transportation and utility costs, and NATO infrastructure expenses; for example, roads and runways.

If these recommendations were adopted, a savings of between $500 million and $1 billion would accrue to the American taxpayer.

To add insult to injury, some of our NATO allies actually tax us for the privilege of defending them. As Senator CHARLES PERCY has charged:

It is scandalous that the U.S. Government continues to pay millions of dollars annually to its NATO partners in taxes—real property taxes, local and municipal taxes, business and trade taxes, excise taxes, and import taxes.

A staff report submitted 2 months ago to the House Committee on Foreign Affairs, of which I am a member, makes a number of specific suggestions on ways to reduce U.S. defense costs in Europe.

The report recommends that just as our National Guard mans some air defense units in the United States:

There is no reason why Germany could not work out the same kind of arrangement using their reserve components to man the fighter-interceptor Hawk, Nike-Hercules, and air control warning sites to augment their active defense forces.

In addition to air defense, I feel that the United States could initiate and our European allies play an active role in the creation of a truly integrated logistics and supply system.

In December our allies announced that they plan to spend an additional $1 billion over the next 5 years on military in-

stallations and communications. While this is certainly a step in the right direction, our NATO partners have not addressed themselves—and show no inclination to address themselves—to any of the substantive issues I have raised this afternoon.

Mr. Speaker, because of my deep concern over what I regard as a grossly inequitable situation, I will introduce today, together with 24 of my colleagues, a resolution urging the President to press our NATO allies to contribute their fair share to the cost of our collective security.

I ask unanimous consent that the full text of my resolution and a list of cosponsors be inserted in the RECORD at this point:

NATO BURDEN SHARING

Whereas our North Atlantic Treaty Organization (NATO) allies have made substantial economic progress since the end of World War II more than a quarter of a century ago; and

Whereas our military presence in Europe—including a total of over 550,000 Department of Defense personnel and dependents—costs the American taxpayer approximately $14 billion each year; and

Whereas the balance-of-payments deficit resulting from U.S. defense expenditures in Europe is approximately $1.7 billion per year; and

Whereas we must begin to reorder our priorities if we are to solve critical domestic problems; and

Whereas the President has expressed an interest in redistributing the defense burden more equitably among NATO members: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that (1) the President vigorously press our NATO allies to assume a greater proportion of the cost of their own defense; and (2) the President, as Commander in Chief, take whatever steps he deems necessary to implement this burden-sharing concept; and

Be it further resolved, That no action taken pursuant to this resolution should weaken either our resolve or our ability to fulfill our commitments under the North Atlantic Treaty.

LIST OF COSPONSORS

Representative Mario Biaggi, of New York.
Representative Hugh Carey, of New York.
Representative Shirley Chisholm, of New York.
Representative Dan Daniel, of Virginia.
Representative Edward J. Derwinski, of Illinois.
Representative Marvin L. Esch, of Michigan.
Representative Dante B. Fascell, of Florida.
Representative Don Fraser, of Minnesota.
Representative James G. Fulton, of Pennsylvania.
Representative William J. Green, of Pennsylvania.
Representative Seymour Halpern, of New York.
Representative Michael Harrington, of Massachusetts.
Representative Wayne L. Hays, of Ohio.
Representative David N. Henderson, of North Carolina.
Representative William L. Hungate, of Missouri.
Representative Manuel Lujan, Jr., of New Mexico.
Representative Spark M. Matsunaga, of Hawaii.
Representative John Melcher, of Montana.
Representative Thomas P. O'Neill, Jr., of Massachusetts.
Representative Roman Pucinski, of Illinois.
Representative Edward R. Roybal, of California.
Representative William F. Ryan, of New York.
Representative Herman T. Schneebeli, of Pennsylvania.
Representative Robert O. Tiernan, of Rhode Island.

TRANSFER OF SPECIAL ORDER

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the special order previously entered for me for today be transfererd to tomorrow.

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

There was no objection.

"RAIDING THE SOCIAL SECURITY TRUST FUND"

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

Mr. VANIK. Mr. Speaker, I am considerably distressed that the Nixon administration recommendations on social security propose a reduction in the contribution rate for cash benefits under existing law from 4.6 percent in 1971 and 1972 and 5 percent in 1973 and thereafter, to 4.2 percent through 1974, 5 percent between 1975–1979 and to 5.5 percent in 1980 and thereafter.

Secretary Richardson told us yesterday that this reduction in the contribution rate is necessary to prevent unnecessarily large accumulations in the cash benefits trust funds in near future years.

I am distressed with administration policy which opposes an increase in minimum benefits to $100 and an increase in the retirement income test to $2,400—because of the cost of such improvements. How can this position be reconciled with a proposal to reduce contributions to the cash fund because present law would generate unnecessarily large contributions.

The Nixon administration contribution reduction proposal would reduce the old age and disability insurance fund by $30.2 billion in the next 4 years with compounded loss including interest totaling $54.9 billion. The purpose of the Nixon administration recommendation is to reduce the size of the social security trust fund in order to reduce demand for improvements in the system—and increased benefits to those served by the fund.

Under regular insurance actuarial standards, the social security trust funds are below accepted reserve requirements. Reducing the contribution rates reduces the strength of the trust fund.

The trust funds are invested in the public debt. The time is not far distant when 40 percent of the public debt will be borrowed from trust funds. The recent encounters of the Treasury Department with high interest rates—would have been tragically worse if it were not for the trust fund investment in the public debt. The trust fund investment in the public debt reduced public borrowing on the private market and prevented interest rates on public borrowing to spiral beyond economic sanity.

The security of the elderly and the capacity of the Social Security System to meet its statutory commitment requires that contribution rates to the trust funds under present law be continued without change.

LIEUTENANT FONT AND THE WAR CRIMES ISSUE

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

Mr. DELLUMS. Mr. Speaker, as I take the floor today in making my initial remarks to this body, I firmly believe this Nation's illegal, immoral, and insane adventurism in Southeast Asia must be the top priority item of this Congress—indeed, of America itself.

War crimes and war crimes responsibility are a crucial facet of the entire issue, but I feel that these tragic problems delve to the heart of the matter. For that reason, I attach great importance to the problems of soldiers such as Louis Font and I am devoting much time and effort in this endeavor.

On November 23, 1970, Army Lt. Louis P. Font, and four other active duty officers announced the opening, on December 1, of 3 days of public hearings sponsored by the Citizen's Commission of Inquiry Into War Crimes in Vietnam. War veterans were asked to testify about eyewitness accounts of war crimes in Southeast Asia.

Font, a 1968 West Point graduate, announced also that he was preparing to file charges against the highest levels of military command for war crime policies in Indochina. Font's statement was reported in the following article from the November 24, 1970, Washington Post:

[From the Washington Post, Nov. 24, 1970]

WAR FOES BLAME U.S. COMMANDERS FOR VIET ATROCITIES

(By Robert C. Maynard)

Six military officers and enlisted men, some still on active duty, charged yesterday that the killing of civilians and the torture of prisoners in Vietnam is a "matter of deliberate policy."

For that reason, they said at a press conference, the court-martial at Ft. Benning, Ga., of Lt. William Calley, accused in the alleged massacre at Mylai, should be promptly halted.

One of them, Lt. Louis P. Font, a 1968 graduate of West Point, announced that he is now preparing to file charges against those he believes are the real culprits of Vietnam atrocities—the generals who design military policy.

COMMANDER RESPONSIBLE

"I learned at West Point that a commander is responsible for what happens under his command," Font said. "If Lt. Calley is guilty, then the people who are responsible for him are far more guilty."

Furthermore, Font and the other men who spoke yesterday argued, "Mylai was not an aberration. Mylai was part of deliberate, criminal policy."

To dramatize that contention, the men announced the opening here on Dec. 1 of three days of public hearings at which they say some 75 veterans of the war in Vietnam will

testify to innumerable violations of international military conventions there.

The hearings will be sponsored by the National Committee for a Citizens' Commission of Inquiry on U.S. War Crimes in Vietnam. The committee is composed of Vietnam veterans who are organizing against the war.

TORTURE CHARGED

Digests of the testimony of more than 60 prospective witnesses were handed out yesterday. Veterans of the war say in the digests that they witnessed the shooting of old men, children and other unarmed noncombatants. They say they watched prisoners tortured by having electric shocks applied to their bodies and by having their flesh torn by fine wire.

In many instances, the statements assert, senior officers were witnesses to acts that the men contend violate the international rules of warfare.

In August of 1968, for example, six months after Mylai, 24 women and children were massacred at Bongson, according to William E. Marhoun of St. Paul, Minn., a former soldier who says he was there.

One of the reasons such incidents occurred, according to Robert Johnson, a former captain and a West Point graduate, is that many of the men are unaware of the "Rules of Land Warfare" and because a process of dehumanization occurs in Vietnam in which Asian life is devalued.

USE OF BODY COUNTS

"Generals, colonels—even captains—are promoted on the basis of their body counts," the number of the enemy reported killed in an operation, Johnson contended. He and others of the men asserted that many noncombatant civilians have died for the benefit of a unit's body count.

The men appearing at the press conference, yesterday included a former Marine Corps lance corporal, T. Griffitts Ellison, whose father is a retired Navy captain; three captains on active duty at Ft. Meade, Robert Masters, Grier Merwin and Edward Fox; and Michael J. Ewell, an antiwar veterans organizer.

On December 1 to 3, Lieutenant Font attended the hearings conducted here in Washington, and he participated as a member of the interrogation panel. At this point, I would like to insert his statement delivered at the hearings:

STATEMENT OF LIEUTENANT FONT

I'm Louis Font, an active-duty First Lieutenant, United States Army, stationed at Fort George G. Meade, Maryland. I've participated in this conference over the last three days, and my primary concern is that the testimony not end here.

I feel very strongly that something must be done with the evidence that has been gathered over the last three days. I think it would be very sad indeed, and a sad commentary on our entire society, if this material were simply to end up on some college shelf, somewhere. I think that it is incumbent on each one of us to try to do something to disseminate this information to the public. I feel this very strongly.

There seems little doubt that if a hearing like this had been held three or four or five years ago—and some of the testimony we have heard goes back that far—perhaps today we would not be having the My Lai trial. And perhaps My Lai would never have occurred.

Perhaps this testimony can be taken to Capitol Hill, in written form, or, even more hopefully, people may testify before some congressional committee. Perhaps this testimony can be used in some way directly with regard to the My Lai trial.

I'm an active-duty First Lieutenant, and there are several things that I can do, and over the next month or two I will be preparing and then executing one or more of the following options that are open to me. As an active-duty First Lieutenant in the United States Army, I am subject to the Uniform Code of Military Justice. Article 138 provides that an individual can complain and call for an investigation of his commanding officer. My commanding officer, of the First United States Army, is a man who was very heavily involved—whose unit was very heavily involved—with regard to some of the testimony that we heard here yesterday relating to Cedar Falls Operation.

Furthermore, there is a ruling in the United States Supreme Court *United States v. General Yamashita*. You may be familiar with this case. It holds, quite simply, that a commander is responsible for everything that goes on in his unit. And the Court went even further—to state that he is responsible whether he knows what is going on in his unit or not. I'm in process of consulting with legal counsel, and have been speaking with lawyers, and I may well do something with regard to this precedent set by the United States Supreme Court in World War Two.

At any rate, what I'm simply trying to get across is that the hearings are nearing an end, and yet the war crimes continue; and that something should be done about this. And further, that what we have heard today are many incidents—different individuals, in many different places in Vietnam, but relating the same sort of information. It seems quite obvious that a pattern emerges. And that pattern, coupled with what I learned at West Point—that a commander is responsible for *everything* that goes on in his unit—makes it quite clear to me that what is going on in Vietnam is something for which someone other than a lieutenant, such as Lieutenant Calley and others, are responsible.

I feel strongly that if Lieutenant Calley is guilty of anything, then the generals, and perhaps even higher are far more responsible.

On January 11, 1971, Lieutenant Font and four other active-duty Army and Navy officers announced they were formally requesting—under article 135 of the Uniform Code of Military Justice—the Secretaries of the Army and Navy to convene boards of inquiry to look into the responsibility of the highest levels of military command and civilian leadership for war crimes policies in Southeast Asia.

Their request was accompanied by a 300-page transcript of war crimes testimony gathered at the December hearings—a transcript I plan to insert into the RECORD in its entirety over the next few weeks. At this point, I would like to insert an article from the January 12, 1971, New York Times:

FIVE OFFICERS SAY THEY SEEK FORMAL WAR CRIMES INQUIRIES

(By Neil Sheehan)

WASHINGTON, January 12.—Five young military officers said today that they were asking the Secretaries of the Army and the Navy to convene formal courts of inquiry into the question of war crimes and atrocities in Vietnam.

These officers said they were sending letters to the secretaries under provisions of military law that permit such requests to authorities empowered to convene courts of inquiry. The service secretaries have this power.

Copies of the letter were passed out by the officers at a news conference at the Du Pont Plaza Hotel here this noon. The conference was sponsored by the National Committee for a Citizens Commission of inquiry on U.S. War Crimes in Vietnam, an antiwar group with a New Left political orientation that is seeking a national inquest into the war crimes question.

TWO ARE ARMY DOCTORS

Two of the officers, Capt. Robert J. Master, 28 years old, of New York, and Capt. Grier Merwin, 28, of Washington, are Army doctors stationed at nearby Fort Meade, Md. Two others, Capt. Edward G. Fox, 25, a zoologist in the Army Medical Service Corps, and First Lieut. Louis Font, 24, a 1968 West Point graduate who has requested discharge because of his antiwar views, are also stationed at Fort Meade.

The fifth officer, Lieut. (jg.) Peter Dunkelberger, 25, of Muskogee, Okla., is a management systems analyst at Navy headquarters at the Pentagon.

All five said they were members of an antiwar group within the services known as the Concerned Officers Movement. Captain Fox said the organization now had about 60 adherents, including about 20 officers in South Vietnam.

The officers said they were accompanying their letters with a 300-page transcript of statements made here last month by 36 Vietnam war veterans at another meeting sponsored by the Citizens' Commission of Inquiry.

The veterans made allegations of war crimes and atrocities and some contended that these acts had been committed under a de facto military policy approved at the highest level of command and by the civilian leadership in Washington.

In their letters to the service secretaries they also cited a report published two weeks ago by the American Association for the Advancement of Science, which said the use of chemical herbicides in South Vietnam was causing catastrophic ecological effects and had destroyed a fifth of the 1.2 million acres of mangrove forest there.

Assertions that American civilian and military leaders may have committed war crimes in Vietnam by Telford Taylor, the chief United States prosecutor at the Nuremberg war crimes trials, were also mentioned. Mr. Taylor is a professor of law at Columbia.

The letters said the statements of the veterans, the report on herbicides and the Taylor arguments formed "sufficient cause" for the five officers to ask the Secretaries to convene courts of inquiry "to investigate U.S. military behavior in relation to principles set down by the Nuremberg proceedings and the Japanese war crimes trials and other international treaties binding on the U.S. Government."

Last fall, Mr. Taylor presented this argument in his book, "Nuremberg and Vietnam: An American Tragedy," and on Friday he said on a television program that Gen. William C. Westmoreland, commander in Vietnam for four years and now Army Chief of Staff, could be convicted as a war criminal if World War II precedents were followed.

Michael Uhl, one of the leaders of the Citizens' Commission of Inquiry, went to the Pentagon office of John H. Chafee, Secretary of the Navy, this afternoon to deliver Lieutenant Dunkelberger's letter. Mr. Uhl declined to leave it and a transcript of the veterans' statements there when one of Mr. Chafee's aides declined to give him a receipt for them.

PROCEDURE CITED

A Navy spokesman said Mr. Uhl had been informed that Navy procedure was not to give receipts for such papers "unless they are delivered by registered mail." He said Mr. Chafee's aide tried unsuccessfully to reach Lieutenant Dunkelberger and to permit him deliver the letter.

Jeremy Rifkin, another leader of the Citizens' Commission, said the letter to Mr. Chafee and the letter to Stanley Resor, Secretary of the Army, would be sent tomorrow by registered mail.

Spokesmen for both the Army and the Navy said neither Secretary would have any statement until they had had an opportunity to read the letters and the transcript of veterans' statements.

On January 28—the same day that Gen. Jonathan O. Seaman dropped charges against Gen. Samuel Koster in regard to the My Lai massacres—Lieutenant Font was charged with five specifications of failure to obey a direct order. The maximum penalty, if convicted, for him would be 25 years in military prison at hard labor.

I am writing to the Secretary of the Army to ascertain whether the charges brought against Lieutenant Font are related to his vigorous pursuit of the war crimes issue and to his specific requests that military high command and civilian leaders be investigated for war crimes responsibility.

But just as important is the issue that Lieutenant Font has been attempting to raise over the past months. I believe that Congress must look into the entire question of war crimes policy and ultimate responsibility—not in the interest of meeting our punitive measures but rather in the interest of exposing the reality of our continuing adventurism in Southeast Asia.

I am now in the process of drafting new legislation asking for broad, full-scale congressional hearings and action in this area, and I am requesting my colleagues join with me in this effort.

In addition, I am making available through my office, photographs, documents, and testimony collected by the Citizens Commission of Inquiry into U.S. war crimes policies in Indochina. Vietnam veterans who participated in or were witnesses to such war crimes can be present at my office on a daily basis for those Members of Congress who wish to meet with them.

TO AMEND THE UNIFORM TIME ACT OF 1966

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

Mr. ROUSH. Mr. Speaker, I rise today to reintroduce a bill that would amend the Uniform Time Act of 1966 to allow those States which are divided into more than one time zone to adopt or exclude a part of the State from daylight savings time. Currently the State legislature must adopt daylight time or reject it for the entire State.

My own State of Indiana happens to be one of these, along with Kentucky, Tennessee, Florida, North Dakota, South Dakota, Nebraska, Kansas, Texas, Idaho, Oregon, and Alaska. These States are all affected in different ways and to different degrees by the Uniform Time Act. My amendment, cosponsored by 11 other Congressmen, would simply allow a State to "exempt either the entire State or exempt the entire area of the State lying within any time zone" from adopting daylight time.

This amendment would not detract from the basic principle of uniformity of the Uniform Time Act. Those States who adopt daylight time, in whole or in part, would be required to observe the standard dates from April to October. Nor could every town or county simply choose to go on daylight time or not. The legislature makes the determination for an entire area within a time zone.

My own State is a prime example of the current problem. In Indiana most of the State is in the eastern time zone and will remain on eastern standard time year round. The legislature has so ruled this year.

But there are 12 counties in the western part of the State on central standard time which would prefer central daylight time 6 months of the year since they are economically and geographically contiguous to areas using that time.

Under the present law, either the whole State adopts daylight time—putting the majority of the State on what the people call double daylight time—to satisfy the economic needs of those 12 counties which are tied to areas using central daylight time, or those 12 counties must sacrifice their need for daylight time and observe central standard time year round.

Mr. Speaker, the purpose of the Uniform Time Act was uniformity and convenience. Neither are achieved in Indiana by this law as it now reads. I voted against the Uniform Time Act in 1966 because I knew that it would remove a local option from Indiana and prevent the whole State from being on the same clock time one-half the year.

The U.S. Department of Transportation tried moving the time zone line from the middle of the State to the present border in 1969, but this has not solved the problem. Therefore, the Department of Transportation endorses the present legislative approach. It is my hope that this 92d Congress will, to paraphrase Hamlet, get the time back "in joint."

INDIANA DUNES NATIONAL LAKESHORE

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

Mr. ROUSH. Mr. Speaker, I appear before the Congress at this time to once again focus attention upon the Indiana Dunes National Lakeshore, the first urban national park. Once again, it seems, the Congress of the United States and the people of that area are required to make a concerted effort to save the dunes. I refer to the fact that the proposed budget which this Congress has just received does not provide development funds and it seems that the National Park Service has not even requested such funds.

This decision is contrary to recent statements by President Nixon and by both former Secretary of the Interior Hickel and the incoming Secretary, Rogers Morton, all of whom have indicated support of a program of bringing the national parks to the people. Mr. Morton has been quoted as saying:

If you are going to spend money on parks in any kind of equitable per-capita formula, I think a lot of the money is going to have to be spent in the Great Lakes area and on the West Coast and East Coast.

Once again, I must point out that the Indiana Dunes National Lakeshore is like an empty house waiting to be occupied by the 10 million people living within a 100-mile radius of this park. Although the Congress approved the park in 1966 and the land has been acquired, the dunes have not been developed in order to make the park operational and available to the public.

INCLUSION OF CHIROPRACTIC SERVICES IN MEDICARE

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

Mr. DANIELS of New Jersey. Mr. Speaker, yesterday I introduced a bill which I feel is of utmost significance to senior citizens who particpate in the medicare program. This legislation would provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged—otherwise known as medicare.

Mr. Speaker, when the medicare law was approved by Congress in 1965 its provisions did not cover chiropractic services. Two years later, when the first changes were made in the medicare law under the Social Security Amendments of 1967, Congress again rejected the pleas of elderly citizens for the inclusion of chiropractic services. Now that the medicare program is going into its 6th year, I feel we can no longer turn a deaf ear to these pleas.

There is a widespread demand by senior citizen organizations for such chiropractic services. It is also significant that the VFW, AMVETS, and American Legion groups have requested that chiropractic services be included under medicare. Last year the Senate saw fit to include chiropractic services under medicare in their version of H.R. 17550, the Social Security Act. In addition, Mr. Speaker, the States already recognize chiropractic services for medicaid and workmen's compensation.

Recent statistics show that more than one-fourth of Americans over the age of 65 must live on a poverty level income. Many of these people are in poor health and need frequent medical attention, and, as my constituent mail indicates, many of them find that they obtain the most satisfaction from the care of a chiropractor rather than an M.D.

In my opinion, they have the right—and we have the obligation to guarantee that right— to select the type of medical care which best suits their needs. At this time, people who choose chiropractic for relief, are forced to pay the full cost of this service with no reimbursement from medicare, an expense which most of our senior citizens are in no position to carry. Obviously, those who simply cannot afford the extra expense must do without the care they need.

Mr. Speaker, I feel it is incumbent upon Congress to enact my legislation without further delay. To ignore this vital measure is to deny the older citizens of the United States the freedom of choice concerning a very basic and important factor of old age—physical well-being.

I hope my colleagues will support this measure.

TRANSPORTATION STRIKES—IMMEDIATE AND FUTURE SOLUTIONS

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

Mr. PICKLE. Mr. Speaker, we welcome President Nixons' legislation on long-range solution to transportation disputes. This does not mean I endorse his particular approach—rather it is agreement that his, and all the other bills on this complicated issue must be heard.

I agree with the President that the Congress must hold hearings on some long-range, permanent settlement of labor and management disputes which threaten the Nation's transportation system. My committee, the Interstate and Foreign Commerce Committee, has given assurances that the President's bill, my bill and the bills of my colleagues will be heard this Congress.

However, Mr. Speaker, I am compelled to point out that the President's bill does nothing for the two immediate deadlines which will not go away.

And I again call on President Nixon to use jawboning to its finest and fullest use in order to bring labor and management to the bargaining table.

The two deadlines are coming fast. On February 15, the President will report on the success or failure of the current negotiations and will offer his recommendations at that time. Then on March 1, if no agreement has been worked between labor and management, this country will suffer the terrible agony of a Nation-wide strangulation of the railroads.

The thought is not as terrifying as the deed.

No commerce will be shipped, no commuters will be moved, mail must be rerouted and inflation will syrocket because of the added cost of moving things around the country. All of these changes will overload the existing alternate transportation systems. Nerves will fray and businesses will close.

Mr. Speaker, this tragedy might be averted if the President will take charge now. If ever there was a time for leadership, it is now. I urge President Nixon to use jawboning, moral suasion, and public opinion to force labor and management into meaningful negotiations within the next 10 days. To do otherwise is to shirk responsibility.

NIXON'S STRATEGY: THE NEW AMERICAN REVOLUTION

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

Mr. RARICK. Mr. Speaker, the President's recent budget message has given a responsible role to the Federal Reserve Banking System, a privately owned and controlled fractional reserve control bank of money issue, to carry out his political promises. The consternation and uneasiness of the hierarchy of the Federal Reserve has not gone without notice. And quite naturally so, because the Federal Reserve family is fully aware that the President has singularly honored them to solve his financial commitments rather than us in Congress. Apparently they are uneasy over this uninvited political limelight.

The Federal Reserve is well aware that Congress cannot produce the new money requested by the President to step up the economy—that Congress cannot guarantee the President an increased gross national product—that Congress cannot deliver the President a full-employment economy. The success or failure of the President's new American revolution depends primarily upon whether or not the Federal Reserve Banking System creates the necessary new money. Only the Federal Reserve Banking System can create new money out of the air by the flourish of the pen.

Likewise, the members of the inner sanctum of the Federal Reserve body, understand that should the President's program fail, it will be they, the Federal Reserve Banking System and the owners of the money in their private monopoly and not we in Congress, who will be made the scrapegoat in the eyes of the public and be forced to bear the full responsibility for its failure.

On the other hand, should the President's expansive monetary policy be adopted, the Federal Reserve Banking System can expect to be held publicly responsible for the recurrence of inflation that will surely follow.

Either way, the Federal Reserve will reap the blame for promises unfulfilled and inflationary losses inflicted upon the American people.

By his new American revolution, only President Nixon's political future is intended to gain.

TO PROHIBIT THE MAILING OF UNSOLICITED MERCHANDISE SAMPLES

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

Mr. HENDERSON. Mr. Speaker, today my friend and colleague, the gentleman from Michigan (Mr. WILLIAM FORD) is introducing a bill which would prohibit the mailing of unsolicited cigarette samples.

I commend him for his desire to protect the American public from receipt of merchandise samples which, in some cases, are unwanted. However, he does not go far enough. I invite him and all of my colleagues to join me in cosponsoring a bill I am introducing today which prohibits the use of the mails for all types of merchandise samples.

Frankly, I do not believe the practice of sending cigarette samples unsolicited through the mails is sufficiently widespread to constitute much of a threat or hazard even if one admitted for purpose of argument that a cigarette is a dangerous product.

But there are many other products being sent through the mails which are at least potentially dangerous. I quite frankly have never received a cigarette sample in the mail, but I have received unsolicited samples of toothpaste, razor blades, medicines, detergents, cereals, coffee, soaps, advertising novelties, and a number of other items.

Certainly all of us are aware of the charges recently made against some brands of tooth paste that they have an abrasive effect and that their continued use literally wears away our teeth. Obviously razor blades are dangerous and should not be allowed unsolicited in the mail. Patent medicines often contain alcohol and could result in illness or undesirable effects if taken by unsuspecting youngsters in overdoses.

Many detergents have extremely high phosphate content and enzymes known to be a direct cause of water pollution, and the same is true of certain soaps. Certainly we cannot afford to permit dangerous products like these to be sent unsolicited in the mail.

Coffee is known to contain caffein, believed by many to contribute to heart disease and other physical problems.

Recent charges have been lodged without successful refutation against certain cereals to the effect that they do not provide, in usable form, the nutrients claimed, but instead afford only "empty calories." Surely it is essential to protect the public from receiving unsolicited samples of such products.

Advertising novelties being sent unsolicited through the mails include ballpoint pens, metal badges with sharp pins attached, cigarette lighters capable of starting fires, sharp pointed golf tees, and literally dozens of other potentially dangerous items.

I am told merchandise samples are a burden to the U.S. Postal Service, adding to the strain in the receipt and delivery of the mail, creating storage problems, and do not sufficiently recover the cost of this service.

I urge all my colleagues to join me in cosponsoring my bill to prohibit the use of the mails for unsolicited merchandise samples.

"SCIENCE AND GOVERNMENT REPORT," A NEW AND USEFUL PUBLICATION

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

Mr. BRADEMAS. Mr. Speaker, virtually every aspect of public affairs today is significantly affected by the close relationship that exists between the U.S. Government and the Nation's scientific, educational, and high-technology industrial organizations. Whether it be in basic research, industrial electronics, health, educational innovation, or military strategy, the impact of Government decisions concerning science and technology is increasingly felt. And we can only conclude, from past developments and present trends, that the impact will be ever more widely felt.

In this circumstance, it is essential that public bodies, as well as the general public, have an opportunity to become well informed of the issues, policy delibera-

tions, and decisions that affect this Nations capabilities for research as well as the purposes to which that research is applied. Having long been concerned with these matters in the field of education and manpower development, I am especially pleased to note the appearance of a new publication, "Science and Government Report," which expertly addresses itself to illumination of the complex relationship between science and Government.

Published by Daniel S. Greenberg, "Science and Government Report" has swiftly attracted an international audience of leaders in science, technology, education, government, and industry. Mr. Greenberg, I might add, is widely regarded as one of the most knowledgeable science journalists in Washington, having previously headed the news department of "Science," the weekly journal of the American Association for the Advancement of Science. He has written and lectured widely on science and politics, and is author of a standard work in that field, "The Politics of Pure Science," first published in 1968 and now in a fifth printing, with a revised edition soon to be published.

Mr. Speaker, I think it is fair to say that "Science and Government Report" is must reading for anyone concerned with the public policy implications that inevitably arise from the quest for and application of knowledge. Published twice monthly, and both concise and comprehensive in its coverage of the complexities of its subject, it merits high commendation as a valuable source of reliable news and analysis.

Mr. Speaker, I am pleased to insert a perceptive examination of certain aspects of President Nixons' policies toward science as published in the first issue of Science and Government Report, February 1, 1971.

Excerpts from the article follow:

SCIENCE AND GOVERNMENT REPORT

President Nixon's proposal to add some $100 million to the budget of the National Science Foundation, plus another $100 million to the National Institutes of Health budget for "cancer research," is being touted as evidence of a renaissance of federal fervor for science. And, in particular, NSF Director William D. McElroy and White House Science Adviser Edward E. David Jr. are being cited for persuasiveness with the White House inner councils. At least in regard to the NSF budget—the cancer scheme being a political ploy aimed at heading off a Kennedy-backed move for even greater demands on the Treasury—the two officials must be credited with delivering an unanticipated fiscal package. While most other Federal agencies are being held more or less level, NSF is pointed significantly upwards, and there is reason to believe that Congress will react sympathetically. This is not one of those schemes where the Executive can propose spending with confidence that the Congress will say "no" and thereby merit the blame for being the villain. But, like most else in the budget, the NSF entry is not what it seems to be on first examination; moreover, obscured in the intricacies of the Nixon proposal are some profound issues of scientific and educational policy that ought to be given close examination before the Treasury Department starts writing checks.

First, a look at some of the realities of the NSF budget: About $40 million of that additional $100 million will be for the purpose of NSF picking up the costs of research activities now financed by the Department of Defense and the National Aeronautics and Space Administration. Without the NSF money, these would probably wither, as a good many, in fact, already have under the impact of the Mansfield restriction on Defense supporting research remote from military application. Nevertheless, what is involved here is a transfer—not an expansion. It is also worth noting that NSF does not intend to support *all* the academic-style research that NASA and Defense are dropping. Only some of the survivors are going to be picked up out of the water. Add to this the fact that NSF, with a finger to the congressional wind and an ear cocked toward the utilitarians who dominate the White House Office of Management and Budget, is now bound full speed and wallet bulging into supporting research related to "social problems." Preliminary work in this area got underway last year under the auspices of NSF's program of Interdisciplinary Research Relevant to the Problems of Society. IRRPOS, as it comes out in acronym, was well received in Congress and is said to have pleased the White House budgetmakers, the latter being an occurrence so rare as to merit prompt notation by aspiring historians of the Nixon era. IRRPOS, however, was simply an appendage of NSF's Office of Interdisciplinary Research—way down in a crowded table of organization. However, hand in hand with the new budget, it is going to be expanded into a full-fledged, self-contained division, to be known as the Division of Research Applicable to National Needs, which skeptics no doubt will promptly be referring to as also-RANN. Its objectives are already known: They will be in the fields of ecology, population, transportation, and urban studies, with high priority going to proposals that not only cross disciplinary lines but that also involve the collaborative efforts of several institutions, preferably across the boundaries of academe, industry, and government. RANN is slated for a big chunk of the budget increase.

PROGRAM UNDERCUT

With all this going on, annual support for basic research, which, after all, is why the Foundation is there in the first place, is scheduled nevertheless to go from the present figure of $180 million to $265 million. The growth of basic research support will come in part from the $100 million expansion, but a good deal of it is scheduled to come from pruning or terminating existing programs. On the termination list is one of NSF's most politically popular and academically important programs: support of institutional development, which currently provides about $30 million a year—in grants of $2 million to $5 million each—for raising the quality of research and science education in lesser-ranking universities. Started at the direction of President Johnson under the banner of promoting the creation of new "centers of excellence," the program is now regarded by Nixon's planners as simply a means for promoting the production of more academically certified unemployables. Congress willing, which is far from certain when so much is at stake for so many congressional districts, the program is slated for termination.

With the Office of Management and Budget run by what one NSF official derisively describes as "a bunch of economists," the addition of some $100 million to the NSF budget—for whatever purpose—can only be regarded as a triumph for Science Adviser David. Taking over the shambles left him by his predecessor, the venerable Lee DuBridge, David has worked quietly and industriously at the prime task of anyone occupying an administration post in which potential influence is high but authority is virtually nil: He has striven to gain the confidence of the humorless, narrow-visioned and intensely loyal staff immediately around Nixon. What goes on in that process is something that is rarely spoken of in public. But DuBridge was swiftly frozen out when the Nixon men concluded that he was operating in large part as a representative of the scientific community, rather than as a wholly commited member of the Nixon team. DuBridge tried to warm his way back in by publicly representing the Administration as kind to science; he also spoke out in behalf of the anti-ballistic missile, an act that mainly served to alienate his colleagues on the President's Science Advisory Committee. In any case, he was out almost from the beginning.

QUIET MAN

Five months in office, David has been generally reticent in public, taking refuge in the once-reasonable but decreasingly valid point that he needs time to learn his way around before pronouncing on controversial public issues. Several persons who have been at interagency committee meetings with him say his practice is to listen attentively and say little or nothing. A talk he gave Jan. 8 at the National Bureau of Standards identified a variety of science-policy issues, but David refrained from saying where he stood on any of them. One little-noted episode, however, points to his determination to develop the best of all possible relationships with the Nixon staff. Six weeks ago, when the Senate was blocking the Administration's proposal to go ahead with development of the supersonic transport, David issued a statement in behalf of the SST with supporting signatures from 34 scientists and engineers of one sort or another, including Raymond L. Bisplinghoff, the number two man at NSF; Stark Draper, of the MIT Instrumentation Laboratory; Frank T. McClure, of the Johns Hopkins Applied Physics Laboratory; William A. Nirenberg, of the Scripps Institution of Oceanography, and Edward Teller, of the University of California. The David statement was pure pro-SST: "Our society must not suppress technological advances," it said, "but through research, development, and experimentation make sure that those advances are obtained without undesired side effects. Instead of canceling work on the SST, we should mount a vigorous program aimed not only at solving the technical problems of economic supersonic transportation but also at assuring no undesirable effects." In the hubub of the post-election pre-Christmas session, the incident passed without much notice, except for insertion of the statement and signatures in the *Congressional Record* (Dec. 15, p. 41594) by Senator Barry Goldwater (R-Ariz.).

Goldwater, reacting to an anti-SST statement of six scientists offered by Senator Charles Percy (R-Ill.), accompanied David's statement with the observation that "the scientific enemies of the SST include some scientists who were doubtful some years ago that we could even travel beyond the speed of sound without dire consequences. And this is the part of the scientific community also from which technical opposition to the development of the H-bomb came. The argument then was similar to the one used against the ABM—that it could not be perfected without tremendous danger to the entire world."

POLITICAL FEEL

With the President's budget now up for examination by Congress, a key figure in the fate of the NSF portion will be NSF Director McElroy. He, as it turns out, is something of a rare phenomenon in science politics these days: a topflight scientist whose manner and instincts fit in well with the peculiar ambience of Capitol Hill. In appearance and style, McElroy comes across like central casting's stock entry for a ward politician, rather than as the distinguished academic biochemist that he was for many years before taking over at NSF. In fact, at the

moment there is no one around who comes up to McElroy in rapport with Congress on scientific matters. David has been making himself known to various congressmen simply by asking to see them; he has made a favorable impression but is yet to conduct any serious business on Capitol Hill. Academy President Handler is an inveterate traveler to the Hill and an eager witness whenever there is a hint that a committee might hear him, but since he has nothing to dispense but his own brand of wisdom, congressmen accord him ceremonial courtesy, but otherwise do not take him very seriously. Robert Q. Marston, director of NIH, is a pale figure when it comes to congressionl affairs. NASA still lacks a fulltime head, and as for AEC Chairman Glenn T. Seaborg, his milktoast management of the AEC is an endless source of dispair to the Joint Committee on Atomic Energy. (Commissioner James T. Ramey is widely said to be the strong personality on the AEC, but being an avowed Democrat, he can get into the White House only as a tourist.)

In contrast to all the above, McElroy has successfully tuned in to what Congress is all about: power, influence, and personal glorification of the membership, with the furtherance of the public well-being sometimes an acceptable ingredient. On the basis of personal performance, he is now regarded as the shrewdest scientific operator to ascend the Hill since NIH's James Shannon went there some years back to coax out several odd billion dollars for a breakneck expansion of medical research and training.

The main difficulty, of course, is that Shannon found quick harmony with two influential legislators who, if anything, were more fervent believers in medical research than he himself was: the late Rep. John Fogarty (D-R.I.) and the now-retired Senator Lister Hill (D-Ala.). No two legislators of that faith and influence are currently available to harmonize with McElroy, . . .

QUESTIONS POSED

The plans embodied in the new NSF budget raise several public policy questions that might stir up Congress if it chooses to pay attention, which is by no means certain, since NSF actually figures small in the congressional view of the world. Though it is obviously politically expedient, is it appropriate for NSF to be plunging into the support of "socially relevant" research? If resources and attention are to be diverted in that direction, what will be the effect on the support of basic research over the long run? Also, it is worth recognizing that implicit in the termination of the institutional development program is a decision to turn off the expansion of high quality higher education. In the present circumstances, perhaps that is a wise move, but it would be desireable to have such a policy decision brought out into the open, rather than have it obscured inside a tome of budget figures.

The $100 million that Nixon proposed for cancer research is best understood in terms of his efforts to preempt any attractive political ground that might be taken over by potential political rivals. (He has done it all along in regard to Senator Muskie's efforts to command the pollution issue, even to the point of not inviting Muskie to the White House signing of Muskie's own Clean Air bill.) Over the past year, the health lobby, with Democrat Mary Lasker at its center, has been cooking up a scheme to take cancer research out of NIH and establish an independent, highly visible, and heavily funded National Cancer Authority. A proposal to that effect was issued in December by an advisory panel appointed by the Senate Committee on Labor and Public Welfare. Last week, Senator Edward Kennedy (D-Mass.) followed this up with a proposal to establish the authority and put virtually unlimited funds at its disposal. Whatever the prospects may be for that proposition, they are not enhanced by Nixon's proposal to add another $100 million to NIH's budget for cancer research.

TO RENAME THE U.S. COAST GUARD CUTTER "VIGILANT" THE "SIMAS KUDIRKA"

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

Mr. PUCINSKI. Mr. Speaker, I would like my colleagues to know that 15 Members of the House of Representatives have today joined me in cosponsoring a resolution to change the name of the U.S. Coast Guard cutter *Vigilant* to the *Simas Kudirka.*

Mr. Speaker, we have checked with Coast Guard authorities, and they say that there are no restrictions or regulations against such a suggestion. We feel very strongly that by renaming the Coast Guard cutter *Vigilant* the *Simas Kudirka* that it will be an everlasting reminder that the Congress of the United States and the American people do not want another tragedy like that which struck the Lithuanian sailor Simas Kudirka, who was refused sanctuary and liberty in this country.

The cosponsors of the resolution which we are introducing today, besides myself, are Congressmen SILVIO CONTE, EDWARD DERWINSKI, JAMES FULTON, SEYMOUR HALPERN, HENRY HELSTOSKI, LOUISE DAY HICKS, ROBERT MICHEL, JOSEPH RARICK, FERNAND ST GERMAIN, SAMUEL STRATTON, JOHN WARE, HAROLD D. DONOHUE, ELLA T. GRASSO, ABNER MIKVA, AND WAYNE HAYS.

Mr. Speaker, I do hope that the appropriate committee will give this resolution early consideration.

The resolution is as follows.

H.J. RES. 271

A joint resolution to rename the U.S. Coast Guard cutter "Vigilant" the "Simas Kudirka"

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the tragic lack of guidance and initiative surrounding the forcible return of the Lithuanian sailor, Simas Kudirka, to a Soviet ship from the American Coast Guard cutter "Vigilant" on November 23, 1970 should serve as a perpetual reminder to all Americans of the need for an understanding of the obligations of liberty.

That static leadership, unclear authority, and a woeful absence of basic compassion resulted in Soviet naval personnel being permitted to board an American ship in American waters for the express purpose of capturing and subduing Simas Kudirka and denying him the sanctuary to which he was entitled.

That this tragedy and this man must not be forgotten by the free world.

That the Congress of the United States therefore urges the President to adopt the suggestion of the Lithuanian American Congress and rename the Coast Guard cutter "Vigilant" the "Simas Kudirka" in memory of the right of all men to individual liberty and as a constant reminder to all American ships at sea that this tragedy shall never be repeated.

LEGISLATION TO HELP SPUR ECONOMIC OPPORTUNITY

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

Mr. CHAMBERLAIN. Mr. Speaker, today with many cosponsors on both sides of the aisle, I am again introducing legislation designed to help spur economic activity, alleviate unemployment, and aid hard-pressed small businesses.

Basically this bill would permit a business to deduct 20 percent of its taxable earnings, up to a $40,000 limit when the funds are reinvested for the purpose of business expansion.

The need for such legislation is clear. Dollars to finance expansion have been tough to come by, particularly for independent businesses, since the money must either come from aftertax profits, which have been squeezed, or from borrowing which has been either too expensive or unavailable. The plowback approach is aimed directly at this icejam in the economic climate and its adoption should help trigger an upturn for the economy generally and a downturn in unemployment.

Mr. Speaker, the President in his messages dealing with the state of the Union, the fiscal 1972 budget, and the state of the economy has stressed his concern for promoting stable economic growth and full employment. I believe this legislation is not only consistent with these efforts but offers a promising contribution to getting the job done. In my judgment, there could hardly be a better time for its passage. It is my hope that this legislation will receive the early and careful study of the Committee on Ways and Means.

I am particularly grateful to my colleagues: Mr. BEVILL, Mr. BLACKBURN, Mr. BROYHILL of Virginia, Mr. BROYHILL of North Carolina, Mr. BURKE of Massachusetts, Mr. CAMP, Mr. COLLINS, Mr. CONTE, Mr. CORMAN, and Mr. DANIEL.

Mr. DUNCAN, Mr. EVINS, Mr. FISHER, Mr. FULTON of Pennsylvania, Mrs. GRIFFITHS, Mr. HANSEN, Mrs. HICKS, Mr. JOHNSON of Pennsylvania, Mr. MCCLORY, and Mr. O'KONSKI.

Mr. PETTIS, Mr. RARICK, Mr. SCHERLE, Mr. SCHMITZ, Mr. SCOTT, Mr. SHRIVER, Mr. VANDER JAGT, and Mr. WILLIAMS who are also deeply concerned about the welfare of our small business community and have joined with me in introducing this legislation needed to provide a stimulus for this most vital segment of our economy.

SMALL BANKS FORCED TO CLOSE

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

Mr. CEDERBERG. Mr. Speaker, I am today introducing legislation to prohibit a bank from participating in the brokered deposit scheme, which, as I reported during our last session, contributed to the closing of many small banks across the country. These small banks have been forced to shut their doors due to fiscal instability, as a result of the use of banking instruments known as "certificates of deposit" or "letters of credit."

I am again inserting a simple description of the mechanics of the brokered

deposit-link financing arrangement as outlined in a Wall Street Journal article by Frederick C. Klein:

THE MIDDLEMAN: SMALL BANKS GO UNDER, AND AUTHORITIES ASSAIL ROLE OF MONEY BROKERS—WILL THERE BE MORE FAILURES?

(By Frederick C. Klein)

A small bank fails in Prairie City, Iowa. Another goes under in Auburn, Mich. Still another in Coalville, Utah. And Petersburg, Ky., Covington, Ga., and Aransas Pass, Texas.

All these banks have failed in the past 18 months, and Federal regulators indicate all have failed for much the same reasons. In each case big borrowers defaulted on loans or appeared likely to do so. In each case the loans were in excess of what the little banks should prudently have made and in most cases were made to persons from outside the bank's normal business area. And in each case some of the loans had been backed by deposits generated by so-called money brokers.

Money brokers are an oft-criticized breed who act as middlemen in loans that banks make to persons or corporations. Say Mr. A. wants to borrow $100,000 from the Jones National Bank. The bank won't make the loan because it doesn't have the funds, or if it does have the money it has more creditworthy customers to lend to. But the bank will agree to lend the money if Mr. A. can bring to the bank, depositors willing to deposit $100,000. Mr. A. doesn't know anybody with that kind of money, so he goes to a money broker. The broker finds the people, and the deal is arranged.

THEORY—AND PRACTICE

In theory, everyone is happy. The broker is happy because the borrower pays him 3% to 5% of the loan as his fee. The depositors are happy, because they are getting 5½%, say, on their certificates of deposit (which are insured by the Government) and another 2% or so that the broker pays them out of his fee to entice them. The bank is happy, because it has new deposits and a new loan. And the borrower is happy, because he has his loan.

That's not only the way it works in theory, but also the way it works in practice a lot of the time. It isn't known how much money is channeled through brokers in the course of a year, but the total is probably somewhere around $750 million. Seaboard Corp., a Los Angeles company that is the largest money broker in the U.S., says it will place deposits of $130 million to $150 million this year, up from $50 million in 1968. These deposits probably will offset a like amount of loans, though the deposits offsetting any one loan can range from 20% to 200% of the face value of that loan. In most cases the loan is repaid to the bank, the certificates come due and the deposits are returned to the depositors and all goes well.

But sometimes—increasingly, Federal regulators say—all doesn't go well. The borrower defaults, and the bank is left with insufficient capital to carry on. Sometimes the borrower defaults because he was borrowing to finance a hare-brained scheme that failed. Sometimes he defaults because he was just a bad businessman. And sometimes, according to several court suits, he defaults as part of a conspiracy to defraud the bank.

Mr. Speaker, this article points out the seriousness of this situation and also the need for a thorough investigation into this banking practice. Definite regulations must be set to prevent situations such as the ones that have developed as a result of these quick money schemes.

Many of our Nation's hardest working and most solid citizens are members of small communities who depend on the financial stability of their local banks. Since the ordinary individual could not be expected to distinguish the intricacies of these banking practices, my legislation places the burden squarely where it belongs: on the banker who would use the broker to find funds for basically unsound loans—ones which the bank would not make on its own assets. I believe it imperative on the Congress to take legislative action to eliminate this threat to the small bank and to the citizens of small communities throughout this country.

I hope that the chairman of the Banking and Currency Committee will see fit to hold early hearings on this measure and will promptly bring this legislation to the floor for action by this body.

GIVE WASHINGTON CITIZENSHIP

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

Mr. BUCHANAN. Mr. Speaker, taxation without representation is as intolerable in the 1970's as it was in the 1770's. Yet this is precisely the condition of the residents of the District of Columbia.

This city is the home of over 750,000 people—more than the population of 10 States. These States not only have at least one voting Member of the House of Representatives; each has two Senators.

It has been nearly 200 years since the adoption of the U.S. Constitution which provided for a House of Representatives and a Senate with each State to be represented by at least one Congressman and two Senators. Yet the residents of the District of Columbia have neither. That this is still the case is nothing less than an outrage and a scandal.

Consequently, together with a bipartisan group of cosponsors, I am introducing today a constitutional amendment designed to correct this grave injustice. It would provide at least one Representative and, as may be provided by law, one or more additional Representatives or Senators or both up to the number which the District of Columbia would be entitled were it a State.

The people who live in the District of Columbia are as much American citizens as any who live in this Republic. They are subject to the Federal laws enacted by the Congress.

They must pay the Federal taxes levied by this Congress.

They are subject to the regulations handed down by Federal regulatory agencies created by this Congress.

Yet, they have no voting representation when these laws are made.

There is no reason why the people of the District of Columbia should be penalized. They have not been collectively tried and convicted of a felony and, therefore, should not be denied the rights of citizenship accorded the residents of the 50 States.

It was not until 1960 that the District of Columbia residents were permitted to vote for President. Surely, Mr. Speaker, we cannot expect them to wait another 172 years to obtain at least a voting representative in Congress.

I call on my colleagues, Mr. Speaker, to remedy this longstanding inequity. The time is past due for the United States to confer citizenship on its Capital and the citizens who reside there.

RURAL JOB DEVELOPMENT ACT

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

Mr. SEBELIUS. Mr. Speaker, today I am quite pleased to introduce the Rural Job Development Act, a bill that has already been introduced in the Senate by my good friend and colleague, Senator JIM PEARSON.

This legislation, in essence, would encourage job creating industries in our rural areas. In brief, the bill would work as follows:

A series of tax incentives—a 7-percent tax credit on personal property, a 7-percent tax credit on real property, an accelerated depreciation allowance, and a 50-percent tax deduction on wages paid workers given on-the-job training—would be offered to industrial and commercial enterprises locating in counties designated as "rural job development areas." Rural job development areas are counties which have no city of over 50,000 population and where at least 15 percent of the families have incomes of less than $3,000. Indian reservations are also included. To be eligible the enterprise must hire at least 10 people and wherever possible must hire at least 50 percent of the work force from the local area. The bill contains a prohibition against "runaway" firms and recapture provisions for those firms which willfully violate the terms of the program.

In introducing this bill, I take great pride in pointing out to my colleagues the dedication and tireless efforts of the senior Senator from Kansas in working to revitalize rural and small town America.

I would like to stress one particular point regarding this legislation. The objectives of the Rural Job Development Act are truly in the best interests of our entire Nation. This bill should and can be an integral part of our growing commitment to deal with our Nation's urban crisis.

The rural development concept is directed toward reversing the trend of rural migration into our Nation's overcrowded cities. Our Nation's cities have become an unwilling lure for the rural poor; many unskilled and unable to find the economic opportunity they came to seek.

As Senator PEARSON pointed out, the task ahead is clear. We must expand the quantity and quality of economic and social opportunities in rural America so that those who choose to live in our rural areas can do so and not be forced to move to our already overcrowded and overburdened metropolitan areas.

Mr. Speaker, this legislation can help revitalize rural and small town America and help our Nation again achieve a healthy and prosperous rural and urban balance.

TAKE PRIDE IN AMERICA

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

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a Nation. Henry Ford—the man and the legend—still remains controversial and elusive today. Ford's great achievements are perhaps the most significant aspect of his career. By revitalizing mass production and promoting his philosophy of high production, low prices, and mass consumption he remade the world and laid the foundation of our modern industrial technology.

TEXASWEET RUBY RED GRAPEFRUIT

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

Mr. DE LA GARZA. Mr. Speaker, a taste treat is in store for Members of Congress.

Through the courtesy of the Texas Valley Citrus Committee of Pharr, Tex., I have been able to arrange for Texa-Sweet ruby red grapefruit to be served today in the House restaurants in the Capitol. Furthermore all Members of the House and, through the courtesy of a former valley resident and my longtime friend, Senator LLOYD BENTSEN, of Texas, all Members of the Senate, will receive six packs of grapefruit.

Mr. Frank Gross, head of the Valley Citrus Committee, and I had the honor of personally presenting the best grapefruit produced anywhere to Speaker CARL ALBERT and Minority Leader GERRY FORD.

Tomorrow Mr. Gross will accompany me on a tour of the produce markets in Washington—where the Texas ruby red grapefruit is becoming increasingly more popular—thanks to efforts of the citrus committee sending this fruit up here to us.

Good things come from south Texas. I am grateful to the Valley Citrus Committee for making it possible for me to share some of them with my colleagues in the Congress.

TREATMENT OF PRISONERS OF WAR IN NORTH VIETNAM

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

Mr. BLANTON. Mr. Speaker, I am introducing today, on behalf of 210 colleagues, a resolution condemning the North Vietnamese Government for their inhumane treatment of American prisoners of war, and calling on them to abide by the Geneva Convention Accords.

The language of this resolution is much the same as the House Resolution 435 which passed the House in December of 1969.

Simply stated, this resolution puts the 92d Congress on record as cognizant of the plight of over 1,400 Americans held prisoner of war or missing in action. Likewise, we call upon the North Vietnamese and their allies in South Vietnam, Laos, and Cambodia to: First, identify the prisoners they hold; second, permit impartial inspection of their POW camps; third, release prisoners who are seriously ill or injured; and, fourth, permit the free flow of mail between prisoners and their families.

Mr. Speaker, these four points are elementary rules which civilized countries are expected to follow in their dealings with prisoners of war. These four points are contained in the Geneva Convention Accords on Prisoners of War, which the Government of North Vietnam signed in 1957.

The fact of the matter is, the Communists have not abided by these four points. While from time to time they have incomplete lists for propaganda purposes, they have not made a complete disclosure of the prisoners they hold.

They have never permitted impartial observers to inspect prison camps, and have refused such requests by the International Red Cross. Instead, they have permitted camera crews to film staged POW camps for propaganda purposes in a barbaric attempt to deceive the world about the real treatment our prisoners of war receive.

They have released less than a dozen prisoners in the past 5 years, and rather than sick or injured ones, all have been healthy. This is an obvious attempt to again deceive world opinion, although the effort inevitably backfires once the American can tell his story to Americans back home.

They have allowed a few letters to trickle back to the United States, although certainly not in the spirit of the "free exchange" as listed in the Geneva accords.

While the treatment continues to be obviously bad for our captured American servicemen, the North Vietnamese have shown signs of easing up on some points. This has been apparent since the growing involvement by the mass of American people concerned about our prisoners. It is growing apparent to the North Vietnamese that the world looks harshly upon their acts of terrorism to helpless prisoners. World opinion—yes, even among some countries behind the Iron Curtain—has been pressuring the Communist North Vietnamese Government to treat our prisoners more humanely.

This is another reason why it is vital that this 92d Congress go on record officially, just as the past Congress did, to deplore these acts, and to urge better treatment of our prisoners.

Mr. Speaker, perhaps the most important point of the four that the resolution stresses is that the Communists release a full and documented list of the prisoners they hold. Not only for the sake of the families of the men involved. This is obvious—for the cruelty of the Communists not allowing civilian relatives of the captive to know whether he is dead or alive is absolutely unforgiveable.

Just as important, we must have such a list to know the fate of these men in the event some prisoner exchange is ever worked out. Two years ago, when I introduced a similar resolution, I was told by the State Department that at the conclusion of the Korean armistice, the United States could not determine the fate of more than 800 Americans who were known to have been POW's. Even with a prisoner exchange, we still do not know to this day—almost two decades later—what happened to some of the Americans held captive by the Communist North Koreans. The reason is that we had no list of prisoners prior to the armistice.

Such a list of prisoners is imperative, and I believe that this one point in itself should be considered a direct negotiable point at the Paris peace talks.

Mr. Speaker, the POW problem is a continuing one and has not been resolved. While we see signs of our massive effort bringing better treatment, we must continue the tempo, we must continue our vocal and active efforts to seek humane treatment for those men we ordered into battle in Southeast Asia. It is this Congress which passed the draft laws. It is this Congress which provides the funds to fight that war. It is, then, our responsibility to help those young men held captive. This resolution, I am firmly convinced, is one way of doing just that. I am proud of the widespread bipartisan support of this resolution, and the fact the Democrat and Republican leadership have joined in to sponsor it.

Mr. Speaker, I insert for the record the language of the resolution, and a list of my colleagues who have joined with me in sponsoring the measure.

PRISONER OF WAR RESOLUTION

Whereas more than one thousand four hundred members of the United States Armed Forces are prisoners of war or missing in action in Southeast Asia; and

Whereas North Vietnam and the National Liberation Front of South Vietnam and their forces in other countries have refused to identify all prisoners they hold; to allow impartial inspection of camps, to permit free exchange of mail between prisoners and their families, to release seriously sick or injured prisoners, and to negotiate seriously for the release of all prisoners and thereby have violated the requirements of the 1949 Geneva Convention on prisoners of war, which North Vietnam ratified in 1957; and

Whereas the United States has continuously observed the requirements of the Geneva Convention in treatment of prisoners of war; and

Whereas the 91st Congress formally condemned by Resolution the uncivilized treatment of prisoners of war by the North Vietnamese and the National Liberation Front: Now, therefore, be it,

Resolved by the House of Representatives (the Senate Concurring), That the Congress strongly protests the treatment of United States servicemen held prisoner by North Vietnam and the National Liberation Front of South Vietnam, calls upon them to comply with the requirements of the Geneva Convention, and approves and endorses efforts by the United States Government, the United Nations, and International Red Cross, and other leaders and peoples of the world to obtain humane treatment and release of American prisoners of war.

LIST OF COSPONSORS

Abbitt, Watkins M., Virginia.
Abernethy, Thomas G., Mississippi.
Alexander, Bill, Arkansas.
Anderson, Glenn M., California.
Andrews, George W., Alabama.

Andrews, Mark, North Dakota.
Annunzio, Frank, Illinois.
Archer, Bill, Texas.
Aspin, Les, Wisconsin.
Baker, LaMar, Tennessee.
Baring, Walter S., Nevada.
Begich, Nick, Alaska.
Bell, Alphonzo, California.
Bennett, Charles F., Florida.
Bergland, Bob, Minnesota.
Bevill, Tom, Alabama.
Biaggi, Mario, New York.
Biester, Edward G., Jr., Pennsylvania.
Blackburn, Ben G., Georgia.
Blanton, Ray, Tennessee.
Bray, William G., Indiana.
Brinkley, Jack, Georgia.
Brooks, Jack B., Texas.
Broomfield, William S., Michigan.
Brown, Garry, Michigan.
Broyhill, James T., North Carolina.
Buchanan, John, Alabama.
Burleson, Omar, Texas.
Burlison, Bill D., Missouri.
Cabell, Earle, Texas.
Camp, John M. Happy, Oklahoma.
Carney, Charles J., Ohio.
Cederberg, Elford, Michigan.
Casey, Bob, Texas.
Chamberlain, Charles, Michigan.
Chisholm, Shirley, New York.
Clark, Frank M., Pennsylvania.
Clausen, Don H., California.
Cleveland, James, New Hampshire.
Collier, Harold R., Illinois.
Collins, George W., Illinois.
Collins, James M., Texas.
Corbett, Robert J., Pennsylvania.
Coughlin, R. Lawrence, Pennsylvania.
Crane, Philip M., Illinois.
Davis, John W., Georgia.
Dellenback, John, Oregon.
Denholm, Frank E., South Dakota.
Dennis, David W., Indiana.
Dent, John H., Pennsylvania.
Derwinski, Edward J., Illinois.
Devine, Samuel L., Ohio.
Dickinson, William L., Alabama.
Diggs, Charles C., Michigan.
Dingell, John D., Michigan.
Donohue, Harold D., Massachusetts.
Dorn, Wm. Jennings Bryan, South Carolina.
Dowdy, John, Texas.
Downing, Thomas N., Virginia.
Duncan, John J., Tennessee.
Edwards, Edwin W., Louisiana.
Eilberg, Joshua, Pennsylvania.
Eshleman, Edwin D., Pennsylvania.
Evans, Frank E., Colorado.
Fascell, Dante B., Florida.
Fish, Hamilton, Jr., New York.
Fisher, O. C., Texas.
Flood, Daniel J., Pennsylvania.
Flowers, Walter, Alabama.
Ford, Gerald R., Michigan.
Ford, William D., Michigan.
Forsythe, Edwin B., New Jersey.
Fountain, L. H., North Carolina.
Frelinghuysen, Peter H. B., New Jersey.
Frenzel, Bill, Minnesota.
Fulton, Richard, Tennessee.
Gaydos, Joseph M., Pennsylvania.
Gibbons, Sam, Florida.
Gonzalez, Henry B., Texas.
Grasso, Ella T., Connecticut.
Griffin, Charles H., Mississippi.
Gubser, Charles S., California.
Gude, Gilbert, Maryland.
Hagan, G. Elliott, Georgia.
Halpern, Seymour, New York.
Hammerschmidt, John Paul, Arkansas.
Hanley, James M., New York.
Hastings, James F., New York.
Hathaway, William D., Maine.
Hawkins, Augustus F., California.
Hays, Wayne L., Ohio.
Helstoski, Henry, New Jersey.
Henderson, David, North Carolina.
Hicks, Floyd, Washington.
Hicks, Louise Day, Massachusetts.
Hillis, Elwood, Indiana.
Hogan, Lawrence J., Maryland.
Holifield, Chet, California.
Horton, Frank, New York.
Hosmer, Craig, California.
Howard, James J., New Jersey.
Hull, W. R., Jr., Missouri.
Hutchinson, Edward, Michigan.
Hunt, John E., New Jersey.
Ichord, Richard, Missouri.
Johnson, Albert W., Pennsylvania.
Johnson, Harold J., California.
Jones, Ed, Tennessee.
Jones, Walter B., North Carolina.
Kee, James, West Virginia.
Keith, Hastings, Massachusetts.
King, Carleton, New York.
Kuykendall, Dan, Tennessee.
Kyros, Peter, Maine.
Long, Speedy O., Louisiana.
Lujan, Manuel, Jr., New Mexico.
McClure, James A., Idaho.
McCollister, John Y., Nebraska.
McDade, Joseph M., Pennsylvania.
McDonald, Jack H., Michigan.
McEwen, Robert C., New York.
McKinney, Stewart B., Connecticut.
Mahon, George H., Texas.
Mann, James R., South Carolina.
Mathias, Robert, California.
Mathis, Dawson, Georgia.
Mayne, Wiley, Iowa.
Meeds, Lloyd, Washington.
Melcher, John, Montana.
Michel, Robert H., Illinois.
Miller, Clarence E., Ohio.
Miller, George P., California.
Minish, Joseph G., New Jersey.
Mizell, Wilmer, North Carolina.
Montgomery, G. V., Mississippi.
Moorhead, William S., Pennsylvania.
Morse, F. Bradford, Massachusetts.
Murphy, John M., New York.
Myers, John T., Indiana.
Nedzi, Lucien N., Michigan.
Nelsen, Ancher, Michigan.
Nichols, Bill, Alabama.
O'Hara, James, Michigan.
O'Konski, Alvin E., Wisconsin.
Passman, Otto E., Louisiana.
Patten, Edward J., New Jersey.
Pelly, Thomas M., Washington.
Pepper, Claude, Florida.
Peyser, Peter A., New York.
Pike, Otis G., New York.
Poage, W. R., Texas.
Podell, Bertram L., New York.
Powell, Walter E., Ohio.
Preyer, Richardson, North Carolina.
Price, Robert, Texas.
Pryor, David, Arkansas.
Pucinski, Roman C., Illinois.
Rarick, John R., Louisiana.
Rees, Thomas M., California.
Rhodes, John J., Arizona.
Robinson, J. Kenneth, Virginia.
Roe, Robert A., New Jersey.
Rogers, Paul G., Florida.
Rostenkowski, Dan, Illinois.
Rousselot, John H., California.
Ruppe, Philip E., Michigan.
St Germain, Fernand J., Rhode Island.
Scheuer, James H., New York.
Scott, William Lloyd, Virginia.
Sebelius, Keith G., Kansas.
Sikes, Robert L. F., Florida.
Slack, John M., West Virginia.
Smith, Henry R., New York.
Spence, Floyd, South Carolina.
Springer, William L., Illinois.
Staggers, Harley O., West Virginia.
Stanton, J. William, Ohio.
Stanton, James V., Ohio.
Steiger, William A., Wisconsin.
Stubblefield, Frank A., Kentucky.
Terry, John H., New York.
Thompson, Fletcher, Georgia.
Thomson, Vernon W., Wisconsin.
Thone, Charles, Nebraska.
Tiernan, Robert O., Rhode Island.
Veysey, Victor V., California.
Vigorito, Joseph P., Pennsylvania.
Waldie, Jerome R., California.
Ware, John, Pennsylvania.
Whalley, J. Irving, Pennsylvania.
White, Richard C., Texas.
Whitehurst, G. William, Virginia.
Whitten, Jamie L., Mississippi.
Widnall, William B., New Jersey.
Wiggins, Charles E., California.
Williams, Lawrence G., Pennsylvania.
Wilson, Charles H., California.
Winn, Larry, Jr., Kansas.
Wolff, Lester, New York.
Wright, Jim, Texas.
Wyatt, Wendell, Oregon.
Wydler, John W., New York.
Yatron, Gus, Pennsylvania.
Young, C. W. (Bill), Florida.
Zion, Roger H., Indiana.
Byron, Goodloe E., Maryland.
Reid, Charlotte Mrs., Illinois.
Ullman, Al, Oregon.
Steele, Robert H., Connecticut.
Anderson, John B., Illinois.

Mr. VEYSEY. Mr. Speaker, today I am joining with 225 of my colleagues in a vigorous protest of the treatment of U.S. servicemen held prisoner by North Vietnam and the Vietcong.

In 1949, the Geneva Convention Relative to the Treatment of Prisoners of War was promulgated. It was ratified by the United States in 1955, and acceded to by North Vietnam in 1957.

The Communists claim the convention does not apply to the Americans they have captured in this war. The falseness of their scheme, however, was recently demonstrated when the 21st International Conference of the Red Cross—meeting in Istanbul—unanimously adopted a resolution completely rejecting North Vietnam's contention and calling on all parties to abide by the obligations set forth in the convention.

A summary of those obligations reads like an indictment of the Government of North Vietnam.

The convention binds its signatories to: First, identify prisoners they hold within a week of capture; second, allow periodic, impartial inspection of prison facilities; third, release, immediately, seriously injured or ill prisoners; and, fourth, permit free exchange of mail between families and prisoners.

Article XIII of the treaty is fundamental. It provides:

> Prisoners of war must at all times be humanely treated. Any unlawful act by the Detaining Power causing death or seriously endangering the health of a prisoner of war in custody is prohibited and will be regarded as a serious breech of the present Convention . . .
>
> Likewise, prisoners of war must at all times be protected, particularly against acts of violence or intimidation and against insults and public curiosity.

The record of the North Vietnamese under their commitment is unacceptable. In the first 5 years of the war, the Communists have released only nine prisoners. From these men, and from those who have escaped, comes a harrowing story of physical torture, psychological terror, public display and humiliation, insufficient medical care, neglect of sanitary necessities, prohibition of correspondence with families, political exploitation, and forced participation in propaganda exercises.

Meanwhile at home, families have been forced to suffer the torture of not know-

ing whether their sons, husbands or brothers were dead or alive. At least four families in my own congressional district have been inhumanely tortured by the blatant disregard of the North Vietnamese for their commitment under the convention.

The one hopeful sign has been the apparent sensitivity of the North Vietnamese to world opinion on this issue.

I am pleased that so many of my colleagues in both parties are today adding to this outcry by protesting the inhuman treatment of American prisoners by the North Vietnamese.

I am informed that the Secretary of State will formally convey this resolution to the Representatives of the North Vietnamese in Paris.

Mr. Speaker, last week I introduced the first resolution of my congressional career. It authorizes the President to declare the week of March 21–27 as "National Week of Concern for Prisoners of War/Missing in Action." Today I urge my colleagues to join me in further denouncing the cruel and barbarous treatment of the North Vietnamese toward American prisoners of war.

Mr. PICKLE. Mr. Speaker, I am proud to join many of my colleagues today in support of a resolution requesting the Government of North Vietnam and their Liberation Front allies in South Vietnam, Laos, and Cambodia to abide by the accords of the Geneva Convention in their treatment of Americans they hold as prisoners of war.

This resolution is being introduced by the Honorable RAY BLANTON of Tennessee. I salute the Congressman for his leadership, and I salute my many colleagues who have joined in this effort.

I am sure that many of us here in this Chamber have wives and families of POW's in their own districts. The plight of these families is not only tragic, it is inexcusable, because it is unnecessary. The things we ask for are not difficult or expensive requests and they are humane requests. We ask that these powers who hold our men prisoners identify the men they hold, permit impartial inspection of their POW camps, release prisoners who are seriously ill or injured, and permit the free flow of mail between prisoners and their families.

The North Vietnamese have no political, no economic, and no military gains to expect from holding these men. Let us hope that they will soon realize this. I emphatically support every effort made to bring this point home to the North Vietnamese, and I will continue to do so until they discontinue this senseless and inhuman practice.

GENERAL LEAVE

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks on the subject of my remarks with relation to prisoners of war.

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

There was no objection.

AMENDING THE LONGSHOREMEN'S AND HARBOR WORKERS' COMPENSATION ACT

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

Mr. QUIE. Mr. Speaker, I introduce a bill to amend the Longshoremen's and Harbor Workers' Compensation Act and ask that it be appropriately referred. This bill implements the administration's proposals in this area which are contained in a message transmitted to the Speaker of the House of Representatives by the Secretary of Labor.

One of the primary objectives of these amendments is to break the circular liability chain which has involved longshoremen, shipowners, and stevedoring companies in costly and unnecessary litigation. This complex situation is peculiar to the longshore industry and deserves a moment of explanation so that the need for the present amendments will be fully appreciated.

The Longshore Act now provides that the liability of an employer for an injury to an employee under its provisions shall be his exclusive liability on account of such injury. However, the current state of admiralty law has frequently made this provision ineffective. The typical situation arises when a longshoreman employed by a stevedoring company is injured while working onboard a vessel. The cases often allow the longshoreman to recover both from the stevedoring company under the Longshore Act, and from the shipowner under his warranty of seaworthiness. This warranty makes the shipowner responsible, regardless of fault, for injuries caused by shipboard hazards. The circle of liabilty is completed by another court-made doctrine, which generally allows a shipowner who has been held liable for an injury to a longshoreman to obtain indemnification from the stevedoring company which employs him. The courts have also held that where the shipowner employs longshoremen directly, the exclusive remedy provisions of the Longshore Act do not bar suits predicated on the warranty of seaworthiness. While recoveries against shipowners are offset against compensation payments under the act, the present system promotes needless and expensive litigation for both shipowners and Longshore Act employers. During fiscal year 1968, 14,464 employees covered by the Longshore Act received compensation. In the same year, 1,320 cases were filed by Longshore Act employees in U.S. district courts seeking recovery from shipowners.

These amendments seek to reinstate the exclusive liability principle of the Longshore Act.

A second primary objective of these amendments is to upgrade the level of compensation benefits available under the Longshore Act. Since the present $70 weekly maximum was put in effect in 1961, the average weekly earnings of longshoremen have increased approximately 50 percent. These amendments would increase the maximum weekly compensation to $119 and raise the minimum weekly compensation for total disability from $18 to $35. They would also make a proportionate increase in the overall maximum for temporary total and partial disability from present level of $24,000 to $40,800.

The Longshore Act also serves as the general workmen's compensation legislation for the District of Columbia. The average weekly wage in the District is substantially lower than that for longshoremen. Accordingly, the amendments provide a lower maximum weekly compensation of $85 and set the overall maximum for temporary total or partial disability at $29,160 for the District. I understand that proposed legislation is forthcoming which would create a separate workmen's compensation act for the District. The portions of these amendments dealing specifically with the District will serve to provide improved benefits until the separate legislation can be considered.

These amendments also make several other changes, liberalizing various provisions of the act. The act's statute of limitations is modified increasing its period and allowing for the later development of a disability resulting from an employment injury. The period of continued disability required to avoid a waiting period is reduced. The amendments increase the level of survivor's benefits and allow a surviving child to continue to receive benefits after age 18 if he is in a student status as defined by the bill. They also make more definite the second injury provisions of the act and provide additional revenue for the "special fund" for second injuries. Both these provisions are intended to promote employment of the handicapped.

In my opinion this is excellent legislation which should be enacted during this session of Congress.

Mr. Speaker, I include the bill together with an explanatory statement and a section-by-section analysis in the RECORD:

H.R. 3505

A bill to amend the Longshoremen's and Harbor Workers' Compensation Act to improve its benefits, and for other purposes

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

DEFINITIONS

SEC. 1. (a) Section 2(4) of the Longshoremen's and Harbor Workers' Compensation Act (44 Stat. 1424, as amended) is amended to read as follows:

"(4) The term 'employer' means an employer any of whose employees are employed in maritime employment, in whole or in part, upon the navigable waters of the United States (including any drydock), and includes any vessel as defined herein."

(b) Section 2 of such Act is amended by renumbering paragraph (19) as (20), and adding a new paragraph (19) to read as follows:

"(19) The term 'vessel' means any vessel upon which or in connection with which any person entitled to benefits under this Act suffers injury or death arising out of or in the course of his employment, and said vessel's owner, owner pro hac vice, agent, operator, charterer or bare boat charterer, master, officer or crew member."

LIABILITY FOR COMPENSATION

SEC. 2. Section 4(a) of such Act is amended to read as follows:

"Every employer shall be liable for and shall secure the payment to his employees of the compensation payable under sections 7, 8, and 9 of this Act: Except, That a vessel shall be liable for and shall secure the payment of compensation only if another employer of the employee entitled to benefits hereunder does not secure the payment of such compensation. Where one or another employer, as defined herein, has secured compensation, such compensation shall, be the exclusive remedy against any employer. In the case of an employer who is a subcontractor, the contractor shall be liable for and shall secure the payment of such compensation to employees of the subcontractor unless the subcontractor has secured such payment."

TIME FOR COMMENCEMENT OF COMPENSATION

SEC. 3. Section 6(a) of such Act is amended by striking "more than twenty-eight days" and substituting "more than twenty-one days."

INCREASES IN MAXIMUM AND MINIMUM LIMITS OF DISABILITY COMPENSATION AND ALLOWANCE

SEC. 4(a) Section 6(b) of such Act is amended to read as follows:

"Compensation for disability shall not exceed $119 a week and compensation for total disability shall not be less than $35 per week: *Provided, however,* That if the employee's average weekly wages, as computed under section 10, are less than $35 per week, he shall receive as compensation for total disability his average weekly wages."

(b) Section 14(m) of such Act is amended by striking "$24,000" and substituting "$40,800."

DISFIGUREMENTS

SEC. 5. Section 8(c)(20) of such Act is amended to read as follows:

"(20) Disfigurement: Proper and equitable compensation, not to exceed $3,500, shall be awarded for serious disfigurement: (1) of the face, head, or neck; or (2) of other areas normally exposed while employed and which handicap the employee in securing or maintaining employment."

INJURY FOLLOWING PREVIOUS IMPAIRMENT

SEC. 6. Strike section 8(f) of such Act and insert the following new section 8(f):

"(f) Injury increasing disability: If an employee receives an injury which of itself would cause only permanent partial disability, but which combined with a previous disability does in fact cause permanent total disability or death, in addition to compensation for temporary total or temporary partial disability or both, the employer shall:

(1) if the injury results in a disability which would entitle the employee to compensation for scheduled injuries under subdivison (c)(1) through (20) of this section, provide compensation as prescribed therein or for 104 weeks whichever is greater, or

(2) if the injury results in a disability which would entitle the employee to compensation under subdivision (c)(21) of this section or death, provide compensation for 104 weeks only. After cessation of the payments for the period of weeks provided for herein, the employee or his survivor entitled to benefits shall be paid the remainder of the compensation that would be due for permanent total disability or for death out of the special fund established in section 44."

STUDENT BENEFITS

SEC. 7. (a) Section 2 of such Act is further amended as follows:

(1) In paragraph (14) insert "(1)" in the fourth sentence between "are" and "under"; delete the period after "disability" at the end of the sentence; and add ", or (2) are students as defined in paragraph (21) of this section."

(2) Add a new paragraph (21) to read as follows:

"(21) The term 'student' means a person regularly pursuing a full-time course of study or training at an institution which is—

"(A) a school or college or university operated or directly supported by the United States or by a State or local government or political subdivision thereof, or

"(B) a school or college or university which has been accredited by a State or by a State-recognized or nationally recognized accrediting agency or body, or

"(C) a school or college or university not so accredited but whose credits are accepted, on transfer, by not less than three institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited, or

"(D) an additional type of educational or training institution as defined by the Secretary,

but not after he reaches the age of twenty-three or has completed four years of education beyond the high school level, except that, where his twenty-third birthday occurs during a semester or other enrollment period, he shall continue to be considered a student until the end of such semester or other enrollment period. A child shall not be deemed to have ceased to be a student during any interim between school years if the interim does not exceed five months and if he shows to the satisfaction of the deputy commissioner that he has a bona fide intention of continuing to pursue a full-time course of education or training during the semester or other enrollment period immediately following the interim or during periods of reasonable duration which, in the judgment of the deputy commissioner, he is prevented by factors beyond his control from pursuing his education. A child shall not be deemed to be a student under this Act during a period of service in the Armed Forces of the United States or while receiving educational or training benefits under any other program authorized by the Congress of the United States."

(b) Section 8(d) of such Act is amended by striking the words "under the age of eighteen years" in paragraphs (1), (2) and (4) thereof.

INCREASE IN DEATH BENEFITS

SEC. 8(a) Sections 9(b) and (c) of such Act are amended by striking "35" wherever it appears, and substituting "45".

(b) Section 9(d) of such Act is amended by striking out "15" and substituting "20".

(c) Section 9(e) of such Act is amended to read as follows:

"In computing death benefits the average weekly wages of the deceased shall be considered to have been not more than $178.50, nor less than $52.50, but the total weekly compensation shall not exceed the weekly wages of the deceased."

(d) Section 9(g) of such Act is amended by striking the comma after "may" and the words "at his option or upon the application of the insurance carrier shall" and "one-half of".

DEFENSE BASE ACT DEATH BENEFITS TO ALIEN AND NONNATIONAL SURVIVORS

SEC. 9. Section 2(b) of the Defense Base Act (55 Stat. 622), as amended, is amended by striking the comma after "may" and the words "at his option or upon the application of the insurance carrier shall" and "one-half of".

TIME FOR NOTICE AND CLAIMS

SEC. 10. (a) Section 12(a) of the Longshoremen's and Harbor Workers' Compensation Act is amended to read as follows:

"(a) Notice of an injury or death in respect of which compensation is payable under this Act shall be given within sixty days after the date of such injury or death, or sixty days after the employee or beneficiary is aware or in the exercise of reasonable diligence should have been aware of a relationship between the injury or death and the employment. Such notice shall be given (1) to the deputy commissioner in the compensation district in which the injury occurred and (2) to the employer."

(b) Section 13 (a) of such Act is amended to read as follows:

"(a) Except as otherwise provided in this section, the right to compensation for disability or death under this Act shall be barred unless a claim therefor is filed within one year after the injury or death. If payment of compensation has been made without an award on account of such injury or death a claim may be filed within one year after the date of the last payment. Such claim shall be filed with the deputy commissioner in the compensation district in which such injury or such death occurred. The time for filing a claim shall not begin to run until the employee or beneficiary is aware, or by the exercise of reasonable diligence should have been aware, of the relationship between the injury or death and the employment."

SPECIAL FUND

SEC. 11(a) Section 8(d) of such Act is amended to read as follows:

(d) Any compensation to which any claimant would be entitled under subdivision (c) of this section excepting subdivision (c-21) shall be payable upon his death without surviving wife, dependent husband, or child, into the special fund established under section 44(a) of this Act. Where there are survivors if death arises from causes other than the injury such compensation shall be payable to or for the benefit of the persons following:"

(b) Section 44(c)(1) of such Act is amended by striking out "$1,000" and substituting "$20,000".

DISTRICT OF COLUMBIA WORKMAN'S COMPENSATION ACT

SEC. 12. Section 1 of the Act of May 17, 1928, as amended (45 Stat. 600), extending the Longshoremen's and Harbor Workers' Compensation Act to the District of Columbia, is amended to read as follows:

"(a) The provisions of the Longshoremen's and Harbor Workers' Compensation Act and all amendments thereto, except as indicated in subsections (b), (c) and (d) hereof, shall apply in respect to the injury or death of an employee carrying on any employment in the District of Columbia, irrespective of the place where the injury or death occurs, except that in applying such provisions the term 'employer' shall be held to mean every person carrying out any employment in the District of Columbia, and the term 'employee' shall be held to mean every employee of any such person.

"(b) Compensation for disability and for death benefits in the District of Columbia shall not exceed $85 a week.

"(c) The total money allowance payable to an employee in the District of Columbia under section 14(m) of the Longshoremen's and Harbor Workers' Compensation Act shall in no event exceed the aggregate of $29,160.

"(d) In computing death benefits in the District of Columbia the average weekly wages of the deceased shall be considered to have been no more than $127.50."

APPROPRIATION

SEC. 13. Section 46 of such Act is amended to read as follows:

"(a) There are authorized to be appropriated for the current fiscal year and for each succeeding fiscal year such sums, to be deposited in the administration fund established under section 45 of this Act, as may be necessary for the administration of the Act.

"(b) There are also authorized to be appropriated for the current fiscal year and for each succeeding fiscal year, such supplementary funds, to be deposited in the special fund established under section 44 of this Act, as may be necessary to meet the obligations incurred under the authority of that section."

TECHNICAL AMENDMENT

SEC. 14. Section 3(a)(1) of such Act is amended by striking out the word "nor" and substituting the word "or".

EFFECTIVE DATE

SEC. 15(a). The amendments made by sections 1 and 2 shall become effective thirty days after enactment.

(b) The amendments made by sections 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 shall become effective six (6) months after the date of enactment and said amendments shall relate only to injuries and deaths occurring after the effective date.

STATEMENT IN EXPLANATION OF A BILL TO AMEND THE LONGSHOREMEN'S AND HARBOR WORKERS' COMPENSATION ACT

INTRODUCTION

The purpose of this bill is to improve the Longshoremen's and Harbor Workers' Compensation Act by increasing benefits, liberalizing certain provisions of the Act, and removing the dual liability of stevedore and ship repair contractors for employment injuries to employees covered by the Act. At the present time, these employers are liable for compensation required by the Act and may also be liable for reimbursement to shipowners of amounts paid in damages by the shipowners to the same employees for the same injuries.

A comparatively small number of employees now recovers substantial damages for their employment injuries from shipowners which must be ultimately paid by the Longshore Act employer, while the benefits under the Act, which the great majority of employees depend on for income when disabled, are inadequate and out of date. The proposal combines provisions to break the circular liability chain and significantly improve benefits.

CIRCULAR LIABILITY CHAIN—LONGSHOREMEN V. SHIPOWNERS V. STEVEDORES

The initial point for consideration in the present circular liability chain which exists with respect to the Longshore Act is that the Act explicitly states that the liability of the employer for damages for injury or death resulting from employment of employees covered by it shall be *exclusive*.

The Longshore Act covers approximately 266,000 longshoremen and harbor workers. Of this number, 14,464 receiver workmen's compensation at some time during fiscal year 1968. In that same fiscal year, 1,320 cases were filed by Longshore Act employees in the U.S. district courts against third-party shipowners for damages for employment injuries.

Beginning in 1946 the courts established the principle that a shipowner owes an absolute warranty for seaworthiness to Longshore Act employees. This warranty has no relation to negligence and, under the decisions, makes a shipowner a virtual insurer for any employment injury which befalls a longshoreman, ship repairman or harbor worker aboard ship.

Under existing principles also formulated by the courts and first stated in 1955, the Longshore Act employer is liable to reimburse the shipowner for recoveries by Longshore Act employees for injuries for which the employer stands primarily liable under the Act. Since election between receiving compensation from an employer and bringing suit against a shipowner for the same injury is not required, the same employees are involved in an unknown number of both claim and litigation cases. Recoveries made by employees against shipowners, however, are offset against compensation payments under the Act. The courts in 1963 began applying the new principle that a shipowner employing longshoremen directly to unload his ship (acting as his own stevedore), is subject to damage suits by the longshoremen for employment injury, despite the fact that the shipowner is an employer under the Longshore Act.

The provisions of this bill relating to the circular and enhanced liability of Longshore Act employers are intended to reinstate the exclusive liability principle of the Act.

INCREASE OF PRESENT MAXIMUM AND MINIMUM COMPENSATION

The existing minimum disability compensation payment of $18 weekly was established in 1956 and the existing maximum payment of $70 weekly was established in 1961. In the interim from 1961 to September 1970, the average weekly wage in ship and boat building and repair has increased by 35%.

We estimate that in 1970 most longshoremen were earning nearly $200 a week. The base rate under union contracts was $4.60 an hour on the east coast and gulf coast and averaged $4.81 an hour on the west coast for a standard 8-hour day (including a guarantee of 2 hours overtime daily). In the Great Lakes the basic rate was $4.02 an hour, increasing to $4.37 an hour in 1971. The 1970 rates for the west coast became effective in June 1970, for the east and gulf coasts in October 1970, and April for the Great Lakes.

In 1961, when the present $70 weekly maximum was put into effect, the average earnings of a longshoreman working a 40-hour week, handling general cargo, were $129.60 on the west coast. In 1970, the comparable figure was $192.60, an increase of 49%. The weekly earnings in 1970, again assuming a 40-hour week and using the general cargo rate, was $184.00 in most east and gulf coast ports and $160.80 on the Great Lakes. These earnings represent increases over 1961 of more than 50%. It should be noted, however, that these calculations are made on basic general cargo rates. Most workers earned considerably more because of penalty cargo rates paid for handling certain types of cargo and for different working conditions.

In view of the above facts, an increase in the maximum compensation under the Longshore Act to $119 a week is recommended.

In the District of Columbia, to which the Longshore Act applies, the average wage in 1969 was $138.81 and is estimated to have been $144 in 1970. Accordingly, a lower maximum of $85 is set for employment injuries in that jurisdiction and the overall maximum for temporary total and partial disability is set at $29,160. The $85 maximum would be in line with the higher of the two maximums currently prevailing in the States contiguous to the District ($62 in Virginia and $85 in Maryland). The Department of Labor supports legislation to create a separate compensation system for the District of Columbia. The provisions of this bill upgrading benefits for the District are intended only as a contingency proposal until separate legislation is enacted.

The minimum compensation would also be increased from $18 to $35 weekly to provide a totally disabled employee with sufficient funds to meet the cost of minimum subsistence. Employees whose wages do not exceed the new minimum are entitled to their entire wages free of the Act's percentage limitation otherwise applicable. With today's living costs it is evident that employees making less than $35 weekly would not be able to subsist on 66⅔ percent of their earnings.

The Act presently provides that temporary total and partial disability benefits may not exceed $24,000. An increase in this overall maximum proportionate to the increase in the weekly maximum is provided. The increase would be to $40,800 except in the District of Columbia.

INCREASE IN DEATH BENEFIT PERCENTAGES AND AUTHORIZATION OF STUDENT BENEFITS

The percentage of an employee's wage which may be drawn by a widow is increased from 35% to 45%, and of surviving grandchildren and sisters and brothers eligible for benefits, from 15% to 20%.

Further, surviving children in a student status, as defined by the bill, would be authorized to continue to receive benefits after reaching 18 years of age.

DISFIGUREMENT

The lump sum payment of $3,500 is extended to be paid for disfigurement of the neck, as well as of the face and head, and also of other normally exposed areas which would affect employability.

REDUCTION IN LENGTH OF DISIBILITY BEFORE ELIMINATION OF WAITING PERIOD AND EXTENSION NOTICE AND CLAIM TIME

Since 1956 the Act has provided that there must be a 3-day waiting period unless the disability continues for at least 28 days. The bill reduces the period to 21 days, after which compensation is payable for the waiting period. This improvement is in line with modern workmen's compensation law trends.

The Act now provides that notice of injury or death shall be given within 30 days and claim for compensation or death shall be filed within one year after the injury or death. These time limits do not take into consideration the later development of latent disability from a relatively minor accident, or disease causally related to the employment. The time for giving notice of injury and filing claim for compensation or death is, therefore, extended to 60 days after the employee or the beneficiary is aware, or in the exercise or reasonable diligence should have been aware, of a relationship between the disabling condition or the death and the employment.

SPECIAL FUNDS

Two special funds are established under the Act. One, is for employees covered by the Longshore Act and its extensions; and the other, for workers in the District of Columbia. The funds provide continuing compensation for permanently disabled workers, or their survivors, when so-called second injuries are suffered by employees with existing physical impairments. The special fund payments begin when payments attributable to the second injury have been completed by the employer or insurance carrier who is liable.

The funds also provide compensation payments when an employer becomes insolvent, and for expenses of vocational rehabilitation when necessary in certain cases, including a living allowance not to exceed $25 a week.

Financing of the funds is provided by fines and penalties collected under the Act, interest, and sums of $1,000 paid into the fund in non-survivor death cases. The Longshore Act fund is now in a precarious state. Annual disbursements are in excess of annual income and the outstanding liabilities against the fund exceed the amounts it contains.

In order to finance the Longshore special funds adequately, the bill requires that employers or insurance carriers in cases where an employee suffering employment injury dies and there is no eligible beneficiary pay into the funds any amounts remaining unpaid under a schedule award. It also increases from $1,000 to $20,000 the amount which must be contributed by employers or carriers into the funds in all cases where an employee dies from an employment injury and there is no eligible beneficiary. At present compensation levels,

the average compensation paid in fatal cases under the Longshore Act is $35,000. The contribution of $20,000, therefore, where the potential liability is so much greater appears reasonable.

In view of the length of time since improvements have been made in the compensation program under the Longshore Act early action is sought to provide income maintenance for injured employees within its terms in keeping with wages and other current economic factors.

SECTION-BY-SECTION SUMMARY OF BILL TO AMEND THE LONGSHOREMEN'S AND HARBOR WORKER'S COMPENSATION ACT

Section 1—*Definitions*—(a) Amends section 2(4) of the Act to extend the definition of "employer" to include "vessel."

(b) Amends section 2 of the Act by renumbering paragraph (20) and adding a new paragraph (19) to define "vessel."

Section 2—*Liability for Compensation*—Amends section 4 of the Act, requiring employers to secure compensation, to except vessels unless another employer of an employee entitled to benefits under the Longshore Act does not secure compensation. Provides further that when an employer, as defined under the Act, secures compensation, such compensation shall be the exclusive remedy against any employer.

Section 3—*Waiting Period*—Amends section 6(a) of the Act to permit payment of compensation without a waiting period when the disability exceeds 21 days. A three-day waiting period is now specified unless the disability exceeds 28 days.

Section 4 (a) and (b)—*Maximum and Minimum*—Amends section 6(b) of the Act to increase the maximum of $70 a week to $119 a week; the minimum from $18 to $35; and amends section 14(m) to increase the overall money limit for temporary and partial disability from $24,000 to $40,800.

Section 5—*Disfigurement*—Amends section 8(c)(20) of the Act to expand the meaning of compensable disfigurement to include, in addition to the face and head, disfigurement of neck, or of any other area normally exposed while employed which would handicap an employee in obtaining or holding employment.

Section 6—*Injury following previous impairment*—Amends section 8(f) to clarify and make definite the conditions under which an employer provides compensation for disability caused by subsequent injuries and thus to encourage employment of handicapped persons.

Section 7—*Student benefits*—(a) Amends section 2(14) of the Act to add "student" to definition of eligible "child" and adds a new paragraph (21) to define "student" for the purpose of continuing benefits to certain surviving dependents while they are in school.

(b) Amends section 8(d) to allow surviving dependents to receive benefits beyond 18 years of age if in a student status.

Section 8—*Death benefits*—(a) Amends section 9(b) and (c) of the Act to increase the death benefits to the surviving wife or dependent husband from 35 to 45 percent of the deceased employee's average wages.

(b) Amends section 9(d) to increase the death benefit for dependent grandchildren, brothers or sisters from 15 to 20 percent of such average wages.

(c) Amends section 9(e) to increase the maximum weekly wages for computation of death benefits from $105 to $178.50 and increases the minimum from $27 to $42.50.

(d) Amends section 9(g), which provides for the commutation of compensation benefits to certain aliens who are not residents of the United States or Canada. The section now requires the Secretary, upon application of an insurance company, to commute future installments of compensation to such aliens by paying one-half the commuted amount of future compensation. The amendment removes the requirement for commutation payments and permits the Secretary to commute in his discretion.

Section 9—*Defense Base Act—Benefits to Alien Survivors*—The Defense Base Act extends the benefits of the Longshoremen's and Harbor Workers' Compensation Act to employees of contractors at United States bases or on public works where such contracts are performed outside the continental United States. Section 2(b) of that Act respecting compensation payments for nonresident aliens is similar to section 9(g) of the Longshoremen's Act. This bill, therefore, amends section 2(b) of the Defense Base Act to conform to amendment to Longshore Act described in preceding section.

Section 10—*Time for Notice and Claim*—Amends section 12(a) to extend the time for giving notice of injury or death to the deputy commissioner and to the employer, from 30 days after the injury or death to 60 days after the employee or the beneficiary is aware or in the exercise of reasonable diligence should have been aware of a relationship between the injury or death and the employment.

(b) Amends section 13(a) to defer the time for filing a claim for compensation for injury or death in latent disability cases. The Act now provides that a claim must be filed within one year after the injury or death, or if payment of compensation has been made without an award a claim may be filed within one year after the date of the last payment. The amendment provides that the time for filing claim shall not begin to run until the employee or beneficiary is aware, or by the exercise of reasonable diligence should have been aware of the relationship between the injury or death and the employment.

Section 11—*Special Fund*—(a) Amends section 8(d) by providing for payment into the special fund, described in section 44(a) of the Act, of any disability compensation due to an employee under a scheduled award when he has no survivors.

(b) Amends section 44(c)(1) by substituting $20,000 for the $1,000 now required to be paid into the special fund by the employer or insurance carrier upon the death of an employee resulting from employment injury when there are no survivors.

Section 12—*D.C. Workmen's Compensation Act*—(a), (b) and (c) Provides that the maximum compensation rate in the District of Columbia under extension of the Longshore Act in (45 Stat. 600), will be $85 a week and the overall maximum in temporary or partial disability cases will be $29,160.

(d) Provides the basis for computing death benefits shall be considered to be no more than $127.50.

Section 13—*Appropriation*—Amends section 46, (a) to authorize appropriation of amounts necessary for administration of the Act, and (b) to authorize supplementary funds as necessary to meet obligations of the special fund under section 44 of the Act.

Section 14—*Technical Amendment*—Makes grammatical change of substituting "or" for "nor" in section 3(a)(1) of the Act.

Section 15—*Effective Date*—Provides for effective dates for different sections and that higher benefits and other related provisions shall apply only to injuries and deaths therefrom sustained after the effective date indicated.

AUTHORIZING PRINTING OF REVISED EDITION OF "HISTORY OF THE U.S. HOUSE OF REPRESENTATIVES"

Mr. DENT. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 92–3) on the concurrent resolution (H. Con. Res. 97) authorizing the printing of a revised edition of the publication entitled, "History of the U.S. House of Representatives," and ask for immediate consideration of the concurrent resolution.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 97

Resolved by the House of Representatives (the Senate concurring), That there be printed as a House Document a revised edition of the publication entitled "History of the United States House of Representatives", and that there be printed forty-three thousand nine hundred additional copies to be prorated to the Members of the House of Representatives for a period of sixty days, after which the unused balance shall revert to the House document room.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING PRINTING OF HEARINGS ENTITLED "ATTEMPTED DEFECTION BY LITHUANIAN SEAMAN, SIMAS KUDIRKA"

Mr. DENT. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 92–4) on the resolution (H. Res. 187) authorizing the printing of additional copies of the hearings entitled "Attempted Defection by Lithuanian Seaman, Simas Kudirka," and ask for immediate consideration of the resolution.

The Clerk read the resolution, as follows:

H. RES. 187

Resolved, That there be printed for the use of the House Committee on Foreign Affairs two thousand additional copies of its hearings before the Subcommittee on State Department Organization and Foreign Operations entitled "Attempted Defection by Lithuanian Seaman, Simas Kudirka".

The resolution was agreed to.

A motion to reconsider was laid on the table.

RELATING TO THE MINIMUM PER ANNUM GROSS RATE OF PAY WHICH BE PAID FROM THE CLERK HIRE ALLOWANCES OF MEMBERS OF THE HOUSE

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 92–5) on the resolution (H. Res. 189) relating to the minimum per annum gross rate of pay which may be paid from the clerk hire allowances of Members of the House, and ask for immediate consideration of the resolution.

The Clerk read the resolution, as follows:

H. RES. 189

Resolved, That, until otherwise provided by law and notwithstanding any other authority to the contrary, effective at the beginning of the first pay period commencing on or after the date of adoption of this resolution no person shall be paid from the clerk hire allowance of any Member of the House of Representatives, the Resident Commissioner from Puerto Rico, or the Delegate from the District of Columbia at a per annum gross rate of less than $1,200.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORITY TO DEAL WITH NATIONAL EMERGENCY LABOR DISPUTES IN THE TRANSPORTATION INDUSTRY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 92-43)

The SPEAKER laid before the House the following message from the President of the United States; which was read, referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed:

To the Congress of the United States:

Early in 1970, I proposed to the Congress a new approach for dealing with national emergency labor disputes in the transportation industry. The proposal was based upon my belief that existing law did not provide adequate remedies for settling such disputes, and thus failed to protect the national interest.

Today, I am again recommending that proposal, the Emergency Public Interest Protection Act. Events since the bill's first introduction have made its enactment even more urgent. I am hopeful that the Congress will give the proposal its prompt and favorable consideration—before there is another crisis in the transportation industry.

The bill I propose would give the President vital new authority to deal with national emergency disputes in the railroad, airline, maritime, longshore, and trucking industries.

First, the bill would abolish the emergency strike provisions of the Railway Labor Act—which now govern railroad and airline disputes—and make all transportation industries subject to the national emergency provisions of the Taft-Hartley Act.

Second, the bill would amend the Taft-Hartley Act to give the President three new options in the case of a national emergency dispute in a transportation industry, when that dispute is not settled within the eighty-day "cooling-off period" authorized by Taft-Hartley. Under those circumstances, if a strike or lockout should threaten or occur, and national health or safety continued to be endangered, the President could select any one of the following courses of action:

—He could extend the cooling-off period for as long as thirty days. This might be most useful if the President believed the dispute to be very close to settlement.

—He could empanel a special board to determine if partial operation of the industry were feasible and, if so, to set out the boundaries for such an operation. This alternative would allow a partial strike or lockout without endangering the national health or safety. It could not extend beyond 180 days.

—He could invoke a "final offer selection" alternative. Under this procedure, the final offers of each party would be submitted to a neutral panel. This panel would select, without alteration, the most reasonable of these offers as the final and binding contract to settle the dispute. Unlike arbitration, which too often merely splits the difference between the parties, and thereby encourages them to persist in unreasonable positions, this procedure would reward reasonableness and thereby facilitate negotiation and settlement.

Third, the bill would establish a National Special Industries Commission to conduct a two-year study of labor relations in industries which are particularly vulnerable to national emergency disputes.

Fourth, the bill would amend the Railway Labor Act to conform the management of labor relations under that Act to the practices prevalent in most other industries, including the encouragement of voluntary settlement of grievances by overhauling the existing grievance procedures.

The urgency of this matter should require no new emphasis by anyone; the critical nature of it should be clear to all. But if emphasis is necessary, we need only remember that barely two months ago the nation was brought to the brink of a crippling railroad shutdown, the strike being averted only by legislation passed after a walkout had actually begun. That legislation, we should also remember, settled little; it merely postponed the strike deadline. A few weeks from now another railroad strike over the same issues which precipitated the last one is a distinct possibility.

I believe we must face up to this problem, and face up to it now, before events overtake us and while reasoned consideration is still possible.

Time and again, as the nation has suffered major disruptions from a transportation shutdown, voices have been raised on all sides declaring emphatically that this must not happen again—that better laws are needed to protect the public interest, and that the time to enact those laws is before, not after, the next crippling emergency. But with the same regularity, as each emergency in turn has passed the voices have subsided—until the next time. So nothing has been done, and emergency has followed emergency, at incalculable cost to millions of innocent bystanders and to the nation itself.

The legislation I propose today would establish a framework for settling emergency transportation disputes in a reasonable and orderly fashion, fair to the parties and without the shattering impact on the public of a transportation shutdown. I urge that this time we not wait for the next emergency, but rather join together in acting upon it now.

RICHARD NIXON.

THE WHITE HOUSE, *February 3, 1971.*

NATIONAL EMERGENCY LABOR DISPUTES IN THE TRANSPORTATION INDUSTRY

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

Mr. GERALD R. FORD. Mr. Speaker, it is time for a showdown. It is time the Congress quit running away from the question of what to do about national emergency labor disputes in the transportation industry.

The President has again sent the Congress his proposed Emergency Public Interest Protection Act, which would bring the railroads and airlines under the Taft-Hartley Act and amend Taft-Hartley to give the President three additional options for handling national emergency labor disputes in transportation.

It is possible that none of us agrees word for word with the language of the legislation being proposed by the President to deal with this pressing national problem. But it is incumbent upon the Congress to give the President's proposal a hearing and to formulate a solution.

It is a shameful shirking of responsibility for the Congress to avoid coming to grips with the critical need for improving the Federal machinery for handling labor disputes affecting transportation.

Action is needed—and now. The threat of another railroad strike in the space of just a few weeks points up the urgency of the situation. The American people should not stand for continued delay.

CHARGES OF LIEUTENANT FONT REGARDING CONDITIONS AT FORT MEADE

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

Mr. MITCHELL. Mr. Speaker, I shall try to be as brief as possible, but the incidents I have to relate to this body frighten me, and I am sure wi'l frighten other Members as well.

On January 19 of this year, it was brought to my attention that there existed an Army medical report which described certain barracks in use on the Fort Meade Army base as "not suitable for human habitation." At the same time, I learned that 85 men and their executive officer had written and signed statements revealing that, first, the conditions were longstanding in nature; second, that numerous complaints had been made to the proper authorities; and, third, that nothing had been done to correct the situation.

Since the problems were immediate in nature—men forced to live through the coldest months of the year without hot water or heat—I quickly called for an investigation of these charges. It was the sort of situation that had to be corrected without delay or redtape.

The authorities at Fort Meade have concurred with me that indeed the conditions existed. On January 25 of this year, I was able to personally inspect the barracks in question, and to confirm that the Army had improved their conditions since my call for action. Though not perfect, the barracks, at the time of my inspection, were at an acceptable standard for habitation. I enjoin the Army to maintain them at this level.

I have given you this information as a background to what I am now going to say. Lieutenant Font, the man who brought me this information, was, therefore, extremely instrumental in improving the living conditions of several hundred men on Fort Meade post. Lieutenant Font graduated from West Point. In his capacity as a barracks inspector

Lieutenant Font repeatedly made his superiors aware of the conditions in these barracks. Only when his reports were ignored completely, and the weather necessitated immediate action, did he bring his reports to me.

The day after Lieutenant Font had his conversation with me, he alleges he was accosted by Maj. Gen. Richard O. Ciccolella in 1st Army Headquarters at Fort Meade. General Ciccolella first physically jostled Lieutenant Font, and then had him arrested for disobeying a direct order to leave the headquarters when Lieutenant Font did not exit speedily enough to satisfy the piqued general. Lieutenant Font was thereupon detained without benefit of counsel for 4 hours, and then was placed under restriction pending an investigation of allegations that General Ciccolella has preferred against him.

The investigation of the allegations against Lieutenant Font was conducted by Colonel Alexander, base commander at Fort Meade. At the time of my inspection of the barracks at the fort, I inquired of Colonel Alexander the status of the allegations against Lieutenant Font. Colonel Alexander assured me that the investigation of Lieutenant Font would be handled with complete impartiality, and that the initiation of an investigation of Lieutenant Font was in no way connected with his conversation with me.

Nevertheless, on January 29, Colonel Alexander officially preferred charges against Lieutenant Font. In point of fact, there were five specifications each dealing in one way or another with the incident in the 1st Army Headquarters. The maximum sentence that Lieutenant Font is now faced with, if he is convicted on all five specifications, is 25 years at hard labor.

It is impossible for me to ignore the sequence of events in this case. I cannot overlook the fact that Lieutenant Font was charged immediately after he came to me with information highly critical of certain facilities on the Fort Meade base. I am aware that Lieutenant Font is not popular with his superiors at Fort Meade because of his views on the war in Southeast Asia and because he has called for an inquiry into "U.S. war crimes" in Southeast Asia. I am apprehensive that these unpopular views played a part in determining the Army to bring charges against the lieutenant. I am more concerned that charges have been brought against Lieutenant Font as a punitive measure because of his conversation with me.

Lieutenant Font had every right to bring the existence of conditions on the Fort Meade base to my attention. If the charges brought against Lieutenant Font are, as I believe them to be, a form of vindictive harassment, then I must demand that they be dropped. We are all aware of the authoritarian aspects of the military, but we are all committed, I hope, to the protection of the basic human dignity and rights of army personnel. We cannot allow Lieutenant Font to become an example to be held up to other soldiers of what happens when they complain.

If the Army cannot stand criticism, if constructive protest is a phenomenon to be crushed ruthlessly and immediately, then what am I to tell the mothers and fathers of enlisted men in my district? How can I vote to continue the forceable drafting of young men into a military that denies them their basic rights as citizens? How can we hope to attract men to a volunteer force when they will be allowed no opportunity to express their grievances? Gentlemen, if we are the representatives of the people, then the people must have access to us. I cannot allow Lieutenant Font to be punished because he desired to talk to me.

Mr. Speaker, we are as responsible for what will happen to Lieutenant Font, as are the military authorities. I call at this time for an investigation of circumstances around the preferring of charges against Lieutenant Font. I ask that the investigation be conducted not by Font's immediate military superiors, but rather by the Office of the Secretary of the Army, Mr. Resor. I am confident that such an investigation will result in a dismissal of the charges against Lieutenant Font.

I feel a personal commitment to the cause of Lieutenant Font. It was to me that he came in an effort to help his fellow soldiers. Now he is the one who needs my help. I request that Mr. Resor commence his investigation immediately.

Mrs. ABZUG. Mr. Speaker, will the gentleman yield?

Mr. MITCHELL. I yield to the gentlewoman from New York.

Mrs. ABZUG. Mr. Speaker, I share the fear that the gentleman from Maryland (Mr. MITCHELL) is voicing concerning what appears to be a very serious example of military vindictiveness. In the case, as described by Congressman MITCHELL, we see once again public proof of the inability of the Army to cope with the truth—except by the use of reckless repression.

Lieutenant Font is a very highly conscientious man, and has provoked the Army only by reason of his exercising what I believe to be his fundamental constitutional rights. He is today physically restricted under exaggerated charges with the threat of long imprisonment because he dared to uncover and expose the deplorable living conditions imposed upon his fellow soldiers at Fort Meade.

But of even more concern is the implied connection between the Army's charges against Lieutenant Font, and Lieutenant Font's announced plans rightfully to request investigation of alleged Vietnam war crimes of his superior officers, General Seaman and General Koster.

It seems more than coincidental, and certainly less than justice that Lieutenant Font was charged on the same day that General Seaman dropped war crimes charges against General Koster. I support Mr. MITCHELL's demand for an investigation of this whole matter to be conducted personally by Secretary Resor. Only such an investigation can fairly determine the facts. In addition, however, I think what this raises is that none of us here in this Congress or the public at large can be satisfied until all the facts concerning Army justice and war crimes are brought before this body, and the public.

Mr. MITCHELL. Mr. Speaker, I thank the gentlewoman for her comments.

Mr. Speaker, I yield back the balance of my time.

H.R. 2631—TO PROHIBIT THE "HUNTING" OF WILDLIFE BY AIRBORNE HUMAN PREDATORS

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

Mr. SAYLOR. Mr. Speaker, last Friday, January 29, Congressman DAVID R. OBEY and I, along with a number of our colleagues, introduced a bill to prohibit the hunting of wildlife from an airplane. At the time of introduction, I inadvertently excluded the name of our colleague from Michigan, Congressman JACK H. MCDONALD, as a cosponsor for the proposed legislation. In order to correct that error, I have reintroduced the bill today with all the cosponsors listed.

Our bill would amend the Fish and Wildlife Act of 1956 to provide a criminal penalty for shooting at certain birds, fish, and other animals from an aircraft. I am sure our colleagues remember the dramatic television show "The Wolf Men" viewed nationally in December 1969. That program produced one of the greatest outpourings of public sentiment for a conservation bill that I have had the pleasure of witnessing in my years in Congress. With the public behind us, the House acted decisively. Hearings were held by the Subcommittee on Fisheries and Wildlife Conservation and the give-and-take was open and frank. Reports were received from the various agencies and the subcommittee and the Committee on Merchant Marine and Fisheries reported a bill to the House. This body unanimously passed H.R. 15199 early in 1970. Unfortunately, the bill languished in the other body and no action was taken thereon prior to the adjournment of the 91st Congress.

Congressman OBEY and I, unable to forget the horrors of the television program which showed human predators slaughtering wolves from airplanes, and recognizing the overwhelming interest of our colleagues in the House about this matter, agreed to reintroduce our bill in the 92d Congress. Coincidentally, at the beginning of this year, another television program was shown nationally where the same type of bloodthirsty activity was employed against other wildlife such as the polar bear. The program "Say Goodbye" is beginning to create the same sense of public revulsion as did "The Wolf Men."

Recognizing the number of Members who introduced companion bills last year, and thankful of the assistance and dedication of the members of the Subcommittee on Fisheries and Wildlife, Mr. OBEY and I asked a larger group to support our renewed efforts on behalf of all endangered species.

We know the concern of all our colleagues in the House with the dwindling population of wildlife and know of the universal desire to halt the despicable activity against endangered species practiced by a breed of subhumans who hunt

from airplanes. H.R. 2631 is reproduced below; we urge Members of the House to introduce companion bills:

H.R. 2631

A bill to amend the Fish and Wildlife Act of 1956 to provide a criminal penalty for shooting at certain birds, fish, and other animals from an aircraft

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Fish and Wildlife Act of 1956 is amended by adding at the end thereof the following new section:

"SEC. 12. (a) Any person who—

"(1) while airborne in an aircraft shoots or attempts to shoot for the purpose of capturing or killing any bird, fish, or other animal; or

"(2) uses an aircraft to harass any bird, fish, or other animal; or

"(3) knowingly participates in using an aircraft for any purpose referred to in paragraph (1) or (2); shall be fined not more than $5,000 or imprisoned not more than one year, or both.

"(b) This section shall not apply to any person in the discharge of his duties if such person is employed by, or is an authorized agent of, or is operating under license or permit of, any State or the United States to administer or protect or aid in the administration or protection of land, water, wildlife, or livestock: *Provided, however,* Except as provided by State law, nothing in this section shall prohibit the right of an individual to protect his own livestock from depredations by predatory animals.

"(c) As used in this section, the term 'aircraft' means any contrivance used for flight in the air."

SEC. 2. (a) Section 609 of the Federal Aviation Act of 1958 (49 U.S.C. 1429) is amended by inserting "(a)" immediately after "SEC. 609." and by adding at the end thereof the following new subsection:

"VIOLATION OF CERTAIN LAWS

"(b) The Administrator, in his discretion, may issue an order amending, modifying, suspending, or revoking any airman certificate upon conviction of the holder of such certificate of any violation of subsection (a) of section 12 of the Fish and Wildlife Act of 1956, regarding the use or operation of an aircraft."

(b) (1) Immediately after the section heading of such section 609, insert the following:

"PROCEDURE"

(2) That portion of the table of contents contained in the first section of the Federal Aviation Act of 1958 which appears under the side heading:

"Sec. 609. Amendment, suspension, and revocation of certificates."

is amended by adding the following:

"(a) Procedure.

"(b) Violation of certain laws."

SEC. 3. The amendments made by the first section of this Act shall take effect as of the thirtieth day after the date of enactment of such section.

REPORT ON REFUGEES

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

Mr. RODINO. Mr. Speaker, section 203(a)(7) of the Immigration and Nationality Act authorizes the conditional entry into the United States of 10,200 refugees annually who because of persecution or fear of persecution, or on account of race, religion, or political opinion, have fled from any communist-dominated country or from a country in the general area of the Middle East, or who are uprooted from their homes by natural calamity.

Furthermore, section 203(f) of the Immigration and Nationality Act requires the Attorney General to submit a report containing a complete and detailed statement of facts in the case of each alien conditionally entered pursuant to the above section. The reports must be submitted on or before January 15 and June 15 of each year. In accordance with this section of law, the following report summarizing the operation of the refugee section was referred to the Committee on the Judiciary.

In order that the House may be fully informed of the operation of section 203(a)(7) of the immigration, I wish to insert this report in the RECORD.

U.S. DEPARTMENT OF JUSTICE, IMMIGRATION AND NATURALIZATION SERVICE,

Washington, D.C., January 20, 1971.

SPEAKER OF THE HOUSE OF REPRESENTATIVES, *Washington, D.C.*

DEAR MR. SPEAKER: In compliance with Section 203(f) of the Immigration and Nationality Act, detailed reports of aliens who conditionally entered the United States during the six month period ending December 31, 1970 are furnished herewith. There are also furnished detailed reports on conditional entry applicants who were authorized for parole under Section 212(d)(5) of the Act during the latter part of fiscal year 1970 following exhaustion of conditional entry numbers, as set forth in report for the period ending June 30, 1970, and who arrived and were paroled into the United States during the period covered by this report.

Pursuant to agreements entered into with the governments of the countries concerned, officers of the Immigration and Naturalization Service have been accepting applications and examining the qualifications of applicants for conditional entry under Section 203(a)(7) of the Act in Austria, Belgium, France, Germany, Greece, Italy, and Lebanon. By letter dated October 2, 1970 the Secretary of State informed the Attorney General that the Hong Kong Government had agreed to the implementation of a conditional entry program, and that accordingly the list of countries in which applications for conditional entry of refugees are to be accepted should be amended by the addition of Hong Kong. After completion of preliminary arrangements, including necessary coordination with the Hong Kong Government, the conditional entry program was placed in operation and Service officers commenced accepting applications in Hong Kong on November 3, 1970.

At the beginning of the six month period covered by this report, July 1, 1970, there were pending 3,647 applications for conditional entry under Section 203(a)(7) of the Act, submitted by aliens in the seven countries in which the program was then in operation. During the period, an additional 7,016 applicants registered in these countries and, subsequent to November 3, 1970, in Hong Kong. During the six month period, 4,178 were approved for conditional entry, 2,102 were rejected or otherwise closed, and there were 4,383 applications pending on December 31, 1970.

The following reflects the activity in each of the countries in which applicants were examined during the period between July 1, 1970 and December 31, 1970.

Country	Applications pending June 30, 1970	Registrations received during period	Total	Found qualified	Rejected or otherwise closed	Pending Dec. 31, 1970
Austria	879	2,743	3,622	1,518	813	1,291
Belgium	42	30	72	10	26	36
France	689	348	1,037	186	390	461
Germany	663	711	1,374	451	509	414
Greece	30	45	75	45	9	21
Hong Kong	0	1,068	1,068	35	63	970
Italy	1,103	1,638	2,741	1,650	250	841
Lebanon	241	433	674	283	42	349
Total	3,647	7,016	10,663	4,178	2,102	4,383

The following listing shows the country of visa chargeability of the 4,178 aliens approved for conditional entry during the six month period (includes accompanying spouses and children):

Albania	74
Austria	15
Bulgaria	142
China	35
Cyprus	1
Czechoslovakia	648
France	16
Germany	5
Greece	8
Hungary	438
Iraq	16
Israel	4
Jordan	3
Kuwait	2
Lebanon	14
Libya	3
Netherlands	1
Poland	330
Rumania	346
Sudan	1
Syrian Arab Republic	49
Turkey	49
U.A.R. (Egypt)	203
United Kingdom	1
U.S.S.R.	93
Yugoslavia	1,681
Total	4,178

Established screening procedures resulted in the rejection of 1,088 applicants during the period, on the following grounds:

Ineligible	556
Security grounds	106
Criminal grounds	23
Medical reasons	11
Immorality	14
Undesirability	26
Resettled	25
Spouses and children of above principals	327
Total	1,088

During the six month period ending December 31, 1970, 1,222 aliens in the United States were accorded permanent resident status pursuant to the provisions of Section 203(a)(7) of the Immigration and Nationality Act.

Sincerely,

RAYMOND F. FARRELL,
Commissioner.

TEXTILES, FOOTWEAR, AND U.S. FOREIGN POLICY

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

Mr. MANN. Mr. Speaker, I am proud to introduce, today, the Textile and Footwear Import Quota Act of 1971. The bill is designed to limit imports from Japanese and other foreign manufacturers should negotiations between the Nixon administration and the Japanese continue to be unproductive of meaningful import restrictions.

I would like to call the attention of the House to an announcement which was released by the Saco-Lowell Division of the Maremont Corporation of Greenville and Easley, S.C. last week. It serves to make explicit the public disgrace of American workers being laid off because of the unfair competition from abroad in textiles which the United States presently is tolerating.

The press release from Saco-Lowell serves notice that many workers will now be laid off every second Friday for a period of at least 3 months. This could spell disaster for families already close to the line between financial means and living ends. Basically, this is the result of unfair competition from abroad. Cheap labor plants of Japan, Hong Kong, Korea and Taiwan—plants whose modernity and know-how were the fruits of aid and guidance from the United States—are now producing lower cost items than we can produce, and our domestic market is being swamped by them.

Nor is this all. The several support industries—the manufacturers of textile-producing machinery and so forth—are undergoing a severe depression due to such unfair foreign competition. It is a depression that well could spread to other, allied industries. The time to act is long past due. The President's campaign promise is getting overripe. It appears that Congress must act, but enthusiastic support by the White House is still required if a practical legislative solution is to be achieved.

Thus far our foreign policy has not seen fit to protect domestic producers, as it should. It must now begin to do so. The duty of the foreign policy of any country is to put the interests of that country first. We must now begin to do so with respect to our textile industry.

The announcement by Saco-Lowell follows:

SACO-LOWELL TO TEMPORARILY REDUCE WORK WEEK

EASLEY, S.C.—Saco-Lowell has announced that on alternate Fridays for the next three months, starting in February through April, they will be operating on a four-day week. This reduced schedule will apply to all manufacturing, sales, and service facilities. Provisions will be made, however, to provide critical services to customers on the days of shutdown which are scheduled to be February 5 and 19; March 5 and 19; and April 9 and 23.

It was noted that textile mills are still faced with a chaotic situation due to imports and legislation and are reluctant to extend themselves. This lack of clarification has created a depression for the machinery manufacturers in the United States, particularly in the areas of yarn preparation and weaving. Since there is little evidence of a quick turnaround, Saco-Lowell has found it necessary to adjust its work week accordingly.

TIME MAGAZINE HONORS PAUL E. MARTIN

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

Mr. CARNEY. Mr. Speaker, today I wish to recognize and pay tribute to a man in my congressional district.

During the latter part of January, Paul E. Martin, president of Martin Chevrolet in Warren, Ohio, received a plaque proclaiming him a Time Magazine Quality Dealer Honors Award winner for 1971, in ceremonies in San Francisco, Calif. Paul is also vice president of Al Thompson Chevrolet, in Hudson, Ohio.

Time magazine had selected 71 automobile dealers nationally for their Quality Dealer Award. From this list, they selected 13 finalists, one of which was Paul Martin. He was the only dealer in the country nominated for 2 years—1970 and 1971.

Mr. Speaker, I take pleasure in congratulating Time magazine on their selection and commend Mr. Paul E. Martin on receiving this award.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BARING (at the request of Mr. SISK), for today and February 4, 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. FRENZEL) and to revise and extend their remarks and include extraneous matter:)

Mr. PRICE of Texas, for 15 minutes, today.

Mr. SAYLOR, for 5 minutes, today.

(The following Members (at the request of Mr. BERGLAND) and to revise and extend their remarks and include extraneous matter:)

Mr. RARICK, for 15 minutes, today.
Mr. GONZALEZ, for 10 minutes today.
Mr. MINISH, for 10 minutes, today.
Mr. RODINO, for 10 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. FRENZEL) and to include extraneous matter:)

Mr. DEL CLAWSON.
Mr. STEIGER of Wisconsin.
Mr. PRICE of Texas in three instances.
Mr. GROSS.
Mr. SCHWENGEL.
Mr. THONE.

(The following Members (at the request of Mr. BERGLAND) and to include extraneous matter):

Mr. COTTER in five instances.
Mr. RARICK in three instances.
Mr. SCHEUER in two instances.
Mr. BOLLING in two instances.
Mr. MANN in 15 instances.
Mr. CARNEY in three instances.
Mr. PODELL in two instances.
Mr. RODINO in three instances.
Mr. LONG of Maryland.
Mr. HANNA in two instances.
Mr. GONZALEZ in two instances.
Mr. VANIK in two instances.
Mr. EVINS of Tennessee in two instances.
Mr. ROONEY of New York.
Mr. DENT.

ADJOURNMENT

Mr. BERGLAND. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 39 minutes p.m.) the House adjourned until tomorrow, Thursday, February 4, 1971, 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:

185. A letter from the Secretary of Agriculture, transmitting a report of the activities of the Rural Electrification Administration for fiscal year 1970; to the Committee on Agriculture.

186. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of amosite asbestos from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

187. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of chromium metal from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

188. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of diamond tools from the national stockpile; to the Committee on Armed Services.

189. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of iridium from the national stockpile; to the Committee on Armed Services.

190. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of manganese, battery grade, synthetic dioxide from the national stockpile; to the Committee on Armed Services.

191. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of metallurgical grade manganese from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

192. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of mica from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

193. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of quartz crystals from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

194. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize

the disposal of shellac from the national stockpile; to the Committee on Armed Services.

195. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of silicon carbide from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

196. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of thorium from the supplemental stockpile; to the Committee on Armed Services.

197. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of vegetable tannin extracts from the national stockpile; to the Committee on Armed Services.

198. A letter from the Director, Office of Management and Budget, Executive Office of the President, transmitting a draft of proposed legislation to extend the period within which the President may transmit to the Congress plans for reorganization of agencies of the executive branch of the Government; to the Committee on Government Operations.

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. DENT: Committee on House Administration. House Resolution 187. Resolution authorizing the printing of additional copies of the hearings entitled "Attempted Defection by Lithuanian Seaman, Simas Kudirka" (Rept. No. 92–4). Ordered to be printed.

Mr. DENT: Committee on House Administration. House Concurrent Resolution 97. Concurrent resolution authorizing the printing of a revised edition of the publication entitled "History of the United States House of Representatives", and for other purposes (Rept. No. 92–3). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Resolution 189. Resolution relating to the minimum per annum gross rate of pay which may be paid from the clerk hire allowances of Members of the House (Rept. No. 92–5). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 3482. A bill to amend title 5, United States Code, to permit a retired officer of a regular component of the uniformed services who holds a civilian position in the Government to receive the full pay of that position in addition to his retired or retirement pay, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BOLAND:

H.R. 3483. A bill to amend the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

By Mr. CEDERBERG:

H.R. 3484. A bill to safeguard the consumer by prohibiting the unsolicited distribution of credit cards and limiting the liability of consumers for the unauthorized use of credit cards, and for other purposes; to the Committee on Banking and Currency.

H.R. 3485. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 3486. A bill to prohibit the use of interstate facilities, including the mails, for the transportation of salacious advertising; to the Committee on the Judiciary.

H.R. 3487. A bill to prohibit the use of interstate facilities, including the mails, for the transportation of certain materials to minors; to the Committee on the Judiciary.

H.R. 3488. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. CHAMBERLAIN (for himself, Mr. BEVILL, Mr. BLACKBURN, Mr. BROYHILL of Virginia, Mr. BROYHILL of North Carolina, Mr. BURKE of Massachusetts, Mr. CAMP, Mr. COLLINS of Texas, Mr. CONTE, Mr. CORMAN, Mr. DANIEL of Virginia, Mr. DUNCAN, Mr. EVINS of Tennessee, Mrs. GRIFFITHS, Mr. HANSEN of Idaho, Mr. JOHNSON of Pennsylvania, Mr. MCCLORY, Mr. O'KONSKI, Mr. PETTIS, Mr. RARICK, Mr. SCHERLE, Mr. SCHMITZ, Mr. SCOTT, Mr. SHRIVER, and Mr. WILLIAMS):

H.R. 3489. A bill to provide a program of tax adjustment for small business and for persons engaged in small business; to the Committee on Ways and Means.

By Mr. DELANEY:

H.R. 3490. A bill to establish a National Cancer Authority in order to conquer cancer at the earliest possible date; to the Committee on Interstate and Foreign Commerce.

By Mr. DELLENBACK (for himself and Mrs. GREEN of Oregon):

H.R. 3491. A bill to create one additional permanent district judgeship in Oregon; to the Committee on the Judiciary.

By Mr. DENT (for himself, Mrs. GREEN of Oregon, and Mr. SAYLOR):

H.R. 3492. A bill to amend the Higher Education Act of 1965, as amended, and for other purposes; to the Committee on Education and Labor.

By Mr. EDWARDS of Alabama:

H.R. 3493. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

H.R. 3494. A bill to amend title 18, United States Code, to prohibit the sale of mailing lists used to disseminate through the mails materials harmful to persons under the age of 19 years; to the Committee on the Judiciary.

H.R. 3495. A bill to amend title 18 and title 28 of the United States Code with respect to the trial and review of criminal actions involving obscenity, and for other purposes; to the Committee on the Judiciary.

By Mr. HÉBERT (for himself and Mr. ARENDS):

H.R. 3496. A bill to amend title 37, United States Code, to make military pay more equitable and for other purposes; to the Committee on Armed Services.

H.R. 3497. A bill to amend chapter 7 of title 37, United States Code, to authorize reimbursement to members of the armed forces who are assigned to recruiting duties for expenses incurred in recruiting of personnel; to the Committee on Armed Services.

H.R. 3498. A bill to amend title 37, United States Code, to provide for the payment of an enlistment bonus to certain persons who enlist in the Army, Navy, Air Force, or Marine Corps for at least 3 years; to the Committee on Armed Services.

By Mr. HENDERSON:

H.R. 3499. A bill to amend title 39, United States Code, as enacted by the Postal Reorganization Act, to prohibit the mailing of unsolicited samples of manufactured products; to the Committee on Post Office and Civil Service.

By Mr. MACDONALD of Massachusetts:

H.R. 3500. A bill to amend section 103 of the Social Security Amendments of 1965 to provide hospital insurance benefits (under title XVIII of the Social Security Act) for certain uninsured individuals who are not otherwise eligible for such benefits; to the Committee on Ways and Means.

By Mr. MANN:

H.R. 3501. A bill to establish annual quotas with respect to the importation of certain textile and footwear articles, and for other purposes; to the Committee on Ways and Means.

By Mr. PRICE of Texas:

H.R. 3502. A bill to amend the Rural Electrification Act of 1936, as amended, to provide an additional source of financing for the rural telephone program, and for other purposes; to the Committee on Agriculture.

H.R. 3503. A bill to prohibit the use of interstate facilities, including the mails, for the transportation of salacious advertising; to the Committee on the Judiciary.

H.R. 3504. A bill to amend the Internal Revenue Code of 1954 to limit the use of industrial development bonds to rural areas, to allow a credit against income tax to employers for the expenses of providing job training programs in rural areas, and otherwise to encourage fuller and more effective use of the human resources of such areas; to the Committee on Ways and Means.

By Mr. QUIE (for himself, Mr. ASHBROOK, Mr. BELL, Mr. ERLENBORN, Mr. DELLENBACK, Mr. ESCH, Mr. STEIGER of Wisconsin, Mr. HANSEN of Idaho, and Mr. LANDGREBE):

H.R. 3505. A bill to amend the Longshoremen's and Harbor Workers' Compensation Act to improve its benefits, and for other purposes; to the Committee on Education and Labor.

By Mr. RHODES:

H.R. 3506. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 3507. A bill to afford protection to the public from offensive intrusion into their homes through the postal service of sexually oriented mail matter, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ROUSH (for himself, Mr. BRADEMUS, Mr. BRAY, Mr. DENNIS, Mr. DUNCAN, Mr. HAMILTON, Mr. HILLIS, Mr. JACOBS, Mr. LANDGREBE, Mr. MADDEN, Mr. MYERS, and Mr. ZION):

H.R. 3508. A bill to amend the Uniform Time Act to allow an option in the adoption of advanced time in certain cases; to the Committee on Interstate and Foreign Commerce.

By Mr. ROYBAL:

H.R. 3509. A bill to amend the public assistance provisions of the Social Security Act to increase the Federal share of a State's expenditures under the public assistance programs (including administrative expenses) to 90 percent, to provide for the establishment of nationally uniform minimum standards for aid or assistance thereunder, and to repeal the freeze on the number of children with respect to whom Federal payments may be made under the aid to families with dependent children program; to the Committee on Ways and Means.

By Mr. SAYLOR (for himself, Mr. OBEY, Mr. BIAGGI, Mr. DON H. CLAUSEN, Mr. DINGELL, Mr. DOWNING, Mr. EDWARDS of California, Mr. FULTON of Pennsylvania, Mr. FREY, Mr. GOODLING, Mr. HANNA, Mr. KARTH, Mr. KEITH, Mr. KYROS, Mr. LENT, Mr. LENNON, Mr. MCCLOSKEY, Mr. MCDONALD of Michigan,

Mr. O'HARA, Mr. PELLY, Mr. REID of New York, and Mr. ROGERS):

H.R. 3510. A bill to amend the Fish and Wildlife Act of 1956 to provide a criminal penalty for shooting at certain birds, fish, and other animals from an aircraft; to the Committee on Merchant Marine and Fisheries.

By Mr. SEBELIUS:

H.R. 3511. A bill to provide incentives for the establishment of new or expanded job-producing industrial and commercial establishments in rural areas; to the Committee on Ways and Means.

By Mr. STAFFORD:

H.R. 3512. A bill to amend the Social Security Act to provide increases in benefits; to the Committee on Ways and Means.

H.R. 3513. A bill to amend title II of the Social Security Act to increase from $1,680 to $3,000 the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 3514. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. THONE:

H.R. 3515. A bill to amend title II of the Social Security Act to provide a 10-percent across-the-board increase in benefits thereunder, with subsequent benefit increases based on the cost of living, and to raise to $4,000 a year the amount of outside earnings a beneficiary may have without loss of benefits; to the Committee on Ways and Means.

By Mr. WYATT:

H.R. 3516. A bill to provide for the appointment of one additional United States district court judge for the judicial district of Oregon; to the Committee on the Judiciary.

By Mr. YOUNG of Florida:

H.R. 3517. A bill to establish nondiscriminatory school systems and to preserve the rights of elementary and secondary students to attend their neighborhood schools, and for other purposes; to the Committee on Education and Labor.

H.R. 3518. A bill to provide a penalty for unlawful assault upon policemen, firemen, and other law enforcement personnel, and for other purposes; to the Committee on the Judiciary.

By Mr. BUCHANAN (for himself, Mr. ANDERSON of Illinois, Mr. BRASCO, Mr. BROWN of Ohio, Mrs. CHISHOLM, Mr. DON H. CLAUSEN, Mr. EDWARDS of California, Mr. EILBERG, Mr. FRELINGHUYSEN, Mr. HALPERN, Mr. HASTINGS, Mr. MCCLORY, Mr. MCKINNEY, Mr. MORSE, Mr. PEPPER, Mr. PIKE, Mr. STEIGER of Wisconsin, Mr. TALCOTT, and Mr. VANDER JAGT):

H.J. Res. 266. Joint resolution to amend the Constitution to provide for representation of the District of Columbia in the Congress; to the Committee on the Judiciary.

By Mr. CEDERBERG:

H.J. Res. 267. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. KUYKENDALL (for himself, Mr. ANDERSON of Illinois, Mr. BAKER, Mr. BROWN of Ohio, Mr. BROWN of Michigan, Mr. CAMP, Mr. DON H. CLAUSEN, Mr. CLEVELAND, Mr. COLLIER, Mr. COLMER, Mr. CORBETT, Mr. COUGHLIN, Mr. DANIEL of Virginia, Mr. DERWINSKI, Mr. DOWDY, Mr. ESCH, Mr. ESHLEMAN, Mr. FISHER, Mr. FULTON of Pennsylvania, Mr. GROVER, Mr. GUBSER, Mr. HALPERN, Mr. HASTINGS, and Mr. HOGAN):

H.J. Res. 268. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. KUYKENDALL (for himself, Mr. HOSMER, Mr. JARMAN, Mr. JONES of Tennessee, Mr. LANDGREBE, Mr. LUJAN, Mr. LLOYD, Mr. MATHIAS of California, Mr. MICHEL, Mr. NICHOLS, Mr. PETTIS, Mr. PIRNIE, Mr. POAGE, Mr. POWELL, Mr. ROBINSON, Mr. ROUSSELOT, and Mr. SAYLOR):

H.J. Res. 269. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. KUYKENDALL (for himself, Mr. SCHMITZ, Mr. SEBELIUS, Mr. SHRIVER, Mr. SIKES, Mr. SPENCE, Mr. STUBBLEFIELD, Mr. THONE, Mr. WARE, Mr. WHITEHURST, Mr. WILLIAMS, Mr. WYATT, and Mr. ZION):

H.J. Res. 270. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. PUCINSKI (for himself, Mr. HAYS, Mr. CONTE, Mr. DERWINSKI, Mr. FULTON of Pennsylvania, Mr. HALPERN, Mr. HELSTOSKI, Mrs. HICKS of Massachusetts, Mr. MICHEL, Mr. RARICK, Mr. ST GERMAIN, Mr. STRATTON, Mr. WARE, Mr. DONOHUE, Mr. MIKVA, and Mr. GRASSO):

H.J. Res. 271. Joint resolution to rename the U.S. Coast Guard cutter *Vigilant* the *Simas Kudirka;* to the Committee on Merchant Marine and Fisheries.

By Mr. BLANTON (for himself, Mr. ABBITT, Mr. ABERNETHY, Mr. ALEXANDER, Mr. ANDERSON of California, Mr. ANDREWS of Alabama, Mr. ANDREWS of North Dakota, Mr. ANNUNZIO, Mr. ARCHER, Mr. ASPIN, Mr. BAKER, Mr. BARING, Mr. BEGICH, Mr. BELL, Mr. BENNETT, Mr. BERGLAND, Mr. BEVILL, Mr. BIAGGI, Mr. BIESTER, Mr. BLACKBURN, Mr. BRAY, Mr. BRINKLEY, Mr. BROOKS, Mr. BROOMFIELD, and Mr. BROWN of Michigan):

H. Con. Res. 110. Concurrent resolution calling for the humane treatment and release of American prisoners of war held by North Vietnam and the National Liberation Front; to the Committee on Foreign Affairs.

By Mr. BLANTON (for himself, Mr. BROYHILL of North Carolina, Mr. BUCHANAN, Mr. BURLESON of Texas, Mr. BURLISON of Missouri, Mr. CABELL, Mr. CAMP, Mr. CARNEY, Mr. CEDERBERG, Mr. CASEY, Mr. CHAMBERLAIN, Mrs. CHISHOLM, Mr. CLARK, Mr. DON H. CLAUSEN, Mr. CLEVELAND, Mr. COLLIER, Mr. COLLINS of Illinois, Mr. COLLINS of Texas, Mr. CORBETT, Mr. COUGHLIN, Mr. CRANE, Mr. DAVIS of Georgia, Mr. DELLENBACK, Mr. DENHOLM, and Mr. DENNIS):

H. Con. Res. 111. Concurrent resolution calling for the humane treatment and release of American prisoners of war held by North Vietnam and the National Liberation Front; to the Committee on Foreign Affairs.

By Mr. BLANTON (for himself, Mr. DENT, Mr. DERWINSKI, Mr. DEVINE, Mr. DICKINSON, Mr. DIGGS, Mr. DINGELL, Mr. DONOHUE, Mr. DORN, Mr. DOWDY, Mr. DOWNING, Mr. DUNCAN, Mr. EDWARDS of Louisiana, Mr. EILBERG, Mr. ESHLEMAN, Mr. EVANS of Colorado, Mr. FASCELL, Mr. FISH, Mr. FISHER, Mr. FLOOD, Mr. FLOWERS, Mr. GERALD R. FORD, Mr. WILLIAM D. FORD, Mr. FORSYTHE, and Mr. FOUNTAIN):

H. Con. Res. 112. Concurrent resolution calling for the humane treatment and release of American prisoners of war held by North Vietnam and the National Liberation Front; to the Committee on Foreign Affairs.

By Mr. BLANTON (for himself, Mr. FRELINGHUYSEN, Mr. FRENZEL, Mr. FULTON of Tennessee, Mr. GAYDOS, Mr. GIBBONS, Mr. GONZALEZ, Mrs. GRASSO, Mr. GRIFFIN, Mr. GUBSER, Mr. GUDE, Mr. HAGAN, Mr. HALPERN, Mr. HANLEY, Mr. HASTINGS, Mr. HATHAWAY, Mr. HAWKINS, Mr. HAMMERSCHMIDT, Mr. HAYS, Mr. HELSTOSKI, Mr. HENDERSON, Mr. HICKS of Washington, Mrs. HICKS of Massachusetts, Mr. HILLIS, and Mr. HOGAN):

H. Con. Res. 113. Concurrent resolution calling for the humane treatment and release of American prisoners of war held by North Vietnam and the National Liberation Front; to the Committee on Foreign Affairs.

By Mr. BLANTON (for himself, Mr. HOLIFIELD, Mr. HORTON, Mr. HOSMER, Mr. HOWARD, Mr. HULL, Mr. HUNT, Mr. HUTCHINSON, Mr. ICHORD, Mr. JOHNSON of Pennsylvania, Mr. JOHNSON of California, Mr. JONES of Tennessee, Mr. JONES of North Carolina, Mr. KEE, Mr. KEITH, Mr. KING, Mr. KUYKENDALL, Mr. KYROS, Mr. LONG of Louisiana, Mr. LUJAN, Mr. MCCLURE, Mr. MCCOLLISTER, Mr. MCDADE, Mr. MCDONALD of Michigan, and Mr. MCEWEN):

H. Con. Res. 114. Concurrent resolution calling for the humane treatment and release of American prisoners of war held by North Vietnam and the National Liberation Front; to the Committee on Foreign Affairs.

By Mr. BLANTON (for himself, Mr. MCKINNEY, Mr. MAHON, Mr. MANN, Mr. MATHIAS of California, Mr. MATHIS of Georgia, Mr. MAYNE, Mr. MEEDS, Mr. MELCHER, Mr. MICHEL, Mr. MILLER of Ohio, Mr. MILLER of California, Mr. MINISH, Mr. MIZELL, Mr. MONTGOMERY, Mr. MOORHEAD, Mr. MORSE, Mr. MURPHY of New York, Mr. MYERS, Mr. NEDZI, Mr. NELSEN, Mr. NICHOLS, Mr. O'HARA, Mr. O'KONSKI, and Mr. PASSMAN):

H. Con. Res. 115. Concurrent resolution calling for the humane treatment and release of American prisoners of war held by North Vietnam and the National Liberation Front; to the Committee on Foreign Affairs.

By Mr. BLANTON (for himself, Mr. PATTEN, Mr. PELLY, Mr. PEPPER, Mr. PEYSER, Mr. PIKE, Mr. POAGE, Mr. PODELL, Mr. POWELL, Mr. PREYER of North Carolina, Mr. PRICE of Texas, Mr. PRYOR of Arkansas, Mr. PUCINSKI, Mr. RARICK, Mr. REES, Mr. RHODES, Mr. ROBINSON, Mr. ROE, Mr. ROGERS, Mr. ROSTENKOWSKI, Mr. ROUSSELOT, Mr. RUPPE, Mr. ST GERMAIN, Mr. SCHEUER, and Mr. SCOTT):

H. Con. Res. 116. Concurrent resolution calling for the humane treatment and release of American prisoners of war held by North Vietnam and the National Liberation Front; to the Committee on Foreign Affairs.

By Mr. BLANTON (for himself, Mr. SEBELIUS, Mr. SIKES, Mr. SLACK, Mr. SMITH of New York, Mr. SPENCE, Mr. SPRINGER, Mr. STAGGERS, Mr. J. WILLIAM STANTON, Mr. JAMES V. STANTON, Mr. STEIGER of Wisconsin, Mr. STUBBLEFIELD, Mr. TERRY, Mr. THOMPSON of Georgia, Mr. THOMSON of Wisconsin, Mr. THONE, Mr. TIERNAN, Mr. VEYSEY, Mr. VIGORITO, Mr. WALDIE, Mr. WARE, Mr. WHALLEY, Mr. WHITE, Mr. WHITEHURST, and Mr. WHITTEN):

H. Con. Res. 117. Concurrent resolution calling for the humane treatment and release of American prisoners of war held by North

Vietnam and the National Liberation Front; to the Committee on Foreign Affairs.

By Mr. BLANTON (for himself, Mr. WIDNALL, Mr. WIGGINS, Mr. WILLIAMS, Mr. CHARLES H. WILSON, Mr. WINN, Mr. WOLFF, Mr. WRIGHT, Mr. WYATT, Mr. WYDLER, Mr. YATRON, Mr. YOUNG of Florida, Mr. ZION, Mr. BYRON, Mrs. REID of Illinois, Mr. ULLMAN, Mr. STEELE, and Mr. ANDERSON of Illinois):

H. Con. Res. 118. Concurrent resolution calling for the humane treatment and release of American prisoners of war held by North Vietnam and the National Liberation Front; to the Committee on Foreign Affairs.

By Mr. MACDONALD of Massachusetts:

H. Con. Res. 119. Concurrent resolution relative to retention of Public Health Service hospitals; to the Committee on Interstate and Foreign Commerce.

By Mr. TEAGUE of Texas:

H. Con. Res. 120. Concurrent resolution to authorize the printing of a Veterans' Benefits Calculator; to the Committee on House Administration.

By Mr. YATRON (for himself, Mr. BIAGGI, Mr. CAREY of New York, Mrs. CHISHOLM, Mr. DANIEL of Virginia, Mr. DERWINSKI, Mr. FASCELL, Mr. FRASER, Mr. FULTON of Pennsylvania, Mr. GREEN of Pennsylvania, Mr. HALPERN, Mr. HARRINGTON, Mr. HAYS, Mr. HENDERSON, Mr. HUNGATE, Mr. LUJAN, Mr. MATSUNAGA, Mr. MELCHER, Mr. O'NEILL, Mr. PUCINSKI, Mr. ROYBAL, Mr. RYAN, Mr. SCHNEEBELI, Mr. TIERNAN, and Mr. ESCH):

H. Con. Res. 121. Concurrent resolution expressing the sense of Congress that our NATO allies should contribute more to the cost of their own defense; to the Committee on Foreign Affairs.

By Mr. BROTZMAN (for himself, Mr. FRENZEL, and Mr. HUNT):

H. Res. 191. Resolution to amend the Rules of the House of Representatives to create a standing committee to be known as the Committee on the Environment; 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. ADDABBO:

H.R. 3519. A bill for the relief of Calogero Armandini; to the Committee on the Judiciary.

H.R. 3520. A bill for the relief of Gaetano Battaglia; to the Committee on the Judiciary.

H.R. 3521. A bill for the relief of Rosa DiGiovanna; to the Committee on the Judiciary.

H.R. 3522. A bill for the relief of Alfio DiMaggio; to the Committee on the Judiciary.

H.R. 3523. A bill for the relief of Giovanni DiMaggio; to the Committee on the Judiciary.

H.R. 3524. A bill for the relief of Elsa Dowden; to the Committee on the Judiciary.

H.R. 3525. A bill for the relief of Konstantinos Ekonomides; to the Committee on the Judiciary.

H.R. 3526. A bill for the relief of Eleftherios Ekonomou; to the Committee on the Judiciary.

H.R. 3527. A bill for the relief of Rosa Magro; to the Committee on the Judiciary.

H.R. 3528. A bill for the relief of Georgios Nikolaros; to the Committee on the Judiciary.

H.R. 3529. A bill for the relief of Dimitrios Papaiconstantopoulos; to the Committee on the Judiciary.

H.R. 3530. A bill for the relief of Giuseppa Barone Parisi; to the Committee on the Judiciary.

H.R. 3531. A bill for the relief of Giacomo LaLicata Saccaro; to the Committee on the Judiciary.

H.R. 3532. A bill for the relief of Francesco Scalice; to the Committee on the Judiciary.

H.R. 3533. A bill for the relief of Maria Grazia Tarantino; to the Committee on the Judiciary.

H.R. 3534. A bill for the relief of Francesco Troia; to the Committee on the Judiciary.

H.R. 3535. A bill for the relief of Antonio Zambianchi; to the Committee on the Judiciary.

By Mr. ASPINALL:

H.R. 3536. A bill for the relief of Demetrios Verdos; to the Committee on the Judiciary.

By Mr. COTTER:

H.R. 3537. A bill for the relief of Vincenzo Zocco; to the Committee on the Judiciary.

By Mr. LINK:

H.R. 3538. A bill for the relief of Faith M. Lewis Kochendorfer; Dick A. Lewis; Nancy J. Lewis Keithley; Knute K. Lewis; Peggy A. Lewis Townsend; Kim C. Lewis; Cindy L. Lewis Kochendorfer; and, Frederick L. Baston; to the Committee on the Judiciary.

H.R. 3539. A bill for the relief of Min Kyung Sook and Min Kyung Jo; to the Committee on the Judiciary.

By Mr. PURCELL:

H.R. 3540. A bill for the relief of S. Leon Levy; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 3541. A bill for the relief of Hung-Ju Chao; to the Committee on the Judiciary.

SENATE—*Wednesday, February 3, 1971*

(Legislative day of Tuesday, January 26, 1971)

The Senate met at 11:15 a.m., on the expiration of the recess, and was called to order by the President pro tempore (Mr. ELLENDER).

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

We commend to Thee, O Lord, all who are engaged in the Government of this Nation. Grant to them integrity of purpose and unfailing devotion to the cause of righteousness. May all their legislation be such as will promote the welfare of the people, succor the poor, relieve the oppressed, bring new opportunities to the underprivileged, correct bad policies and reduce social wrongs, to Thy glory and the good example of the people, through Jesus Christ our Lord. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Journal of the proceedings of Tuesday, February 2, 1971, be approved.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

A CONVERSATION WITH THE MAJORITY LEADER

Mr. MANSFIELD. Mr. President, on January 26, the TV networks very generously made available a substantial amount of time for congressional Democrats to set forth views on current issues.

I agreed to make this appearance, with the concurrence of the Senate Democratic conference and the distinguished Speaker of the House (Mr. ALBERT) whom I would have preferred to have seen speaking for the Democrats as he can so ably do, but who was unable because of a previous ironclad commitment to undertake the telecast at the time.

I want to make clear that while the occasion was billed as a "Democratic state of the Union message," it was not so intended. There is only one person who can deliver a state of the Union message in this Nation and that is the President of the United States, whoever he may be. It is both his constitutional prerogative and his responsibility as the sole political representative of the Nation as a whole. I would not presume to intrude on either that right or that responsibility. He speaks for the Nation on the state of the Union and, of course, answers to the Nation as a whole on the state of the Union.

My appearance was simply a Democratic point of view on the current situation as elicited from me in the course of "A Conversation With the Majority Leader"—animated but pleasant—by four distinguished American correspondents: Roger Mudd, CBS News; Bill Monroe, NBC News; Robert Clark, ABC News; and Frank Mankiewicz for Public Broadcasting.

I ask unanimous consent that the transcript be included at this point in the RECORD.

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

A CONVERSATION WITH THE MAJORITY LEADER

(As broadcast over the CBS television network Tuesday, January 26, 1971, 10–10:45 p.m., e.s.t.)

With: Roger Mudd for CBS News; Bill Monroe for NBC News; Robert Clark for ABC News; Frank Mankiewicz for Public Broadcasting.

ANNOUNCER. From CBS in Washington, "The State of the Union—A Democratic View". As it has in recent years following the President's State of the Union, the CBS Network has provided time for the opposition party to present its views on the state of the union. The invitation was sent to, and accepted by, the Democratic party leadership in the Congress, and the following was recorded earlier tonight.