HOUSE OF REPRESENTATIVES—*Wednesday, September 8, 1971*

The House met at 12 o'clock noon.

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

Let us hear the conclusion of the whole matter: Fear God and keep His commandments: for this is the whole duty of man.—Ecclesiastes 12: 13.

Eternal God, our Father, returning from our recess restored in mind and renewed in spirit, we come committing ourselves anew to Thee and trusting in the leading of Thy spirit as we face the towering tasks before us.

Grant that our President, our Speaker, and our Representatives may be endued with Thy wisdom and endowed with Thy power as they endeavor to lead our Nation in right and just and good paths. Help us to relate our resources to our responsibilities that we may truly meet the needs of our people and strengthen the cause of peace in the world.

In the spirit of Christ 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 SENATE

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

H.R. 2592. An act to amend the act entitled "An Act to regulate the employment of minors in the District of Columbia," approved May 29, 1928; and

H.R. 8589. An act to amend the Healing Arts Practice Act, District of Columbia, 1928, to revise the composition of the Commission on Licensure To Practice the Healing Art, and for other purposes.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 382. An act to promote fair practices in the conduct of election campaigns for Federal political offices, and for other purposes;

S. 659. An act to amend the Higher Education Act of 1965, the Vocational Education Act of 1963, the General Education Provisions Act (creating a National Foundation for Postsecondary Education and a National Institute of Education), the Elementary and Secondary Education Act of 1965, Public Law 874, 81st Congress, and related acts, and for other purposes;

S. 1852. An act to provide for the establishment of the Gateway National Recreation Area in the States of New York and New Jersey, and for other purposes;

S. 2216. An act to amend the Investment Company Act of 1940, as amended; and

S.J. Res. 72. Joint resolution consenting to an extension and renewal of the interstate compact to conserve oil and gas.

PROVIDING FOR A JOINT SESSION TO HEAR AN ADDRESS BY THE PRESIDENT

Mr. O'NEILL. Mr. Speaker, I offer a privileged concurrent resolution (H. Con. Res. 395) and ask for its immediate consideration.

The Clerk read the concurrent resolution as follows:

H. CON. RES. 395

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Thursday, September 9, 1971, at 12:30 p.m., for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE SPEAKER TO DECLARE A RECESS ON THURSDAY, SEPTEMBER 9

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that it may be in order for the Speaker to declare a recess at any time on Thursday, September 9. The reasons for the request are:

First, to receive in joint session the President of the United States.

Second, to receive in joint meeting the Apollo astronauts, Col. David R. Scott, U.S. Air Force, Apollo 15 commander; Col. James B. Irwin, U.S. Air Force, lunar module pilot; and Lt. Col. Alfred M. Worden, U.S. Air Force, command module pilot.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to make an announcement.

After consultation with the majority and minority leaders, and with their consent and approval, the Chair announces that on Thursday, September 9, 1971, the date set for the joint session to hear an address by the President of the United States, only the doors immediately opposite the Speaker and those on his left and right will be open. No one will be allowed on the floor of the House who does not have the privileges of the floor of the House.

DISPLAY OF TEST MODEL OF LUNAR ROVING VEHICLE IN ROTUNDA

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

Mr. MILLER of California. Mr. Speaker, I am happy to advise all my colleagues that the Speaker has granted permission for the display of a test model of the lunar roving vehicle to be shown in the rotunda of the Cannon Building through 1 o'clock p.m., Friday, September 10, 1971.

This vehicle is essentially a duplicate of the vehicle used on the lunar surface by Apollo astronauts David R. Scott and James B. Irwin in their historic exploration of the moon in the area of the Apennine Mountains and Hadley Rille.

The vehicle on display helped to train the Apollo 15 astronauts in what has become perhaps the most concentrated, successful scientific exploration ever undertaken by man.

I urge all of my colleagues to view the Apollo 15 lunar roving vehicle on display in the rotunda of the Cannon Building on Thursday and Friday of this week.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

WASHINGTON, D.C.,
August 6, 1971.

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

DEAR SIR: Pursuant to the authority granted on August 5, 1971, I have the honor to transmit herewith the following messages received from the Secretary of the Senate:

That the Senate passed without amendment H.J. Res. 833, making an appropriation for the Department of Labor for the fiscal year 1972, and for other purposes; and

That the Senate agreed to the conference report on H.R. 10061, making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1972, and for other purposes.

With kind regards, I am,

Sincerely,

W. PAT JENNINGS, *Clerk,*
U.S. House of Representatives.
By W. RAYMOND COLLEY.

DEATH OF FORMER U.S. SENATOR BOURKE B. HICKENLOOPER

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

Mr. GROSS. Mr. Speaker, it is with sorrow that I announce to the House the death of the Honorable Bourke B. Hickenlooper, a former U.S. Senator from the State of Iowa, who died suddenly last Saturday morning while visiting friends in Shelter Island, N.Y.

Mr. Hickenlooper served for 24 consecutive years in the U.S. Senate and did not seek reelection in 1968. Prior to his election to the Senate he served as Lieutenant Governor and Governor of the State of Iowa.

Mrs. Hickenlooper preceded him in death last December. He is survived by a son and a daughter and four grandchildren.

Funeral services will be held tomorrow afternoon at Cedar Rapids, Iowa.

Mr. Speaker, at a later time I will ask for a special order so that others who wish to do so may join in paying tribute to the life and works of Senator Hickenlooper.

DEATH OF FORMER MEMBER, GERALD W. LANDIS

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

Mr. MYERS. Mr. Speaker, all of those Members who served during World War II and the years immediately following will be saddened to learn of the death of Gerald W. Landis who served in the House of Representatives from 1939 to 1949. Gerald Landis devoted most of his 76 years to his Nation, State, and community. He was always considerate of the rights and the feelings of others. He was not one who struggled for headlines. He never tried to advance his own interests at the expense of others.

Gerald died on September 6, Labor Day, which takes on added meaning when you remember that he served as a member of the House Labor Committee and was the author of two major pieces of labor legislation. Landis was coauthor of the Taft-Hartley bill and the Landis bill which would have raised the minimum wage in 1947 from 40 cents to 60 cents an hour. Both were controversial measures which provoked long and heated arguments in Congress. In further recognition of his concern for the working men and women of the Nation and the importance of the mining industry to his district, Landis guided the first mine inspection law through Congress. He also introduced the first legislation calling for the creation of a separate Air Force Academy.

Gerald Wayne Landis was born in Bloomfield, Ind., February 23, 1895. He attended the public schools in nearby Linton; was graduated from Indiana University in 1923 and received a master's degree from the University of Illinois in 1938. He served as a lieutenant in the Army during World War I. A teacher, coach, and director of athletics in the Linton High School, Landis was elected to the 76th and to the four succeeding Congresses. In addition to the Labor Committee, he also served on the Mines and Mining, House Administration and House Un-American Activities Committee.

In 1950, Mr. Landis was named consultant to the Economic Stabilization Committee. He was named consultant to the Federal Housing Agency in 1953 and from 1954 to 1961 he served as Assistant to the Administrator of the Commodity Credit Corporation.

Returning to his hometown after more than 22 years service to his Nation, Landis was active in promoting the development of his community serving as president of the Linton Chamber of Commerce and later as its executive director.

All of us who knew him regret the passing of this fine, considerate and devoted American and extend our sympathy to his wife, Vera, and daughter, Mrs. Mary Lou Esterline, and to his sister and grandchildren. They can take comfort in the fact that he rendered distinguished service to his country and that he occupied a place in the hearts of all of us who knew him.

FORMER REPRESENTATIVE DOW W. HARTER

Mr. SEIBERLING. Mr. Speaker, it is with sadness that I read today of the death on Saturday of Dow W. Harter, a Democratic Member of the House of Representatives from 1933 to 1943. Dow W. Harter represented the congressional district that included the area of Ohio that I now represent. As a matter of fact, he replaced a cousin of mine, the late Representative Francis W. Seiberling

As chairman of the Subcommittee on Aeronautics of the House Military Affairs Committee, Representative Harter played a key role in the expansion of the air corps and eventually the creation of the Army Air Force.

My personal recollection of Dow Harter, however, centers around his stanch support of President Roosevelt and the legislative program of the Democratic Party in the dramatic years of the New Deal. Mr. Harter was a gentle person who shared the ideals of the Democratic Party and its concern for human needs. He was a devout person who, as I recall, taught Sunday school in Akron before he entered Congress. He was born in Akron and had a distinguished career as a practicing lawyer and a member of the State legislature before becoming a Member of this House.

To his sons Harry of Chicago and John of Lakeland, Fla., and to his four grandchildren and nine great grandchildren, I extend my sympathy. They may well be proud, as I am sure are those Members of this House who knew him, of the distinguished record of this fine public servant and human being.

MAJ. GEN. WINSTON P. WILSON RETIRES AS CHIEF OF NATIONAL GUARD BUREAU

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

Mr. MONTGOMERY. Mr. Speaker, the National Guard and the Nation lost the services of a truly dedicated and outstanding American at the end of August with the retirement of Maj. Gen. Winston P. Wilson as chief of the National Guard Bureau. A native of Arkadelphia, Ark., his military career began in May 1929 when he enlisted as an airplane mechanic in the 154th Observation Squadron of the Arkansas National Guard. He distinguished himself during World War II receiving the Army of Occupational Medal for Japan and the Philippine Liberation Ribbon.

General Wilson was named Chief of the Air Force Division of the National Guard Bureau in January 1954, and was named Deputy Chief of the National Guard Bureau in May 1955. He served in this position until September 1963, when he began serving a 4-year term as Chief of the Bureau following nomination by the President and confirmation by the Senate. He was renominated and confirmed for a second tour of duty in 1967.

Guardsmen throughout America will miss the guiding hand of General Wilson and we wish him well in new fields of life.

BAN BROADCASTING OF PROFESSIONAL FOOTBALL ON FRIDAY NIGHTS

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

Mr. DORN. Mr. Speaker, last Friday night I was shocked and amazed that a professional football game was broadcast nationwide at a time when thousands of high school football teams were opening the 1971 season. Mr. Speaker, I am urging the Congress to consider the bill wnich I have introduced along with many colleagues which would prohibit the broadcasting of any professional game on Friday night which would conflict with America's greatest fall pastime, high school football.

The broadcasting of professional football contests or games on Friday evening would eventually injure professional football and intercollegiate football. Virtually all professional football players started as amateur athletes. High school and college athletics are the source of their recruitment and professional ability. Should this source dry up or be handicapped, it will directly affect the caliber of professional competition. Literally millions of parents, students, and fans from coast to coast support high school football. The amateur high school athlete does not compete for pay. His reward is the backing of classmates, parents, and friends in the football stadium. High school football is supported and financed by the small admission fee. Should part of this support be enticed away for the viewing of professional football, it could destroy the game. The enthusiastic approval of football fans in attendance is necessary to maintain the competitive spirit, the desire to play, and the physical fitness of the high school athlete.

As this Congress returns from the Labor Day recess, I urge my colleagues to assign this threat to high school amateur athletics top priority. Mr. Speaker, my bill would amend the Telecasting of Sports Contests Act of September 30, 1961, to prohibit showing of professional football during the fall amateur football season.

LEADERSHIP BY PRESIDENT NIXON

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

Mr. WYMAN. Mr. Speaker, President Nixon has acted courageously and forthrightly to combat inflation. He deserves the support of the Congress regardless of party lines in his efforts to stop the alarming rate of increases in prices and wages that not only undermines the purchasing power of the wage earner's dollar but the strength of our dollar in international exchange.

Of course there are inequities. Certain wage increases are justified, even past the arbitrary cutoff date of August 15. These will be worked out, for the last thing any President wants is to freeze injustices, economic or otherwise.

Hopefully the Congress can now help by limiting Government spending to Government revenues. Announced $25 billion deficits are enormously inflationary. If fiscal responsibility is to be imposed by Executive order pursuant to standby authority from the Congress, the least the Congress can do is to impose a requirement of fiscal responsibility upon the Government itself.

This Nation has no business continually overspending its revenues. I urge prompt enactment of my bill H.R. 6090 to require fiscal responsibility on the part of the Federal Government by act of Congress.

A PROPOSED CONSTITUTIONAL AMENDMENT TO OVERTURN THE SUPREME COURT DECISION ON SCHOOL BUSING

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

Mr. THOMPSON of Georgia. Mr. Speaker, during the congressional recess I spent over 3 weeks out in my State talking with people at all levels. I traveled over 3,300 miles. I found that the people of the State of Georgia are angry. They want to be left alone by the Federal Government. They want to be able to direct their own lives more than they are able to.

They were very upset about the fact that no one here in the Congress seems to be doing anything about the school busing issue.

Mr. Speaker, I introduced a proposed constitutional amendment in May to overturn the Supreme Court decision on school busing, and there are a number of cosponsors on this proposal.

I will begin this week, Mr. Speaker, to call a series of quorum calls, and I will be on the floor to acquaint the Members with any of the provisions of this, and urge them to sign the discharge petition which is now at the Speakers' desk.

HEARINGS OF DISTRICT OF COLUMBIA SUBCOMMITTEE ON THE JUDICIARY

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

Mr. HUNGATE. Mr. Speaker, the District of Columbia Subcomittee on the Judiciary will hold the following public hearings in room 1310, Longworth House Office Building, during the month of September: Monday, September 13 at 10 a.m., on H.R. 5501, H.R. 9893, H.R. 10175 and various other measures to amend the District of Columbia Election Act and for other purposes. Monday, September 20, at 10 a.m., on a draft bill to amend the District of Columbia Stadium Act of 1957 to provide for a sharing of the financial obligations of such stadium, and for other purposes. We would welcome any testimony Members of Congress may desire to offer.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

Mr. O'NEILL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

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

[Roll No. 248]

Abourezk	Evins, Tenn.	Nichols
Abzug	Fish	Patman
Addabbo	Flood	Pelly
Alexander	Foley	Pirnie
Anderson, Tenn.	Fraser	Price, Ill.
	Gallagher	Pryor, Ark.
Andrews, N. Dak.	Goldwater	Quillen
	Grasso	Rees
Annunzio	Green, Oreg.	Reid, Ill.
Arends	Gubser	Reid, N.Y.
Aspin	Haley	Rooney, N.Y.
aring	Halpern	Rostenkowski
Bell	Hamilton	Rousselot
Betts	Hanna	Roy
Blatnik	Hansen, Idaho	Runnels
Boggs	Hansen, Wash.	Ruppe
Bray	Hébert	St Germain
Brown, Mich.	Helstoski	Saylor
Caffery	Hillis	Scherle
Carney	Holifield	Scheuer
Carter	Hosmer	Sebelius
Casey, Tex.	Howard	Shipley
Cederberg	Ichord	Sisk
Celler	Jonas	Smith, Iowa
Chisholm	Jones, Ala.	Smith, N.Y.
Clancy	Kee	Snyder
Clark	Koch	Springer
Clausen, Don H.	Landgrebe	Stanton, James V.
	Leggett	
Clay	Link	Stephens
Collier	Long, La.	Stokes
Colmer	Lujan	Stubblefield
Conyers	McClory	Sullivan
Cotter	McCulloch	Teague, Calif.
Culver	McEwen	Teague, Tex.
Delaney	McKay	Thone
Denholm	McKinney	Tiernan
Dennis	Macdonald, Mass.	Vander Jagt
Dent		Ware
Derwinski	Martin	Whitten
Diggs	Mayne	Wiggins
Dowdy	Melcher	Wilson, Charles H.
Dwyer	Monagan	
Eckhardt	Morgan	Wyatt
Edwards, La.	Morse	Yates
Eshleman	Murphy, N.Y.	Yatron

The SPEAKER. On this rollcall 301 Members have answered to their names, a quorum.

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

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

WASHINGTON, D.C.,
August 10, 1971.

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

DEAR MR. SPEAKER: I have the honor to transmit herewith a sealed envelope from the White House, received in the Clerk's Office at 2:30 p.m. on Tuesday, August 10, 1971, said to contain a message from the President transmitting the Annual Report of the National Corporation for Housing Partnerships for the period July 1, 1970 to June 30, 1971.

With kind regards, I am,

Sincerely,

W. PAT JENNINGS, *Clerk,*
House of Representatives.
By W. RAYMOND COLLEY.

ANNUAL REPORT OF THE NATIONAL CORPORATION FOR HOUSING PARTNERSHIPS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The Speaker laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Banking and Currency:

To the Congress of the United States:

I am transmitting herewith the Annual Report of the National Corporation for Housing Partnerships for the period July 1, 1970 to June 30, 1971.

The Partnership was created under Title IX of the Housing and Urban Development Act of 1968 as a means of increasing the participation of private investors in providing new housing. In carrying out this purpose, the Partnership has, over the past year, given preliminary or final approval to 10,000 units of housing, consisting of 46 projects in 23 States.

It is clear that the Partnership will be an important part of our efforts to deal with the housing problems of the Nation. I commend this Report to your attention.

RICHARD NIXON.

THE WHITE HOUSE, *August 9, 1971.*

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

WASHINGTON, D.C.,
September 1, 1971.

The Honorable the SPEAKER,
House of Representatives.

DEAR MR. SPEAKER: I have the honor to transmit herewith a sealed envelope from the White House, received in the Clerk's Office at 2:20 p.m., on Wednesday, September 1, 1971, said to contain a message from the President concerning the deferment of the January 1972 Federal pay increases.

With kind regards, I am,

Sincerely,

W. PAT JENNINGS, *Clerk,*
House of Representatives.
By BENJAMIN J. GUTHRIE.

FEDERAL EMPLOYEE PAY INCREASES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 92–158)

The SPEAKER laid before the House the following message from the President of the United States; which was read and referred to the Committee on Post Office and Civil Service and ordered to be printed:

To the Congress of the United States:

On August 15, 1971 I announced a number of new economic initiatives to create new jobs, to hold down the cost

of living, and to stabilize the dollar. In this connection, Executive Order 11615 calls for the development of policies, mechanisms and procedures to maintain economic growth without inflationary increases after the end of the 90-day freeze period which the order imposes. It is equally essential that the tax reductions which I recommend to the Congress, to provide a powerful stimulus to the economy, not be inflationary in their impact. A significant reduction in Federal expenditures is needed to provide a balance.

Still continuing emphasis will be placed on the exercise of responsible industrial and labor leadership throughout the Nation in the months to come, I must apply such fiscal restraints as will clearly signify the good faith of the Federal Government as a major employer, and to continue to set an example for the American people in our striving to achieve prosperity in peacetime. I place full reliance on the willingness of Federal employees along with their fellow Americans, to make whatever temporary sacrifices in personal gain may be needed to attain the greater good for the country as a whole.

Therefore, in consideration of the economic conditions affecting the general welfare, I hereby transmit to the Congress the following alternative plan, as authorized and required by section 5305 (c) (1) of title 5, United States Code:

> Such adjustments in the rates of pay of each Federal statutory pay system as may be required, based on the 1971 Bureau of Labor Statistics survey, shall become effective on the first day of the first applicable pay period that begins on or after July 1, 1972.

I recognize that delaying the scheduled January 1972 increase to July 1972 means that two increases will then become due within a period of approximately three months. Since I am unable to predict whether two increases in such a relatively short time span will have a damaging effect on the economy, I am not prepared to make a decision with respect to the October 1972 increase at this time. After reviewing the economic situation during the first half of 1972, I will give serious consideration to the need for an alternative plan to that scheduled increase. If I conclude that an alternative plan is necessary I will, in accordance with the aforementioned provision of law, submit such a plan to Congress before September 1, 1972. It appears highly unlikely that any such plan would involve a postponement of the October 1972 adjustments beyond January 1973.

Our Nation's public servants are entitled to a fair wage in line with the established policy of comparability with private enterprise; I regret the necessity of postponing pay increases, but our fight against the rising cost of living must take precedence. Of course, success in holding down inflation will benefit the Government worker as well as all Americans.

I urge your support of this postponement.

RICHARD NIXON.

THE WHITE HOUSE, *August 31, 1971.*

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

WASHINGTON, D.C., *August 6, 1971.*

The Honorable the SPEAKER,
House of Representatives.

DEAR MR. SPEAKER: I have the honor to transmit herewith a sealed envelope from the White House, received in the Clerk's Office at 3 p.m., on Friday, August 6, 1971, said to contain a message from the President transmitting the second annual report of the Council on Environmental Quality.

With kind regards, I remain,

Sincerely,

W. PAT JENNINGS, *Clerk,*
House of Representatives.

By W. RAYMOND CALLEY.

SECOND ANNUAL REPORT OF THE COUNCIL ON ENVIRONMENTAL QUALITY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

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

To the Congress of the United States:

The First Annual Report of the Council on Environmental Quality, which I submitted to the Congress one year ago, described our principal environmental problems and set out in broad outline the directions in which I felt we should be moving. Now, as I submit to the Congress this second annual report, I am pleased to be able to say that we have made considerable progress towards achieving our environmental objectives during the past 12 months.

During the past year we have launched many initiatives to implement the broad recommendations contained in the first annual report. At the Federal level we have proposed sweeping legislative programs to the Congress, we have taken vigorous actions within the executive branch, and we have achieved increasingly effective cooperation with other nations. The States have likewise moved to meet environmental challenges with wide-ranging institutional changes and more effective laws.

While we still have a long way to go before we meet our ultimate objectives, it is important to emphasize that we are making substantial progress. For example, there is evidence that the air in many of our cities is becoming less polluted, although the data is still incomplete. Total emissions from automobiles and the use of persistent pesticides are going down. On the other hand, there is no basis for complacency, as the level of total pollutants in our environment is still rising.

We will continue to face difficult obstacles as we work to make our surrounding more liveable and more enriching. But even now we are demonstrating that our institutions can be made responsive to the need for environmental reform and that the quality of our environment can be substantially improved, if only we go about that task with sufficient will and sufficient energy.

1. REFORMING INSTITUTIONS—THE FIRST STEP

The barriers to long-range progress in the field of environmental improvement are serious and complex and varied. Some are technological, some are economic, some are social, some are political. But among the most substantial barriers to progress in this area are those which are institutional in nature.

In my environmental messages of 1970 and 1971 and in my message accompanying the Council's first annual report, I emphasized the pressing need to reform the machinery through which government carries out its environmental programs. These reforms have been progressing rapidly at the Federal level. In the Executive Office of the President, environmental policy is now being developed by the Council on Environmental Quality, a group which has been working effectively to broaden our perspectives and sharpen our insights concerning the underlying causes of environmental problems and the best methods of solving them. The Council is also responsible for coordinating all Federal environmental programs and for seeing that environmental values are given full consideration by all Federal agencies as they make their own policy decisions.

To administer and enforce our pollution control laws, we have established a new Environmental Protection Agency, giving new muscle—on a day-by-day basis—to our commitment to a cleaner environment. EPA brings together under unified direction our air and water pollution programs and our efforts in the fields of solid waste management, noise abatement, pesticide regulation, and radiation standard-setting. Already, during the first half-year of its existence, EPA has provided vigorous new leadership in all these areas. Together, the Environmental Quality Council and the Environmental Protection Agency provide a forceful institutional team for Federal environmental actions.

Finally, I have recommended to the Congress a new Department of Natural Resources with unified responsibility for energy, water and natural resource programs. Pollution control is not the only solution to the difficulties of our environment. We must also provide wide and coordinated management of all our natural resources so that man can live and work in greater harmony with the natural systems of which he is a part. I consider the Department of Natural Resources an integral element in our reform program and I again urge the Congress to approve this high priority proposal.

State governments are likewise moving boldly. From New York to Illinois to the State of Washington, the machinery for policy-making and for administration of environmental programs has been reformed and strengthened. As expected, the diversity of our country has been reflected in the many unique and innovative approaches that various States

have taken to meet environmental challenges. Vermont, for example, has already adopted a program of State-wide land use authorities and it plans to supplement its water pollution controls with effluent charges. New York, Washington and Illinois have created new agencies and combined old ones in an effort to relate more effectively the functions of government to the problems of the environment. Other States are also moving to approach environmental issues in a new way.

2. FEDERAL DECISION-MAKING—THE NEW GROUND RULES

The National Environmental Policy Act requires that Federal agencies take environmental factors into full account in all their planning and decision-making. It requires agencies to describe in writing the environmental impact of their major decisions—along with alternatives to these decisions—and to make these assessments public. This process has fostered a wide range of basic reforms in the way Federal agencies make their decisions. And while some agencies still have considerable room for improvement in the environmental field, many are doing an excellent job of responding to environmental concerns.

It is critically important that these new environmental requirements not simply produce more red tape, more paperwork and more delay. Nor is there any reason why this should happen. In fact, the efficiency and responsiveness of Government is enhanced when environmental considerations are an integral part of decisionmaking from the time when a project is first considered and not merely added as after-thoughts when most matters have already been decided.

In some cases, of course, environmental considerations will require the modification or termination of a project. This is why, for example, I ordered a halt to further construction on the Cross Florida Barge Canal, despite the fact that some $50 million had already been spent on this project. I concluded, after receiving the advice of the Council on Environmental Quality, that the environmental damage which would result from its completion would outweigh its potential economic benefits.

In the final analysis, the foundation on which environmental progress rests in our society is a responsible and informed citizenry. My confidence that our Nation will meet its environmental problems in the years ahead is based in large measure on my faith in the continued vigilance of American public opinion and in the continued vitality of citizen efforts to protect and improve the environment.

The National Environmental Policy Act has given a new dimension to citizen participation and citizen rights—as is evidenced by the numerous court actions through which individuals and groups have made their voices heard. Although these court actions demonstrate citizen interest and concern, they do not in themselves represent a complete strategy for assuring compliance with the Act. We must also work to make government more responsive to public views at every stage of the decision-making process. Full and timely public disclosure of environmental impact statements is an essential part of this important effort.

3. THE WORLD COMMUNITY—NEW COOPERATION

In transmitting my second annual "Foreign Policy for the 1970's" message to the Congress, I said: "We know that we must act as one world in restoring the world's environment, before pollution of the seas and skies overwhelms every nation." I continue to believe that this challenge presents a great opportunity for U.S. leadership in international affairs.

The environmental concern that has been growing in this country has its counterpart in other nations. We have been encouraged to find that other governments are now acting to improve and expand their environmental activities and we have moved to cooperate with such activities whenever possible.

With Canada, for example, we are working to clean up the Great Lakes—and our joint efforts there may well become a model for regional cooperation in other areas of the world. With other nations, such as Japan and Mexico, we have also developed bilateral environmental initiatives. Within NATO's Committee on the Challenges of Modern Society we have reached agreement on the control of oil discharged by ships on the high seas. And in other international bodies—including the Organization for Economic Cooperation and Development, the Intergovernmental Maritime Consultative Organization and the Economic Commission for Europe—we are actively engaged in similar efforts.

The United States is playing an active role in the preparation for the 1972 United Nations Conference on the Human Environment. This Conference will bring the nations of the world together for the first time to develop global programs for environmental protection. It is our hope that this gathering will produce an important agreement on marine pollution, as well as the beginning of an effective international environmental monitoring effort. The Conference will provide an important opportunity for bringing all nations into the attack on the environmental problems of modern society and it will offer an especially important opportunity for helping developing nations cope with the environmental problems associated with industrialization and urban growth.

4. THE CONGRESS AND THE EXECUTIVE—A PARTNERSHIP FOR THE ENVIRONMENT

It is vitally important that the Congress and the administration work together to develop better environmental legislation, repairing old laws and creating new ones. I am pleased and gratified that many of the environmental programs which I have proposed to the Congress have been approved and are now being implemented.

The Congress presently has before it a number of separate bills and treaty actions which I discussed in my environmental message of February 8, 1971. In my judgment, these proposals represent the most wide-ranging and comprehensive legislative program for the environment in our entire history.

They include:

MEASURES TO STRENGTHEN POLLUTION CONTROL PROGRAMS

—Charges on sulfur oxides and a tax on lead in gasoline to supplement regulatory controls on air pollution.
—More effective control of water pollution through a $12 billion national program and strengthened standard-setting and enforcement authorities.
—Comprehensive improvement in pesticide control authority.

MEASURES TO CONTROL EMERGENCY PROBLEMS

—Regulation of toxic substances
—Regulation of noise pollution
—Controls on ocean dumping

MEASURES TO PROMOTE ENVIRONMENTAL QUALITY IN LAND

—A national land use policy
—A new and greatly expanded open space and recreation program, bringing parks to the people in urban areas.
—Preservation of historic buildings through tax policy and other incentives.
—Substantial expansion of the wilderness areas preservation system.
—Advance public agency approval of power plant sites and transmission line routes.
—Regulation of environmental effects of surface and underground mining.

FURTHER INSTITUTIONAL IMPROVEMENT

—Establishment of an Environmental Institute to conduct special studies and recommend policy alternatives.

TOWARD A BETTER WORLD ENVIRONMENT

—Expanded international cooperation.
—A World Heritage Trust to preserve parks and areas of unique cultural value throughout the world.

This program is designed both to reinforce existing efforts and to attack newly emerging problems such as noise pollution and the dispersion of toxic substances. One particularly important feature of this package of proposals is that it is geared to meet problems, such as ocean dumping, before they reach crisis proportions. It also seeks to supplement our present regulatory approaches by creating new economic incentives for the reduction of pollution. In addition, it emphasized strengthened efforts by State government.

Some of these initiatives already have been the subject of congressional hearings, but none have yet been approved by the Congress. I again urge the Congress to act expeditiously and favorably on these important measures. The problems will not wait and we dare not drag our feet as we move to meet them.

Even while this administration has been asking the Congress for strengthened enforcement authority, we have also been taking a number of other actions to crack down on pollution by using existing authority. In the course of this effort,

we have moved against a wide range of polluters, including cities and towns, companies and individuals.

Operating under authority granted by the Refuse Act, for example, I have instituted a program requiring a permit for all industrial discharges into the Nation's waters. The issuance of such a permit is conditioned upon assurance that water quality standards will be achieved. I believe this mechanism represents an important new tool for achieving our national water quality objectives.

We are also requiring that Federal agencies spend the necessary funds to avoid pollution as a result of their own activities and, where necessary, to provide abatement facilities. Some 250 million dollars is included in my 1972 budget request for this purpose.

I have also consistently urged a stronger effort to encourage the better conservation and management of our natural resources. As one step in this effort, we have redirected Government procurement policies to encourage the increased use of recycled paper. And we are actively considering other, similar changes in procurement policy. Meanwhile, to help keep the evidence of our history intact for future generations, I have issued an Executive order requiring the protection of historic properties by Federal agencies.

5. A SENSE OF REALISM

All of these actions will help make our country a better place to live. But we should not expect environmental miracles. Our efforts will be more effective if we approach the challenge of the environment with a strong sense of realism. We should not be surprised or disheartened, for example, if some problems grow even more acute in the immediate future.

We must recognize that the goal of a cleaner environment will not be achieved by rhetoric or moral dedication alone. It will not be cheap or easy and the costs will have to be borne by each citizen, consumer and taxpayer. How clean is *clean enough* can only be answered in terms of how much we are willing to pay and how soon we seek success. The effects of such decisions on our domestic economic concerns—jobs, prices, foreign competition—require explicit and rigorous analyses to permit us to maintain a healthy economy while we seek a healthy environment. It is essential that we have both. It is simplistic to seek ecological perfection at the cost of bankrupting the very tax-paying enterprises which must pay for the social advances the nation seeks.

We must develop a realistic sense of what it will cost to achieve our national environmental goals and choose a specific level of goal with an understanding of its costs and benefits. One of the strengths of the accompanying report, in my view, is that it sets out—clearly and candidly—both the costs and the benefits of environmental protection as they are now understood.

The work of environmental improvement is a task for all our people. It should unite all elements of our society—of all political persuasions and all economic levels—in a great common commitment to a great common goal. The achievement of that goal will challenge the creativity of our science and technology, the enterprise and adaptability of our industry, the responsiveness and sense of balance of our political and legal institutions, and the resourcefulness and the capacity of this country to honor those human values upon which the quality of our national life must ultimately depend.

RICHARD NIXON.

THE WHITE HOUSE, *August 6, 1971.*

AUTHORIZING HON. CARL ALBERT TO ACCEPT AN AWARD CONFERRED BY THE PRESIDENT OF THE PHILIPPINES

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H.J. Res. 850) to authorize the Honorable CARL ALBERT, Speaker of the House of Representatives, to accept The Ancient Order of Sikatuna (Rank of Datu).

The Clerk read the title of the joint resolution.

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

There was no objection.

The Clerk read the joint resolution as follows:

H.J. RES. 850

Resolved by the Senate and House of Representatives of the United States of America in Congress Assembled, That the Honorable Carl Albert, Speaker of the House of Representatives, is authorized to accept The Ancient Order of Sikatuna (Rank of Datu), an award conferred by the President of the Philippines, together with any decorations and documents evidencing such award. The Department of State is authorized to deliver to the Honorable Carl Albert any such decorations and documents evidencing such award.

SEC. 2. Notwithstanding section 5 of the Act of October 15, 1966 (80 Stat. 952; 5 U.S.C. 7342(d)), or other provisions of law to the contrary, the Honorable Carl Albert may wear and display the decoration mentioned in section 1 after the acceptance thereof.

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

MARINE PROTECTION, RESEARCH, AND SANCTUARIES ACT OF 1971

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 554 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 554

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 9727) to regulate the dumping of material in the oceans, coastal, and other waters, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Merchant Marine and Fisheries, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Merchant Marine and Fisheries now printed in the bill as an original bill for the purpose of amendment under the five-minute rule. At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER. The gentleman from Indiana is recognized for 1 hour.

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

Mr. Speaker, House Resolution 554 provides an open rule with 2 hours of general debate for consideration of H.R. 9727, the Marine Protection, Research, and Sanctuaries Act of 1971. The resolution also makes it in order to consider the committee substitute as an original bill for the purpose of amendment.

The purpose of H.R. 9727 is to regulate the dumping of material in the oceans, coastal, Great Lakes, and other waterways.

The transportation and dumping of radiological, chemical, or biological warfare agents and high-level radioactive wastes would be banned. Also, a ban would be placed upon the transportation and dumping of all other waste material, unless authorized by a permit to be issued by the Administrator of the Environmental Protection Agency or the Secretary of the Army, as the case may be.

Title I of the bill provides a comprehensive system for the regulation of transportation for and the dumping of materials. The major impact of this legislation will be felt in the coastal, Great Lakes, and estuarine areas.

The Administrator of the Environmental Protection Agency is authorized to issue permits for the transportation and dumping of materials when he deems it will not degrade or endanger human beings or the marine environment.

The Secretary of the Army is authorized to issue permits for the transportation and dumping of dredged or fill material. Penalties are provided for violation of the regulations.

The sum of $3.6 million is authorized for fiscal year 1972. Projections for the following 5 years are: 1973, $5.6 million; 1974, $5.9 million; 1975, $5 million; 1976, $4.9 million; 1977, $4.7 million.

Title II of the bill authorizes and directs the Secretary of Commerce to develop a program of research on the effects of ocean dumping. Necessary funds for this program are authorized not to exceed $1 million for each fiscal year 1972, 1973, and 1974.

The Director of the National Science Foundation is authorized and directed

to initiate a research program regarding long-range effects of pollution, overfishing, and man-induced changes of ocean ecology systems. Necessary funds for this program are authorized not to exceed $1 million for each fiscal year 1972, 1973, and 1974.

Title III deals with the need to create a mechanism for protecting important areas of the coast from intrusion. The Secretary of Commerce is authorized to designate certain areas up to the Continental Shelf as marine sanctuaries. Penalties are provided for violations. Necessary sums are authorized not to exceed $10 million for each fiscal year 1972, 1973, and 1974.

Mr. Speaker, I urge the adoption of the rule in order that H.R. 9727 may be considered.

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

Mr. Speaker, House Resolution 554 provides for an open rule with 2 hours of general debate for consideration of the bill H.R. 9727 known as the Marine Protection, Research, and Sanctuaries Act of 1971. It makes the committee substitute in order as an original bill and open for amendment.

Mr. Speaker, the purpose of the bill is to prohibit the transportation or dumping into the ocean or coastal waters of dangerous materials, to ban other dumping of waste materials without a Federal permit, and to provide for the creation of marine sanctuaries in cooperation with the interested States.

The growing pollution of the oceans, and in particular of our coastal waters, is becoming a serious problem. This problem has been recognized by President Nixon, who in October 1970, sent to the Congress a message proposing legislation to deal with the question. Legislation embodying his proposals has been introduced in the 92d Congress (H.R. 4723) and is the basis of this legislation.

The bill will order an absolute ban upon the dumping of radiological, chemical, or biological warfare weapons or materials and high-level radioactive waste materials into the oceans or coastal waters of the United States. This will effectively prohibit the dumping of such materials manufactured in the United States in any ocean waters any place in the world.

All dumpings of municipal, industrial, or other waste materials would be permitted, if such dumping had been previously authorized by the Environmental Protection Agency—EPA. The administration of the Agency is authorized to issue dumping permits for such waste materials under criteria the Agency establishes. Further, the Corps of Engineers will be required to follow such Agency-established criteria when issuing permits for such matters as harbor and river dredging and the dumping of such materials in coastal waters. No permit may be issued which would violate the criteria established by the Environmental Protection Agency, but the Corps of Engineers could override the objection of the EPA if it determines that there is no economically feasible alternative available.

Violators are subject to both civil and criminal penalty. The administration may assess a fine of up to $50,000 for any individual violation, after notice to the alleged violator and a hearing on the alleged illegal dumping. A violator who is convicted of "knowingly violating" the provisions of the act may be fined up to $50,000 and imprisoned for up to 1 year, or both. The Attorney General, as well as private persons, may bring actions in Federal district court for injunctive relief in order to prevent violations of the act.

Title II of the bill authorizes the Secretary of Commerce with authority to undertake short-term research on the environmental effects of ocean dumping. A 3-year program is authorized at $1 million per year. The National Science Foundation is authorized to develop a continuing research program on the long-range effects of ocean pollution and overfishing of the oceans. A 3-year program is authorized at $1 million per year.

Title III authorizes the Secretary of Commerce to establish marine sanctuaries in cooperation with the affected States—and even foreign countries. The aim of the program would be to protect scenic resources, natural resources, or living organisms. A 3-year program, including acquisition, development, and operation of such sanctuaries is authorized at a cost of $10 million for each year.

With respect to cost estimates of the program, the Environmental Protection Agency estimates its responsibilities under title I would cost $22,300,000 through fiscal 1977. The Department of Transportation, on behalf of the Coast Guard, estimates its costs through fiscal 1977 to be $7,300,000. Research programs authorized under title II are authorized at $2 million for each of 3 years, while title III's sanctuaries establishment program is authorized at $10 million per year, over a 3-year period.

The bill was reported unanimously by a voice vote. It is supported by the administration.

Mr. Speaker, I urge adoption of House Resolution 554.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. DINGELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 9727) to regulate the dumping of material in the oceans, coastal, and other waters, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Michigan (Mr. DINGELL).

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 9727, with Mr. PIKE in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Michigan (Mr. DINGELL) will be recognized for 1 hour, and the gentleman from Ohio (Mr. MOSHER) will be recognized for 1 hour.

The Chair recognizes the gentleman from Michigan (Mr. DINGELL).

Mr. DINGELL. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, this bill would create a system for regulating the dumping of materials in the oceans, and the U.S. coastal waters.

Mr. Chairman, before I begin my comments on the bill I would like to pay tribute to the members of the committee and the members of the subcommittee, and to our invaluable staff who have contributed so much to the creation of the legislation now before the House.

I would like to pay particular tribute to several members of the committee, the gentleman from North Carolina (Mr. LENNON) the gentleman from Ohio (Mr. MOSHER) and the gentleman from Washington (Mr. PELLY) who have contributed invaluably of their abilities and of their corollary capacities in creating a bill which I believe very carefully represents the public interests, and a bill which merits the support of the Members of the House.

Mr. Chairman, essentially, this bill would create a system for regulating the dumping of materials into the oceans and U.S. coastal waters. It parallels, and in some respects expands upon legislation proposed by the administration earlier this year and submitted to the Merchant Marine and Fisheries Committee for its consideration. It is the first of the administration environmental proposals to have been reported on by any committee of either house. I will discuss the major points of difference between H.R. 9727 and the administration proposal somewhat later, but first I will describe the basic structure of the bill under consideration today.

Sections 1, 2, and 3 provide the bill's title, purposes and definitions. The definitions are broad, as you might expect, and cover the dumping of most materials into the bays, salt water harbors and lagoons, the Great Lakes, and those areas of the oceans falling within U.S. jurisdiction.

The core of title I of the bill is section 101, which creates an absolute ban upon the dumping of radiological, chemical, or biological warfare agents or high-level radioactive wastes by U.S. agencies, from U.S. territory or into U.S. territorial waters. The bill further prohibits the transportation or dumping of all other materials into U.S. waters and the oceans without a permit and also bars U.S. agencies or instrumentalities from transporting such material without a permit from any place outside U.S. territory for the purpose of dumping it into the oceans.

Section 102 provides general authority to the Environmental Protection Agency to issue permits for the transportation or dumping of materials other than first, those absolutely barred and, second, dredged and fill materials, where permit applicants show him that the environmental and economic impact of that

dumping will not be unreasonably harmful. EPA is required to establish criteria for operating the permit program, taking into account a number of specific factors, and after consulting with other agency heads as to what those criteria should be. He is further authorized to establish times and sites within which dumping should take place or, on the other hand, may not take place.

Section 103 continues the authority of the Corps of Engineers to issue permits for dredge and fill operations after consultation with EPA, provided that these operations are consistent with the criteria established by EPA. Those operations are also subject to the authority of EPA to designate sites and times within which dredged and fill material may not be placed, where this is necessary to protect critical areas, except that the corps may override these designations in extreme cases. The corps must also follow the EPA criteria in carrying out their own dredging operations.

Section 104 establishes general ground rules under which permits are to be issued under the act. The permits are required to be fairly specific as to what operations are to take place, and fees may be charged to defray processing and reporting requirements. Both EPA and the corps may issue general permits to cover situations where there is a minimal environmental impact, and they may limit or condition the permits to bring them into line with the criteria earlier established. The section prescribes requirements, carried throughout the act, for notice and public hearings where appropriate. Applicants must provide the information required by the permit issuer, and that information is a matter of public record.

The penalty section, section 105, provides for both civil and criminal penalties, with a maximum in each case of $50,000 per offense. The bill follows the 1899 Refuse Act procedures of providing part of the criminal fines to persons giving information leading to conviction, subject to an overall limitation of $2,500 per offense. The Attorney General is also given the authority to seek injunctions to prevent violations of the act, as are private citizens, in language paralleling that adopted by the Congress last year in the Clean Air Act and proposed by the administration this year in its amendments to the Federal Water Pollution Control Act. There is an exception to the penalty provisions where material is dumped from a vessel in an emergency, to safeguard life.

Section 106 preempts other Federal laws which would otherwise regulate activities covered by this act except those actions under 1899 Refuse Act authority which were taken before the effective date of the title—6 months after enactment. EPA is required to consult with the Secretary of the Army when activity subject to an EPA permit might affect navigation. The bill supersedes State law as to ocean dumping, but does act to protect State interests by creating a procedure whereby the State may recommend criteria for adoption by EPA. If accepted, these are thereafter treated in like manner as other criteria adopted by that agency.

The balance of the title, dealing with EPA enforcement powers, its power to adopt regulations, requirements of international cooperation, repealers and savings provisions are what might generally be termed "boiler plate," and are, as far as the committee can determine, unexceptionable. The authorization is open-ended, since we have no experience with which to judge what the permit program should entail. The committee has estimated a 6-year cost of $29.6 million for carrying out title I of the act.

Title II of the bill is new. Essentially this title provides authority and responsibility for research on both the short-and-long-term effects of ocean dumping and other human activities—that may affect the ability of the world's oceans to provide food and recreation for generations to come.

The bill, as reported by the committee, designates this long-term research authority as the responsibility of the National Science Foundation. The committee has received a number of suggestions as to other "homes" for this program and the final decision was that an amendment would be offered at the appropriate time to vest this authority in the Department of Commerce, to be handled by the National Oceanographic and Atmospheric Administration. I cannot say that I am entirely happy with this decision—the reasons for my dissatisfaction are well known, I should think, to every Member of this body, and I will not go into detail at this time.

I would say that it is the clear understanding of the committee that the language in title II is not intended to be an invitation to NOAA to build a Navy or to engage in extensive in-house research activities. The funds provided in the title were kept deliberately small, so that it would be abundantly clear to all concerned that this work is to be carried out, where appropriate, through contracts with scientific and other groups, in this country—and in other countries, where proper—and that the major activities of the funding agency will be to see that these funds and contracts are carried out wisely and consistently with the purposes of the act. I can also assure the Department of Commerce that this committee will be watching very, very closely to see how the directives of title II are carried out—and to be certain that the intention of the Congress is carried out to the fullest extent. What the Congress gives, it can also take away, and if the Department of Commerce cannot or will not comply with this act, we will find someone else who can and will.

The position of the administration on this title is not altogether clear. The Office of Management and Budget has indicated that they consider it unnecessary, since it only reinforces comparable authority in other agencies, and undesirable, since it could be interpreted to limit, rather than expand, other ocean research programs. As to the first, I would say that while it may or may not be true that other agencies have authority to carry on this type of research, it is indisputably true that no other agencies are doing this research at this time. Ocean research is being carried on—this is true—but the type of ocean research contemplated by title II, which involves the development of an imaginative "early warning system" for ocean problems before they have become insoluble crises, has never been instituted or even contemplated.

As to the second problem, the fears of OMB are equally easily resolved. Let me make the record clear—the authority which we provide in this bill is in no way intended to limit or restrict any other agency's ocean research program, in the Department of Commerce or any place else.

Title III of the bill is new to the legislation, but bills to accomplish its objectives have been before the committee since the 90th Congress. It authorizes but does not direct—and this distinction may become important as the discussion of this bill proceeds—the Secretary of Commerce to designate certain areas of the oceans, coastal and other waters, as defined in the act, as marine sanctuaries. He may do so only after consultation with other interested Federal departments and agencies; designation of such sanctuaries will follow his conclusion that these waters are necessary to be preserved for their conservation, recreational, ecological or esthetic values. The title does absolutely nothing to extend the jurisdiction of this country over waters of any other nations, or to waters not already under U.S. jurisdiction by other statutory enactment or international treaty or convention.

The rights of the States are fully protected under this title: any State which would have waters within its territorial jurisdiction inside a sanctuary is given a "grace period" within which it may assent or disagree to the proposal. If it disagrees, the sanctuary designation is suspended as to those territorial waters.

The title also goes into some detail in the matter of public hearings on proposed sanctuaries—echoing a continuing concern of the committee that the public must be brought into the decisionmaking process and given adequate information in connection with matters arising under this act. It provides sanctions for acts which violate its provisions, and adds a $10 million appropriation authorization per year for the 3-year life of the marine sanctuaries program. At the end of that period the program may be extended—depending upon how effectively it has been carried out.

I must tell my colleagues that agencies downtown have also raised objections to this title of the act. We have considered those objections at some length, and would report to you that we do not find them sufficient to warrant amendment or rejection of title III.

The position of the Department of State, essentially is that any action to establish such sanctuaries at this time is premature and should await action to be taken by an authority not yet established, pursuant to a convention not yet

proposed. Paralleling other reactions by the Department of Defense, State also suggests that national security interests are involved. Defense provides a little more substance to this skeleton, referring to its well-known preference for territorial seas as narrow as possible. OMB shares these apprehensions, and adds the possible loss of revenue as extra inducement for inaction.

I should begin by saying that all these agencies have known for over 2 months that the committee had the question of marine sanctuaries—and for that matter, research—under serious consideration. Representatives of three agencies were present during many of the committee's executive sessions. And yet it was not until yesterday, 2 weeks after the bill was reported out of the committee that we heard from the agencies downtown. This suggests that the dire consequences which they threaten may be less than real.

As to the merits of their contentions, these were all factors which the committee had in mind when it unanimously endorsed this legislation. Granted that some day all men may be wise and that man's activities which threaten critical offshore areas may be voluntarily curtailed, that time has not yet arrived. As the Santa Barbara incident showed with clarity, we often sacrifice important long-term values for short-term gain. What is needed is an expeditious means of protecting important values immediately, and this title III would do.

Let me stress the point that title III is permissive—it allows the Secretary of Commerce to declare sanctuaries in appropriate cases. We make no attempt to force him to do so. While it is conceivable that the views of future Cabinet officers may differ—and I have heard no suggestions that the present Secretary is overly well disposed to the protection of environmental values at the expense of resource exploitation—it is also clear that the means for resolving these disputes is in the hands of the President, who can instruct the Secretary to withhold sanctuary status from an area deemed important for military, resource, diplomatic, or any other reasons. In title III we do no more than provide the tools with which to preserve important assets for generations yet unborn.

It has been brought to my attention that efforts may be made to have part or all of titles II and III stricken from this bill. What the stated reasons for such a proposal may be I cannot say, but I can say that the committee will resist any such efforts strongly because we believe that they would seriously weaken the powerful environmental protection that they can afford. I repeat that these titles provide badly needed tools with which we may begin to repair some of the damage that has been done to the oceans in the past, and can protect important areas and resources from further impairment.

Recently I received a letter from a number of environmental and conservation groups urging support for these titles and rejection of any efforts to weaken the bill by changing it substantially from its present form. The gentleman from Washington (Mr. PELLY) ranking minority member of the committee, and I sent to each Member of this body a copy of that letter for their information.

We consider the retention of titles II and III as critical to the significance of this bill. Any effort to remove them should be seen for what it is: an attempt to minimize the considerable environmental protection that the bill affords. We will resist such efforts on this ground and for this reason.

Mr. Chairman and honored colleagues, I would say to you that H.R. 9727 is a sound and a necessary bill. I hope that this body will approve it and send it forward today.

Mr. Chairman, I insert at this point further material in support of this legislation:

WASHINGTON, D.C., *July 28, 1971.*

Hon. JOHN DINGELL,
Chairman, House Subcommittee on Fisheries and Wildlife Conservation, Longworth House Office Building, Washington, D.C

DEAR MR. DINGELL: National conservation and environmental organizations have long supported efforts for more intensive oceanic research and for establishment of sanctuaries to protect marine resources in connection with proposals to curb ocean dumping. Maintenance of water quality; conservation of marine organisms, including fisheries and other wildlife; and protection and planning for uses of coastal waters are closely interrelated factors for sound marine conservation. These factors must be considered together as a single entity if we are to curb use of the oceans, coastal waters, Great Lakes and connecting waters as dumping grounds of last resort.

You and other sponsors of the proposed Marine Protection, Research and Sanctuaries Act of 1971 have recognized this basic relationship. We wish to express our appreciation to you for bringing these elements together as an effective instrument for long overdue action in the field of marine conservation, and hope that it will be enacted by the House substantially as reported by your committee. These remarks are offered in response to your request for comments on H.R. 9727.

Sincerely,

W. Lloyd Tupling, Sierra Club; George Alderson, Friends of the Earth; Stewart M. Brandborg, Wilderness Society; Charles H. Callison, National Audubon Society; Thomas L. Kimball, National Wildlife Federation; Ted Pankowski, Izaak Walton League of America; Daniel A. Poole, Wildlife Management Institute; and Barbara Reid, Environmental Action.

MCNUTT, DUDLEY AND EASTERWOOD,
Washington, D.C., July 20, 1971.

Hon. ALTON LENNON,
Chairman, Subcommittee on Oceanography, Committee on Merchant Marine and Fisheries, House of Representatives, Washington, D.C.

DEAR MR. LENNON: In behalf of our clients in the dredging industry we wish to commend you for your untiring efforts in producing legislation (H.R. 9727) which reasonably balances a need to protect and preserve our environment with the need to protect navigation and to promote economic and industrial growth in the United States.

I know that you worked long and endless hours to produce a bill which would reflect the importance of navigational interests. All of us in industry recognize the dedication and devotion which you have given to this bill.

With best regards, I am

Sincerely,

ROBERT E. LOSCH.

AMERICAN INSTITUTE OF
AMERICAN SHIPPING,
Washington, D.C., August 30, 1971.

Re H.R. 9727 "Marine Protection, Research and Sanctuaries Act of 1971."

Hon. E. A. GARMATZ,
U.S. House of Representatives, Washington, D.C.

DEAR MR. GARMATZ: The American Institute of Merchant Shipping is a national trade association composed of 35 United States companies which own and operate about 430 oceangoing vessels of all types registered under the U.S. flag. These vessels are engaged in the foreign and domestic trades of the United States and aggregate over 8,000,000 deadweight tons which represents in excess of 60% of the oceangoing tonnage in the U.S. merchant marine.

As you are aware, H.R. 9727 was reported favorably to the House in amended form by the Committee on Merchant Marine and Fisheries on July 13. Section 2 of the bill states that "it is the policy of the United States to regulate the dumping of all types of material into the oceans, coastal, and other waters and to prevent or strictly limit the dumping into the oceans, coastal, or other waters of any material which could adversely affect human health, welfare, or amenities, or the marine environment, ecological systems, or economic potentialities. To this end, it is the purpose of this Act to regulate the transportation of material for dumping into the oceans, coastal, and other waters, and the dumping of material by any person from any source if the dumping occurs in waters over which the United States has jurisdiction."

I wish to take this opportunity to inform you that the AIMS and its member companies wholeheartedly support and desire to cooperate in the accomplishment of the above policy and purpose of H.R. 9727.

We would like to go on record as specifically supporting the provisions of Section 103 of the bill under which the Secretary of the Army and Chief of Engineers, Department of the Army, would retain the authority conferred upon them by the Acts of June 29, 1888 and March 3, 1899, to issue permits for the transportation of dredged or fill material for dumping into the oceans, coastal and other waters "where the Secretary determines that such transportation, or dumping, or both, will not unreasonably degrade or endanger human health, welfare, or amenities, or the marine environment, ecological systems, or economic potentialities", as stated in Section 103(a).

As you know, the U.S. Army Corps of Engineers have been exercising this permit issuing authority for a period of 83 years and have acquired extensive experience and expertise in this area which is indispensable to the administration of the permit authority. As the problems of water pollution and maintenance of water quality became of increasing concern, they have become important factors in the evoluation of permit applications by the Army Engineers. Accordingly, the regulations of the Chief of Engineers governing issuance of permits now include strict requirements for evaluation of effects of proposed Federal and non-Federal works, including disposal of dredged material, not only in regard to navigation but also with respect to fish and wildlife, water quality, pollution, conservation, aesthetics, ecology and other environmental factors.

The AIMS, American Association of Port Authorities, American Waterways Operators and other navigation interests have taken

the position that the authority to issue permits for the transportation and dispersal of dredged material resulting from waterway improvements should not be transferred from the Secretary of the Army to the Administrator of the Environmental Protection Agency for the reason that in the opinion of the navigation and port interests such action would seriously jeopardize the economic justification and progress of waterway improvement projects essential to the industrial development and economic growth of our nation.

We wish to point out that the paramount function and overriding concern of the Environmental Protection Agency Administrator is to preserve and protect the environment. For this reason we do not believe he would be in a position to evaluate on an impartial and equitable basis all factors related to a waterway improvement project which, in addition to environmental factors, would include the effect on navigation, economic and industrial development, and the foreign and domestic commerce of the United States. It is therefore logical to anticipate that the EPA Administrator would require dredged material to be transported for disposal far at sea or to inland locations. In either case, the effect of such a requirement on projects under study or recommended by the Corps of Engineers or authorized by Congress would be to greatly increase the cost of such projects, thereby jeopardizing their economic justification by adversely affecting the ratio of benefits to cost. You will note that Section 103(b) of H.R. 9727 is designed to avoid the above situation in the interest of the orderly and progressive development of our rivers and harbors.

We therefore strongly urge that you support H.R. 9727, particularly Section 103 as reported favorably to the House by the Committee on Merchant Marine and Fisheries.

Sincerely,

JAMES J. REYNOLDS,
President.

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

Mr. Chairman, I am pinch-hitting today for our good friend TOM PELLY, the gentleman from Washington, who is the ranking member of the House Committee on Merchant Marine and Fisheries.

When I assert here my own enthusiastic support for the bill before us today, H.R. 9727, the Marine Protection, Research, and Sanctuaries Act, I am at the same time authorized also to express Mr. PELLY's complete and urgent support.

He and I, as ranking minority members of the two subcommittees that fashioned this legislation, worked closely with the gentlemen from Michigan and North Carolina, Congressmen DINGELL and LENNON, our subcommittee chairmen, during the lengthy, often tedious, and difficult committee sessions which were required to produce this bill.

I salute our two chairmen for a remarkably cooperative, responsible, successful effort.

And I emphasize that this has been a completely bipartisan project. The bill as it is proposed here today had unanimous support of our minority side in the committee.

This legislation actually is the first of its kind in the world, and marks a turning point in man's destructive use of the sea as a garbage dump. Hopefully, in the near future all nations will follow our lead, recognizing that the global oceans can no longer tolerate our abuse.

Your Committee on Merchant Marine and Fisheries has been deeply concerned over the degradation of the marine environment for many years. It has, I believe, studied the problems of marine pollution and resource development in greater depth than any other body within or without the Congress.

At the same time, Mr. Chairman, our committee has fostered the sound development of programs to tap the vast resources of the sea to satisfy man's growing need for protein rich foods and for minerals of all kinds to sustain our industrial economy.

Illustrative of this work is the Marine Resources, Engineering, and Development Act of 1966. That landmark legislation was the culmination of work begun by our committee in 1959. The report of the Commission on Marine Science, which was established by that act, will stand for years to come as a national blueprint for intelligent utilization of the living and mineral resources of the sea.

Therefore, Mr. Chairman, we are no strangers to the twin issues of marine pollution and marine resource development.

Similarly, your committee was responsible for development of the National Environmental Policy Act of 1969 and the establishment of the Council on Environmental Quality—another giant step forward toward rational use of a limited and endangered water, air, and other resources so basic to human life.

The legislation before us today is another of these cornerstones designed to prevent the eventual collapse of our socio-economic structure. Hopefully, it will not only bring a halt to the more flagrant abuses of our crucial resource—the world ocean system—but will enable that system to restore itself to a healthier state.

The need for this legislation is apparent to anyone who has bothered to visit an ocean beach covered with refuse washed in on the tide, or to anyone who has seen the barge loads of garbage and debris parading daily out of every major U.S. seaport. Examples of this abuse are endless. The statistics are well-known to all of us.

We recognize that this nationwide practice of ocean dumping cannot be stopped over night. Our cities would sink in their own filth; our rivers and harbors would become clogged with silt; vital commerce would be jeopardized.

However, we are tardy in applying the brakes. Now, it is imperative to say "find another way and soon." That is what this bill demands.

Almost a year ago, your committee held day and night hearings hoping to avert the suddenly announced dumping of nerve gas into the ocean off Florida by the Army. Earlier in the year, hearings were held on the dead sea off New York, the so-called New York Blight, the most polluted area in the world.

The nerve gas dumping incident reverberated around the world and focused public opinion on the need for legislation. The New York Bight hearings illustrated what may happen near every major coastal city within a decade if steps are not taken now.

At the same time, the Council on Environmental Quality undertook a study of ocean disposal and in October 1970 issued its comprehensive report to the President. Draft legislation was submitted to Congress early in this session.

The President's draft legislation is embodied in title I of H.R. 9727. Essential corollary programs, added by our committee, are contained in title II—Comprehensive Research, and title III—Marine Sanctuaries.

As a representative of the Great Lakes area, I am pleased to emphasize that the Great Lakes are specifically included in the provisions of this bill.

Title I of the bill prohibits the transportation of material for dumping into the oceans and the dumping of material into our territorial waters or the contiguous zone, except as may be authorized in a permit.

Certain materials including high-level radioactive waste and warfare agents may not be dumped at all.

Permits will be handled by the Environmental Protection Agency with the exception of dredge spoil and fill material, which comes under the jurisdiction of the Corps of Engineers.

The Administrator of the Environmental Protection Agency must establish criteria for the guidance of his agency and the Corps in evaluating permit applications. Before a permit may be issued, the Administrator must find that the proposed dumping will not unreasonably degrade or endanger human health, the marine environment, or the economic potential of our ocean resources.

The Administrator may designate recommended dumping sites or times for dumping and, to protect critical marine areas, may designate sites which will be off limits for all dumping activities.

The Corps of Engineers must adhere to the EPA guidelines and must consult with the Administrator of EPA before issuing permits for dredged or fill material. The Administrator's designation of critical areas where no dumping may take place is binding upon the corps, unless the Secretary of the Army certifies that no economically feasible alternative site is reasonably available.

These then, are the broad outlines of title I, Mr. Chairman. Your committee has adopted a balanced position reflecting the urgent need to impose tight reins on ocean dumping while recognizing that our navigable waterways must be maintained.

The Corps of Engineers, like all of us, has awakened to the need for environmental protection. Its efforts during the past several years have been impressive. I do not anticipate that the Secretary of the Army will invoke the authority given him to disregard EPA site designations, except in very rare emergency situations. He is expected to adhere to the spirit, as well as the letter, of this legislation. The authority vested in him is a mark of our confidence and trust. It is not a license to avoid hard decisions and take the easy path.

In addition to the Corps of Engineers permit authority, your committee has introduced two other significant new concepts into this legislation. They are a modified Federal preemption and citizens' suits.

The bill as introduced gave our States the right to impose higher conditions on dumping within their coastal waters than may be imposed by EPA. It was unclear, however, how such additional conditions would be made effective; who would police them, and what impact such a provision would have where two or more States border upon a common body of water leading to the sea.

Your committee feels very strongly that uniformity of regulation is most desirable, yet there are circumstances which warrant the imposition of stricter conditions than may be generally needed. The bill, therefore, authorizes the States to recommend to the Administrator of Environmental Protection Agency additional conditions for permits or criteria for judging permit applications. Provided the State recommendations are not inconsistent with the purposes of the act, the Administrator of Environmental Protection Agency may adopt them. It is expected that the Administrator will give great weight to the recommendations of our coastal States and will, whenever possible, adopt their proposals. At the same time, the bill insures that only one agency will be responsible for the final development of criteria, and only two agencies, EPA and the corps, will issue permits. The alternative, a multiplicity of Federal and State criteria, regulations, and permits would be chaotic.

The citizen suit provision of this title will enable private parties to sue for injunctive relief. In this era of public involvement, such a provision is essential. The cost of clean water—the price tag on a livable environment—is high. Ultimately, each of us will be called upon to pay our share. We have a right, therefore, as citizens and taxpayers to play a role in this regulatory effort. Injunctive relief is the most appropriate judicial remedy. The legislation is carefully written to minimize the risk of nuisance suits and mere harassment. I feel sure that this provision will enable responsible citizens and groups to keep the involved Federal agencies, the States and permit holders on their toes.

Title II, Mr. Chairman, is a logical and necessary part of this legislation. It authorizes two research programs to monitor the immediate and long-range health of the oceans. In the short run, we must know whether this effort to curb ocean-dumping is paying off. The Administrator of Environmental Protection Agency cannot establish criteria for ocean-dumping permits in a scientific vacuum. Nor will he know whether his criteria are adequate once established, unless base lines from which progress can be measured are established at the same time.

Ocean dumping is, of course, but one of the significant problems confronting man in our continuing efforts to produce a healthy marine environment and utilize the oceans wisely. Long-range programs designed to probe the more subtle changes taking place in the oceans are necessary.

While it may be argued that there is broad general authority in many agencies to undertake such a long range program, your committee feels strongly that such general authority must be reinforced with an express directive. That is the purpose of title II.

It is not our intention that existing funds be reprogramed to carry out this title, or that it result in a net decline in our total scientific effort in the oceans, but rather that this grant of authority be taken as a mandate to do substantially more than is now being done to understand man's impact upon the sea.

Title III of H.R. 9727 complements titles I and II and emphasizes our national concern over indiscriminate and thoughtless utilization of the oceans. Its purpose is to insure the highest and best use of this national asset.

In discussing title III, Mr. Chairman, let me first assure my colleagues that I am not against the use of the resources of the sea—living or mineral—or the sea itself, to satisfy the needs of this Nation.

Your Committee on Merchant Marine and Fisheries began to move the Congress and the executive branch in this direction over a decade ago. The Marine Resources Act, the Sea Grant College Act, and innumerable other efforts by your committee testify to our involvement in marine resource development.

We also recognize, however, that this development must be conducted with an understanding and awareness of its consequences. Our coastal waters extending over the Continental Shelf support the greatest fishery resources in the world. They also contain vast unexplored, even unknown, mineral deposits which are vital to the future of our economy. Certain of these areas are especially valuable for recreation to the millions who live near the water—the majority of our people. Certain areas are unique from a geologic or biologic standpoint.

These various uses of the oceans, the water column, and the seabed can exist in harmony. They are not mutually exclusive nor incompatible. Experience with offshore oil platforms in the Gulf of Mexico has proven, for example, that a net increase in the fish population generally results.

Title III authorizes the Secretary of Commerce, who obviously would utilize the expertise of the National Oceanic and Atmospheric Administration, to designate as marine sanctuaries those areas which he determines should be preserved for their conservation, recreational, ecological or esthetic value. An initial designation must be made within 2 years.

Any designation of a marine sanctuary will only be made after consultation with the Secretaries of State, Defense, Interior, and Transportation and the Administrator of Environmental Protection Agency.

No sanctuary encompassing State waters may become effective as to those waters, if unacceptable to the Governor of the State.

The report of your committee makes it abundantly clear that the designation of a marine sanctuary is not intended to rule out multiple use of the sea surface, water column or seabed. Any proposed activity must, however, be consistent with the overall purpose of this title An inconsistent use, in my opinion, would be one which negates the fundamental purpose for which a specific sanctuary may be established.

This title, Mr. Chairman, is intended to insure that our coastal ocean waters are utilized to meet our total needs from the sea. Those needs include recreation, resource exploitation, the advancement of knowledge of the earth, and the preservation of unique areas. All are important:

This title is not designed to terminate the use of our coastal waters to meet any of these needs.

I would like to lay to rest the idea that this concept is contrary to our national posture on the law of the sea. It is not a case of creeping jurisdiction. It does not have extra territorial effect. The designation of a marine sanctuary beyond 12 miles is not binding on foreign nations; but legislation clearly directs the Secretary of State to seek foreign recognition of our marine sanctuaries through appropriate diplomatic channels. Your committee is fully aware of the limitations on our authority in this regard. Such traditional international rights as freedom of navigation and innocent passage are not disturbed by this legislation.

In conclusion, Mr. Chairman, the need for this legislation is clear. Your committee has devoted more consideration to the detailed provisions of this legislation than any other bill I can recall. It has the total support of all members of your committee. I urge its adoption.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. MOSHER. I yield to the gentleman from Michigan.

Mr. DINGELL. I rise to pay tribute to the gentleman from Ohio for the outstanding participation and for the great contribution he made in the creation of the legislation now before us. He and my good friend the gentleman from Washington (Mr. PELLY) have worked for months, and have been invaluable in presenting this legislation to the House.

Mr. MOSHER. I thank the gentleman from Michigan. I repeat the remarks I have already made, that the gentleman from Washington (Mr. PELLY) and I greatly appreciate the consideration of the two chairmen of the two subcommittees in their joint effort. It was a tremendous effort they made.

Mr. DINGELL. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Maryland (Mr. GARMATZ) the chairman of the Committee on Merchant Marine and Fisheries.

Mr. GARMATZ. Mr. Chairman, I rise in strong support of H.R. 9727 because I think this is a significant and essential piece of environmental legislation.

Basically, this bill is designed to establish a concerted, national policy on ocean dumping. It represents the first opportunity for the House to pass legislation

to prevent the oceans from becoming dangerously polluted and perhaps irreversibly damaged.

Although my entire committee feels that rapid action on this bill is vital, I want to emphasize that its evolution through the normal committee process was neither hasty nor perfunctory. Every section was closely scrutinized, and the original administration bill was revised with the utmost care, and with much painstaking deliberation on the language the House now has before it for consideration. In addition to extensive hearings, long hours of executive sessions were held, and we estimate that more than 75 hours were spent on the legislation by the committee members.

During all those hours, Congressman DINGELL and Congressman LENNON jointly chaired those sessions, since the hearings were jointly held by the Subcommittee on Fisheries and Wildlife Conservation and the Subcommittee on Oceanography.

Since my distinguished and dedicated colleagues, Congressmen DINGELL and LENNON are such experts on this bill, I will be pleased to have them explain it in detail. I would like to say, however, that I consider this bill unique—partially because of the abnormal length of time and effort that was expended to hammer out legislation that would work but primarily because I think it sets an example and will provide useful guidelines for future environmental legislation. I say this because it attempts to guard against over-reaction to pollution problems by establishing a sensible and essential balance between the need to protect our environment and the need to maintain and promote industrial and economic development.

That kind of balance was not easy to attain, and this is one of the reasons the committee members worked so long and hard. Their efforts were rewarded, because they have produced a bill that will effectively protect and preserve the vast ocean resources, and at the same time, satisfy the justifiable concerns expressed during our hearings by industrial interests—such as the port authorities, and the steamship, dredging and chemical industries—which could have been adversely affected by legislation that was too hurriedly drafted.

It is also interesting to note that—perhaps for the first time—the representatives of some of these industries realized and admitted that they must make concessions and share the obligation to the Nation's ecology as well as to its economy.

Mr. Chairman, this is a good bill. It will fulfill a great and vital need. I earnestly urge my colleagues in the House to support and unanimously pass H.R. 9727.

Mr. MOSHER. Mr. Chairman, I think Mr. LENNON, the gentleman from North Carolina, should be accorded time at this point. I hope the gentleman from Michigan (Mr. DINGELL) will give him such time.

Mr. DINGELL. Mr. Chairman, I am indeed happy to yield 10 minutes to my distinguished friend and colleague, the gentleman from North Carolina (Mr. LENNON).

Mr. LENNON. Mr. Chairman, I rise in strong support of the bill before the committee today. It is, in my opinion, an effective bill, a rational bill, and a bill long past due.

For many years, this Nation, along with other nations in the world, have treated the oceans as an unrestricted dumping ground. Quantities of garbage, sewage sludge, laboratory wastes, contaminated dredge spoils, industrial wastes, munitions, and radioactive materials have all been casually disposed of into the ocean "sink," in ever increasing quantities, with little or no consideration of the impact on the receiving waters. In the past few years, we have begun to realize some of the consequences of our past actions. Our attention has been drawn to emergency situations where large quantities of nerve gas, enclosed in supposedly leak-proof containers, have been transported from the center of our country to be loaded on vessels for dispositon at sea. Congressional hearings to inquire into the need for such an action resulted only in declarations that it was too late to take any other disposal action. The truth of the matter is that no alternative plans were considered, and the nerve gas, together with its propellant charges, were simply allowed to reach a point where their threatened deterioration might create a major hazard unless they were immediately disposed of. The solution for the disposal was the selfsame ocean waters where the feelings in the past has been "out of sight, out of mind."

The various dumping activities have been coupled with agricultural runoff from the land and vast quantities of waste materials deposited into our river systems for transportation to the sea. Added together, they have had a massive deleterious effect on our offshore waters. Plants and animals have been killed by toxic wastes, areas of ocean bottom, such as the New York Bight, have been suffocated and turned into "ocean deserts," cancerous growths have been found on fishes in areas polluted by waste material, reduced growth rates and lowered reproductivity activity of fishes have occurred, the lower levels of the food chain in the ocean waters have been obliterated in some areas. The concentrations of pesticides and heavy metals have rendered some fish species unsafe for consumption and have threatened the existence of other species higher in the food chain, the oxygen in many water areas have been depleted below the level necessary either to support marine life or to degrade the deposited wastes, and beaches have been closed to swimming and shellfish beds closed to harvesting because of high concentrations of coliform bacteria and of viruses causing various types of infection and diseases.

Aside from the massive threat to animal and human health, the results of this pollution have caused significant economic losses. Resort areas have experienced a loss of income-producing visitors, and commercially valuable fisheries have suffered, with the loss to the shellfish catch alone estimated at $63 million in the 1969 harvest. This situation requires prompt action.

The bill before the committee today, H.R. 9727, as amended, will not correct present conditions overnight. It could not be expected to. But it is a start—a major step down the long road to correction. No longer need we be startled by the news that a shipload of munitions and chemical warfare agents has been scuttled at sea. No longer need we alert our coastal residents that their beach fronts are threatened by foul smelling garbage which is washing up on shore as a result of a trip by a "honey barge." Finally, no longer need we expose our coastal communities and the marine life at sea to the hazardous threat of packaged nerve gas carried through the countryside to a seaport community to be loaded aboard ship for transportation to sea.

The bill before you does several important things. In title I, it bans the transportation from the United States for dumping at sea of all radiological, chemical and biological warfare agents, as well as high-level or "hot" radioactive waste. It applies the same ban against dumping in any waters subject to the jurisdiction of the United States and finally, it applies the same ban to the U.S. Government and its officers and agents for transportation of such materials for dumping at sea from any sources outside the United States.

In addition, for materials other than those which are banned, title I provides for a permit system to be administered by the Secretary of the Army as to dredged or fill material and to be administered by the Administrator of the Environmental Protection Agency for the disposal of all other materials at sea, or in our coastal waters. Both the Administrator and the Secretary of the Army will be guided in issuing permits by criteria to be developed to serve as the standards under which permits may be issued. The criteria will require an evaluation of all pertinent factors before any material can be transported for dumping into the oceans, coastal and other waters. Some of the factors involved include the need for the dumping, its potential effect on human health and welfare, on fisheries resources and on the marine environment, and will further require an evaluation of the permanence or persistence of those effects, as well as the volumes and concentrations involved, and finally, a consideration of other feasible disposal methods, including land based alternatives.

The bill deliberately divides responsibility between the Environmental Protection Agency and the Corps of Engineers. All other Federal agencies, as well as local governments and private entities will be bound by their determinations. The major responsibility as should be apparent is given to the agency created last year for the protection of our environment. It is that agency which will be responsible not only for the permit system relating to most of the material types but will also develop, after appropriate consultation, the criteria under which its own permits, as well as the Army

permits, are evaluated. At the same time, the bill recognizes the responsibility of the Army Engineers in the maintenance of our waterways and, therefore, leaves to the Army the permit system relating to the disposal of dredged spoils and fill material. In so doing, it authorizes the Secretary of the Army in his evaluations to consider specific potential impacts on navigation, economic and industrial development, and the foreign and domestic commerce of the United States in making his evaluation.

In my opinion, the result is a reasonable balance between the demonstrated needs to protect our marine environment, and the economic needs of our domestic and foreign water commerce. The Secretary, in effect, will be bound to follow the guidelines laid down to protect the environment unless he finds that in so doing necessary maintenance projects in the waterways would have to be canceled.

The bill also provides for appropriate public hearings on permit issuance when such hearings would serve a legitimate public interest. It consolidates the penalty procedures in one agency, the Environmental Protection Agency, which, coordinating as necessary with other agencies, particularly the Department of Justice, will insure a uniform application of penalty procedures. It places the surveillance and enforcement responsibility in one agency, the Coast Guard, and insures the necessary coordination between that agency and the Environmental Protection Agency. It provides for legal action by private citizens when violations are not expeditiously handled by the responsible officials, and finally, it directs the Secretary of State to seek effective international action for the development of appropriate international controls similar to the ones provided domestically by this act.

The bill includes two additional titles which are complementary to title I. The first of these focuses attention on necessary research to evaluate both short-term and long-range effects of ocean pollution thereby assuring that as ocean dumping procedures are tightened, acceptable activities in regard to disposal of materials at sea are not terminated.

Title III concerning the designation of marine sanctuaries provides a scheme whereby areas may be preserved or restored in order to insure their maximum overall potential and would. in effect, provide for rational decisions on competing uses in the offshore waters.

This legislation developed from an administration proposal and has been carefully considered in detail in joint hearings and executive sessions of the Subcommittees on Oceanography and on Fish and Wildlife Conservation. The bill before you today was unanimously reported out of the joint subcommittees. It was unanimously adopted and reported to the House by the Committee on Merchant Marine and Fisheries. It is my firm belief that it is an effective piece of legislation which will do much for the restoration of the oceans and coastal waters. I believe that in the years and decades ahead, this Nation will turn more and more to the oceans as a source of food and other resources. If that promise is to be realized, we must take necessary measures to reverse the degrading practices in which we have indulged ourselves in the past. This legislation represents the first step in those measures. I endorse it and solicit the support of all other Members.

Mr. BIAGGI. Mr. Chairman, will the gentleman yield?

Mr. LENNON. I yield to the gentleman from New York.

Mr. BIAGGI. Mr. Chairman, I thank the gentleman from North Carolina for yielding, and I would like to associate myself with the gentleman's remarks.

Mr. Chairman, I rise in support of this bill which would strictly regulate the dumping of waste materials into the ocean and establish marine sanctuaries in our coastal and Great Lakes areas.

The committee has developed a good bill which enjoys the support of the administration as well as many conservation and wildlife preservation groups. In committee, we sought to strengthen the proposals of the President by requiring the regulation of radioactive wastes dumped by the Atomic Energy Commission and by requiring the Corps of Engineers to apply the Environmental Protection Agency's criteria when issuing permits for ocean dumping. The committee also felt a need to include an absolute ban on the dumping of chemical and biological warfare agents and high-level radioactive wastes.

Additionally this measure would require the Secretary of Commerce to establish marine sanctuaries in our coastal water and in the Great Lakes to preserve our shoreline waters for recreational, ecological, conservation, and esthetic values. The Secretary would also be instructed to investigate the extent of damage done to the ocean environment by man.

Thor Heyerdahl who has attempted to cross the ocean in a raft has professed horror over the extent of the pollution of the oceans. Even far out at sea the telltale and extensive presence of man is easily detected. Perhaps the most dominant source of pollution is ships which daily dump thousands of gallons of oil into our waters. Added to this is the frequent pollution of our coastal waters from tanker spills and oil drilling operations.

It was only a short while ago that New York City's Coney Island beach area was closed due to an oil spill from a Navy vessel. The damage to marine life caused by oil spills is extremely serious. I am sure that the research section of this bill will bring that fact out all the more clearly.

Because of the serious hazard posed by oil pollution, I intend to support the amendment offered by the gentleman from New York (Mr. LENT) and the gentleman from California (Mr. TEAGUE). Their proposal would merely place a moratorium on the issuance of permits for oil drilling in areas under consideration fcr marine sanctuaries.

Now this amendment will in no way eliminate offshore oil drilling. It will simply restrict it for a period of 3 years in certain areas. Once an oil spill from an offshore rig occurs the damage is irreversible.

If an area is under consideration for designation as a marine sanctuary, this amendment would assure that it has a chance of being in usable condition. I do not believe the amendment will be that crippling to the oil industry. There are ample offshore reserves to be tapped—none of which is in danger of going dry in the next 3 years.

This bill and the amendment to be offered deserves the strong support of this body. It shows the strong commitment that the Members of the 92d Congress have toward cleaning up and preserving our environment for the future. This is so little a price to pay for saving our oceans.

Mr. MOSHER. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. MAILLIARD).

Mr. MAILLIARD. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I wish to join my colleagues on the Committee on Merchant Marine and Fisheires in expressing my strong support for this legislation.

The world's oceans which cover nearly three-quarters of the earth's surface are indeed critical to our environment. Our weather is largely the product of the interaction between the sea and the atmosphere under the influence of the sun. The world's oceans support an intricate balance of life, both plant and animal. Upon this balance, depends the abundance of our world's fisheries. Our coastal waters provide recreation and inspiration for our people. Below those waters locked in the seabed are mineral resources, the extent of which we are only just beginning to grasp. These resources are a heritage for all mankind, and hopefully will enable us to sustain our society which is so dependent upon energy and raw materials for years to come.

We have not dealt with this vast resource wisely. We have assumed incorrectly that the oceans can continue to absorb our waste materials and somehow maintain the delicate balance of life. Pollution was once a problem only within a narrow belt in the so-called coastal zone where our rivers empty into the sea, and where our people are concentrated. During the past several decades, however, pollution of the seas has spread to the point where literally no body of water anywhere in the world is free from its effects. The population of the world is expanding at an ever-increasing rate. With this expansion, it can be expected that there will be an increasing tendency to turn to the oceans as a place to hide our waste materials. This tendency must be arrested before it is too late, while there is still time.

The enactment of H.R. 9727 will place the United States in the forefront of a worldwide effort to stop one of the most critical contributors to the pollution of the oceans, the dumping of waste generated by man on shore. The United States alone cannot accomplish this task. Efforts are being made to secure

the adoption of an international ocean-dumping convention through the United Nations Conference on the Human Environment. The worldwide adoption of such a convention will enable the oceans to restore themselves through natural processes. More immediately, the enactment of this legislation will begin the process of cleaning up our most valuable and critical waters within the coastal zone area where most deliberate dumping occurs. It is this narrow belt of the ocean extending perhaps 100 miles to sea which supports our richest fishing areas, provides recreation for millions of people, and contains the petroleum and other mineral resources that can be extracted economically with the technology at hand.

The permit system established under this legislation is not a license to dump. Business as usual will not be tolerated. The Administrator of EPA, and the Secretary of the Army in the case of dredge spoil and fill material, must carefully weigh each application for dumping and determine that the activity can be undertaken in harmony with the needs of human health and the safety of the marine environment. We are placing upon the Administrator of EPA and the Secretary of the Army an extremely heavy burden. It will not be easy to make the decisions called for. Many hard decisions will have to be made; decisions which will compel, in many cases, our cities and industries to begin searching for other means to dispose of their waste.

The detailed provisions of this legislation have been fully explained by the distinguished chairman of the Fisheries and Wildlife Conservation Subcommittee, Mr. DINGELL, and need not be repeated. I will, however, comment briefly on several key provisions that bear emphasis. The scope of this legislation encompasses not only the oceans and our coastal waters but the Great Lakes and their connecting waterways. Steps already have been taken to prevent the death of the Great Lakes, but they are not enough. The Great Lakes are one of our national assets. No price tag can be placed on this asset. No step can be too great to protect them. In close cooperation with Canada, we are making progress. H.R. 9727 will contribute substantially to this effort.

The committee's action in expanding this legislation to encompass research and marine sanctuaries recognizes the fact that an essentially negative act preventing further dumping is not enough. Dumping in the oceans will not, of course, be totally eliminated overnight. Alternatives must be developed, ones which our hard-pressed cities can afford. In the meantime, we must monitor the dumping that is permitted to insure that the procedures we have established, the criteria which has been promulgated, are accomplishing a reduction in the overall level of pollution. We must also undertake to survey in a broad sense our coastal waters extending over the Continental Shelf to pinpoint those areas which are of particular value. In those areas, which we have termed marine sanctuaries, we should be certain that man's use of the sea or his intervention in the sea is in harmony with the unique attributes of the area. That is not to say that man should not go into the sea to exploit its resources, living and nonliving, but only that he must do this intelligently, giving due consideration to all of the uses and benefits which these areas may contribute for our well-being.

Title III of this legislation, therefore, is intended to assure the development of these resources and at the same time provide some legitimate protection against thoughtless abuse of the sea.

I urge my colleagues to support the Marine Protection Research, and Sanctuaries Act, as reported to you after the most careful consideration by your committee.

Mr. MOSHER. Mr. Chairman, I yield such time as he may consume to the gentleman from Massachusetts (Mr. KEITH).

Mr. KEITH. Mr. Chairman, I join with the other members of the Committee on Merchant Marine and Fisheries in heartily endorsing this legislation and in their well-justified commendations of the leaders who have been so adept and so thoughtful and so perceptive in developing this concept and bringing it to the floor.

Mr. Chairman, I am particularly concerned that an effort may be made to strike the so-called marine sanctuaries title, title III, from the ocean dumping bill—H.R. 9727. You, too, should be concerned.

More than 4 years ago, specifically on July 19, 1967, I brought to the attention of the Congress that—

> Industrial and commercial development can go hand in hand with fishing, recreational, conservation, and scientific uses of the seas—if we are wise enough to see that these various uses are made compatible with each other.

In stating this concept, it was not my intent to be in conflict with those who seek to use these resources for industrial or commercial development; nor was it the purpose of our Merchant Marine and Fisheries Committee colleagues, who last July voted unanimously to incorporate this marine sanctuaries concept as title III of the legislation before us today.

In our long-considered, sober response to urgent public pleas to preserve our coastal waters and fisheries, it was not our intent to be punitive—nor to overreact to a most serious and worsening public problem. And we have not done so.

Title III in this bill is the result of 4 years of in-depth inquiry and consultation with all pertinent departments and agencies of the executive branch. Throughout this protracted period of investigation and consideration, the original marine sanctuaries concept has been changed from one which would have called for a complete oil drilling moratorium to one which would permit drilling within the purposes of this title.

Specifically, that purpose is to preserve or restore, for their conservation, recreational, ecological, or esthetic values, coastal and other waters as far seaward as the outer edge of the Continental Shelf. Most importantly, this title specifically authorizes the Secretary of Commerce to consult with the Secretaries of State, Defense, Interior, and Transportation, as well as with the Administrator of the Environmental Protection Agency—before designating any such area as a marine sanctuary.

Certainly we do not intend, here, to punish consumers by denying them the necessary food and energy of the sea and seabed. Neither, however, do we intend to be so responsive to the mineral interests that we adversely affect the essential protein resources of the sea.

I certainly believe in the dual usage concept for our coastal waters. But I also believe such dual usage must be balanced. Neither usage should be permitted to destroy the other. In short, we need the oil and gas and we need the fish, Our bill recognizes this key fact. And it provides the proper safeguards to preserve that balanced basis.

I must admit that the word, "sanctuaries," carries a misleading connotation. It implies a restriction and a permanency not provided in the title itself.

Title III simply provides for an orderly review of the activities on our Continental Shelf. Its purpose is to assure the preservation of our coastal areas and fisheries, thus protecting our source of protein and at the same time assuring such industrial and commercial development as may be necessary in the national interest.

Quite obviously, we seek proper and reasonable assurances against another Santa Barbara disaster. At the same time, we protect the full potential of all resources in, on, and above our Continental Shelf.

There is, today, much talk and great concern as to where our oil will come from 15 years from now. There is, on the other hand, much talk and great concern as to what may be left of our environment 15 years from now.

Title III gives more than mere consideration to both of these compelling national problems. It provides for multiple usage of the designated areas. It provides a balanced, even-handed means of prohibiting the resolution of one problem at the expense of the other. It guards against "ecology for the sake of ecology." It also guards against the cynical philosophy that the need for oil is so compelling that it justifies the destruction of our environment.

If we are as concerned as we claim about our environment, let us show it by accepting the recommendations of the Merchant Marine and Fisheries Committee and vote for the bill in its entirety.

Mr. MOSHER. Mr. Chairman, I yield to the gentleman from Delaware (Mr. DU PONT) such time as he may consume.

Mr. DU PONT. Mr. Chairman, I would like to begin by commending the distinguished chairman of the Committee on Merchant Marine and Fisheries and the gentleman from North Carolina and the gentleman from Michigan, who so skillfully steered this bill through a myriad of hearings and successfully brought it to the floor for a vote. I can think of no field that is more important to my district and my State than that of ocean dumping. The eastern border of the State of Delaware is the Delaware River, and

I am not proud to say I think it ranks very high among the most polluted areas of any in the United States.

This bill, I believe, will go a long way in curing that situation and bringing under control the unregulated dumping of garbage, chemicals, and other substances into the Delaware River and the waters adjacent to all our States that border on the oceans.

One of the problems that we face in any bill of this kind regulating pollution is the problem of the jurisdictional loophole, the jurisdictional overlap that would allow a polluter or a dumper somehow to escape prosecution because conflicting jurisdictions provide a legal loophole.

Our committee considered this subject at some length, and our initial concern was to see that this loophole was closed, but at the same time to assure that States had the opportunity to make their inputs into dumping law.

We came up with a compromise, not a bill that would completely pre-empt the States, but one which would allow the States to offer their own regulations, to allow the Secretary of EPA to approve those regulations and make them a part of the Federal law. This would do several things: It would permit those State regulations to be enforced in Federal Court. It would permit the broad injunctive powers of the Federal Courts to be brought to bear on polluters, and it would give very broad Federal jurisdiction, which is desperately needed, to solve ocean dumping problems. I believe that this compromise is an excellent one. It would allow the Federal Government to move swiftly and surely in the area of stopping ocean dumping at the same time it would allow States to put their inputs in where there are areas that are peculiar to those States and those regions which would be affected by ocean dumping.

So, I urge the members of the committee and the Members of the House to pass this bill as it stands and to bring into the law an effective device that will limit the pollution of our oceans and navigable rivers.

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina (Mr. LENNON).

Mr. LENNON. Mr. Chairman, I yield whatever time he desires to the gentleman from Pennsylvania (Mr. BYRNE).

Mr. BYRNE of Pennsylvania. Mr. Chairman, I rise in support of H.R. 9727, as reported by the Committee on Merchant Marine and Fisheries.

I will not detain the committee long, but I feel it is very important to point out the urgent need for the proposed legislation which we are considering today. For too long we have discussed and bemoaned the deteriorating condition of our coastal and ocean waters, and have taken no action to correct the problem. Today, we have before us a bill which will accomplish that purpose. It resulted from committee consideration of more than 50 bills on the subject, cosponsored by more than a third of the membership of this House. Eleven Congressmen appeared to urge action before the subcommittees considering the problem.

I urge the membership of this body to endorse this work by the Merchant Marine and Fisheries Committee and take the first major step in protecting and restoring the quality of our ocean waters.

Mr. MOSHER. Mr. Chairman, I yield such time as he desires to the gentleman from Massachusetts (Mr. CONTE).

Mr. CONTE. Mr. Chairman, I rise in support of H.R. 9727—the Marine Protection, Research and Sanctuaries Act of 1971. The information which has been obtained through committee hearings and the practical consequences of ocean dumping, of which I am sure you are well aware, can leave no doubt that immediate measures must be taken to preserve our marine environment.

In this time of oil spill disasters, unbridled dumping of waste materials in our waters and the resulting suffocation and poisoning of marine wildlife, it is clear that a stringent stand must be taken with regard to standardizing and controling dumping procedures. H.R. 9727, I feel, accomplishes this end.

H.R. 9727 provides not only for the control of dumping, but also for the study and research of the environmental effects of this harmful activity. This kind of research is greatly needed to define the problem, as well as to aid in the implementation of proposed programs designed to clean up and preserve our environment.

H.R. 9727 authorizes funds for the creation of marine sanctuaries, as well as outlining a procedure for controlling ocean dumping. I feel that efforts to preserve our environment and conserve our natural resources must be joined with efforts to control wasteful and destructive pollution. The Marine Protection, Research and Sanctuaries Act of 1971 provides this two-pronged approach.

The immediacy of the pollution problem cannot be overlooked. Steps must be taken now to halt the indiscriminate dumping of materials into our oceans. The long-run effects of dumping have not yet been determined, but it is evident that permanent and irreparable damage will be done if this menace to health and environment is not halted. I urge that you give careful consideration to the measure which is before you. We must stop the plague of pollution now, before the tragic and irreversible efforts of long-run pollution become a reality.

Mr. MOSHER. Mr. Chairman, I yield such time as he may desire to the gentleman from New Jersey (Mr. FORSYTHE).

Mr. FORSYTHE. Mr. Chairman, the legislation we are considering today, the ocean dumping control bill, is directed at one of the most serious environmental concerns facing our Nation.

H.R. 9727, the Marine Protection, Research and Sanctuaries Act, constitutes one of the most significant pieces of legislation in the field of ecology ever to come before this House.

It constitutes the first major step toward regulation of the dumping of wastes into our oceans, coastal and territorial waters.

It is a tough bill. It provides stiff penalties. It is aimed at preserving and improving the quality of our ocean waters, aquatic life and our beaches.

In my judgment, this bill is a truly significant start toward eventually eliminating the harmful dumping of wastes into the ocean.

One of the strong points, I believe, is that this bill regulates the transportation of wastes upon the ocean—not merely the dumping of undesirable material. Thus, if the Administrator of the Environmental Protection Agency determines that such dumping will be detrimental ecologically, the material may not be transported from the shores to be discarded anywhere in the ocean.

Another environmentally important aspect of H.R. 9727 is contained in title III, authorizing designation as marine sanctuaries those areas of oceans, coastal waters, and Great Lakes which are to be preserved for their conservation, recreational, ecological, or esthetic values.

Thus, the bill provides for establishment of ocean sanctuaries where no defilement by pollution will be permitted whatsoever. This section, in my view, must be retained.

In fact, any attempt to weaken the legislation now before us must be defeated if this House is really serious about combatting the threat of water pollution which does, indeed, face this Nation.

H.R. 9727 also provides for extensive research and monitoring of the effects of the dumping activities permitted under the bill, with a view toward making improvements in the future as they are required. It provides for a long-range internationally oriented research effort as to the global effects of human activities on ocean ecosystems.

No piece of legislation approved by this House is perfect, and there is one area in this measure which does cause me concern. That is the provision which supersedes any State regulation of ocean dumping activities.

Instead of being able to enforce their own ocean dumping laws, supplementing this new Federal measure, States would only be entitled to propose stronger regulating criteria to the Administrator of the Environmental Protection Agency for adoption after appropriate hearings and consideration.

Frankly, I question the wisdom of preventing States from seeking standards even higher than those encompassed in this bill. The EPA Administrator testified before our committee that he had no objection to the States having their own regulations and enforcing them. I must agree with his reasoning.

However, despite this provision, H.R. 9727 is designed to attack a problem that is immediate and severe and to provide a national policy on ocean dumping.

No one really knows how severe the problem of ocean pollution really is, or how long man can continue to contaminate his atmosphere. The true cost of our environmental destruction has never been tabulated. We can only guess.

But, Mr. Chairman, we can afford to wait no longer. We must pass this bill. We must demonstrate to the American people that Congress is ready, willing—and,

yes, able—to act in this area of critical need. Let us not delay.

Mr. MOSHER. Mr. Chairman, I yield such time as he may consume to the gentleman from Alabama (Mr. EDWARDS.)

Mr. EDWARDS of Alabama. Mr. Chairman, for months, most of the talk surrounding the need for increasing antipollution efiorts have been confined largely to the skies above us and the rivers and lakes which crisscross our vast Nation.

This has been good. But total, concern has spread more rapidly to the oceans around us.

It is now well beyond the realm of any doubt that the oceans of the world have gradually become one gigantic septic tank in which poisonous wastes are accumulating at rates many consider unusually alarming. Sailors are increasing reporting sightings of indsutrial spillage and polluted waste that heretofore seemed only to be a problem of our inland waterways.

Thor Heyerdahl, the noted world scientist and explorer of Kon Tiki fame and who, more recently sailed a replica of an Egyptian reed boat across the Atlantic, more than a year ago reported a number of sightings of large patches of oil and polluted waste which continually created navigational hazards.

A number of years ago, I recall seeing one of those Hollywood science fiction productions which dealt with the eventual destruction of our planet earth brought about by a form of air pollution which completely enveloped the world with a cover of hot, gaseous poison. An international conference was called into emergency session to deal with the problem and, fortunately, as most science fiction productions run their course, the world was eventually saved from total annihilation.

I shudder to think that this Nation and this world might now be approaching such a menacing turn of events. But the truth is that we are reaching that point insofar as our oceans are concerned. Certainly this is the case in the Gulf of Mexico.

Mr. Chairman, I firmly believe the provisions to combat this growing problem encompassed in H.R. 9727 will go a long way toward alleviating much of our concern over ocean pollution before it is too late. The bill is not perfect, but we have to get started. I wish to commend the chairman of the Merchant Marine and Fisheries Committee and his committee members for authoring this valuable and timely piece of legislation.

It is also reassuring to note that, in addition to the introduction of this bill, other national and international efforts are being pursued to help rid the world of this menace to human health, welfare, marine environment, ecology, and economy.

An international conference has been held in London to discuss the merits of a worldwide program to identify the most dangerous accumulations of ocean pollution. The results of such a program are to be presented to the United Nations Conference on the Human Environment scheduled next year in Stockholm.

And recently, here in Washington, the National Academy of Sciences issued a report by its Ocean Affairs Board calling for an ultimate end to the discharge of DDT and other chlorinated hydrocarbons into the oceans.

According to the report, probably close to a quarter of all DDT manufactured to date in the world is now in the oceans and most all salt water fish are contaminated with some type of poisonous residue.

Such pollutants, washed off the land into rivers or swept from the air by rain, tend to end up in the sea and the oceans are accumulating them at a more rapid rate than ever believed possible.

As an example of the killing effect of DDT on marine life, conservation officials along the south Texas gulf coast have reported a decline in the density of speckled sea trout from 30 an acre in 1964 to less than 0.2 per acre in 1969. A similar situation in the decline of marine life has been affecting waters off the Alabama gulf coast as well as other coastal areas of our Nation.

Mercury poisoning of fish which gained national notoriety over a year ago throughout many of the Nation's fresh water lakes and rivers has also become a scourge of the high seas. The reporting of high levels of mercury in tuna, swordfish, and other varieties of popular game fish has created considerable concern among the general public—for health reasons—and also among commercial fishermen, for economic reasons.

All of this evidence of pollution throughout the oceans of the world should be alarming enough to make every American and every citizen of the world aware of the urgency of meeting this menace head on now, not 5 or 10 years from now. There can be no alternative to the survival of mankind.

Mr. MOSHER. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida (Mr. FREY).

Mr. FREY. Mr. Chairman, the Marine Protection, Research, and Sanctuaries Act of 1971 which we are voting on today is one of the most important environmental proposals to come before this Congress.

After hearings were held by the Merchant Marine and Fisheries Committee, of which I was a member in the second session of the 91st Congress, on ocean dumping, I drafted the first piece of legislation to comprehensively deal with this tragic problem. I reintroduced this bill together with 52 cosponsors early in this session, including Mr. LENNON, chairman of the Oceanography Subcommittee, and other members of the Merchant Marine and Fisheries Committee.

This bill is almost identical to H.R. 9727 which we are voting on today. H.R. 9727, similar to both my bill and the administration bill, prohibits the dumping of waste material into the ocean, coastal waters and estuarine areas, except under a permit signed by the Administrator of the Environmental Protection Agency.

However, the two major differences between my bill and the administration's were adopted by the committee and are included in H.R. 9727. These are the provisions for the creation of marine sanctuaries and the absolute prohibition of the dumping of certain kinds of materials. The inclusion of these two provisions, in my opinion, will substantially increase the possibility of preserving and protecting our marine environment.

Title III of H.R. 9727 will permit the Secretary of Commerce, acting through NOAA, to designate certain areas up to the edge of the Continental Shelf as marine sanctuaries, subject only to the powers of the Governors of the coastal States to approve or disapprove such portions of the proposed sanctuaries as may lie within the boundaries of those stated territorial jurisdictions.

The philosophy of establishing marine sanctuaries is that instead of designating areas where dumping may be conducted safely, we should determine which areas of our marine environment are most valuable and set them aside as sanctuaries. There is a need to relate the problem of ocean dumping to the broader problem of preserving certain ecosystems within the coastal zone areas. The need exists because the dumping of dredge spoil constitutes the largest single element in the growing volume of refuse being dumped into the ocean. And, most dredge spoil is dumped relatively inshore where it may and has contaminated the valuable shellfish and fish species therein.

The estuaries and shallow nearshore areas are biologically critical areas, as many marine organisms breed or spawn there. They should be delineated and protected. There have been heavy kills of fish and at least one-fifth of the Nation's commercial shellfish beds have been lost due to pollution. Shellfish have been found to contain hepatitis, polio virus, and other pathogens. In the lagoons and estuaries in Brevard County, Fla., for example, heavy freshwater runoffs from agricultural areas have resulted in the banning of shellfish harvesting, which was a major industry in the area. Lifeless zones in the marine environment have been created.

The other provision which was adopted from the legislation I introduced appears in title I. Section 101 completely prohibits the dumping of any radiological, chemical or biological warfare agent or high-level radioactive waste.

The serious adverse effects which the dumping of these materials could and do have, coupled with interim and long-term alternatives to their dumping in the oceans, has led me to conclude that no rational balancing of interests requires the use of our oceans and coastal waters for their dumping.

In some cases these alternatives actually cost less. And when you add in the ecological costs imposed on the marine environment by dumping at sea, in almost every instance it would be less expensive, in both economic and social terms to revert to landbased disposal system. Radioactive wastes can be entombed in salt mines and dismantled. Chemical and biological warfare material can be neutralized, incinerated, or buried. Of course, longer term alternatives such as recycling can and should be explored.

Studies made by the Council on Environmental Quality, the Coast Guard and the Department of the Interior all recommended that the dumping of these categories of material should cease entirely.

Mr. MOSHER. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey (Mr. HUNT).

Mr. HUNT. Mr. Chairman, I rise in support of H.R. 9727. Like my colleague from New Jersey (Mr. SANDMAN) I believe this bill has been a long time in the making. I want to offer my congratulations to the committee for its good judgment in preparing this bill.

However, there are some portions of it that will undoubtedly come under careful scrutiny, because in my estimation they are not quite strong enough to suit our needs in the State of New Jersey.

As the gentleman from New Jersey (Mr. SANDMAN) noted, I think the strongest part of the bill we are speaking about today is the portion which relates to the granting of permits. Mr. SANDMAN went to considerable lengths in fighting off the pollution menace on our shores a short time back by going into court. We should not be so shortsighted as to consider only our own State in a parochial manner, because this is not just a problem which is confronting our individual States but is one which is confronting the entire world.

Anybody who witnessed what happened over the past weekend, especially on the Italian coast where pollution is so bad that the trees are dying and where the entire seacoast in some places is quarantined and anyone who has witnessed the situation in Hawaii, off Waikiki Beach, which is polluted, and anyone who has witnessed the situation on the shores of New Jersey, where we find a tremendous area, almost 100 square miles in size, of dead sea with no vegetation growing in the area because unscrupulous persons selected this site to dump materials which are foreign to our way of life, knows that we have to do something in order to correct the problem. It must be stopped.

We must stop talking about what we want to do and enact legislation such as this with teeth in it and which requires the proper prerequisites for a permit in order to get permission to dump noxious articles in the ocean.

Not too far in the future we will be relying more and more and more on our oceans and our seas for food in order to accommodate the rapidly growing population explosion which we are experiencing.

For that reason, Mr. Chairman, I think this is a good bill, but, in my estimation, it is only a step in the proper direction. We need further enactment of tough legislation to make this a reality in order to protect our shores from polluting enterprises.

Mr. MOSHER. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. TALCOTT).

Mr. TALCOTT. Mr. Chairman, the Marine Protection Research and Sanctuaries Act of 1971, which we are considering today, is one of the most important steps of environmental legislation ever to come before the House of Representatives.

Title I which requires a permit before any deleterious substances may be dumped into the ocean should provide the needed enforcement power to preserve the economic, esthetic and recreational values of our seas and coastlines.

The research program envisioned under title II of the act should provide the momentum needed to evaluate not only the long-term, but the short-term ecological effects as well as the economic factors involved.

I am particularly gratified that title III of the act provides for the establishment of marine sanctuaries. This embodies a proposal I made in 1967 following the Torry Canyon disaster off the coast of England. While dumping of harmful materials would be strictly policed in these specially protected offshore areas, the bill presently ignores the possible danger of oil spillage in our coastal waters.

Mr. Chairman, in order to correct this deficiency an amendment is being offered to title III of the bill. The amendment will preclude the Secretary of the Interior from issuing any new leases for the drilling or extraction of oil from any area designated, or under study for possible designation as a marine sanctuary. I strongly urge that this amendment be adopted.

The pushing of our land frontier westward from colonial days through the turn of this century is a fascinating saga and can be instructive to us in our present stage of history. This plentiful, beautiful land was laden with resources which fell prey to the ax, the shovel and the torch. The forests and mineral deposits appeared to be unlimited and the industries generally acted accordingly. When the resources became scarce or were depleted, we were forced to develop conservation practices to better utilize the remaining assets.

Man's frontiers today are largely in space and the oceans. Projections of wealth in the oceans, even greater than our western land frontiers, are spurring marine research—both governmental and private. We have begun to realize the bounty that is locked in our marine environment, but we must preserve the beauty also. Learning from history we must not follow the same course of wasteful exploitation when utilizing the resources of the sea. We must set aside some of our abundant seaward areas before they are exploited and laid waste.

We must, therefore, at this early stage in marine development enact this legislation which permits the designation as marine sanctuaries those areas of the oceans, coastal and other waters as far seaward as the outer edge of the Continental Shelf which are determined necessary for the purpose of preserving or restoring such areas for their conservation, recreational, ecological, or esthetic values.

Mr. Chairman, this important legislation deserves the unanimous support of the Congress.

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

Mr. LENNON. Mr. Chairman, I yield to the gentleman from California (Mr. ANDERSON).

Mr. ANDERSON of California. Mr. Chairman, I, too, wish to rise in support of the bill, H.R. 9727, and commend the chairman of the Committee on Merchant Marine and Fisheries, Mr. GARMATZ, for the great work that he has done on this bill, and, particularly, to commend the chairmen of the two subcommittees, the gentleman from Michigan (Mr. DINGELL), who chaired the Subcommittee on Fisheries and Wildlife and the gentleman from North Carolina (Mr. LENNON), who chaired the Subcommittee on Oceanography and who held hearings both separately and jointly on this bill.

I was privileged to be a member of the two subcommittees and had a chance to see the tremendous amount of work, research, and effort that went into this bill. I know how many weeks of hearings and testimony there were on behalf of this bill and the various views presented, and I do not believe there have been many bills before us that have had the thorough airing by two important subcommittees that this bill has had. It has my support, and I want to commend those who have given leadership in bringing this much-needed bill before the House.

Due to the leadership and initiative of these three men, we have before us, for the first time, a national plan to control the pollution of our ocean and coastal waters. As our chairman, the Honorable EDWARD R. GARMATZ, said upon the opening of committee hearings earlier this year, this matter would comprise possibly "the most important consideration of environmental legislation to be held in this session of Congress."

PURPOSE OF THIS LEGISLATION

The purpose of the legislation before us is to prohibit unregulated dumping of waste material into the oceans, coastal and other waters.

In accomplishing this purpose, the transportation and dumping of radiological, chemical, or biological warfare agents and high-level radioactive wastes would be banned. There would also be a ban placed upon the transportation and dumping of all other waste material, unless authorized by a permit to be issued by the Administrator of the Environmental Protection Agency or the Secretary of the Army, as the case may be.

NEED FOR THIS LEGISLATION

The need for such legislation is obvious. According to the Council on Environmental Quality, 48 million tons of wastes were dumped at sea in 1968; 250 known disposal sites off U.S. coasts receive this tonnage of dredge spoils, industrial wastes, sewage sludge, construction and demolition debris, solid waste, explosives, chemical munitions, radioactive wastes, and miscellaneous materials. Further data indicate that the volume of wastes dumped in the ocean is increasing rapidly. Every body of water can assimilate certain amounts and kinds of waste products, but every body of water, including the ocean, has a limit.

The ill effects on marine life and the danger to humans are also of major con-

cern. According to the October 1970 report of the Council on Environmental Quality:

Shellfish have been found to contain hepatitis, polio virus, and other pathogens; pollution has closed at least one-fifth of the Nation's commercial shellfish beds; beaches and bays have been closed to swimming and other recreational use; lifeless zones have been created in the marine environment; there have been heavy kills of fish and other organisms; and identifiable portions of the marine ecosystem have been profoundly changed.

Also at stake is the question of the ultimate responsibility of the United States toward its neighbors. The migratory habits of ocean pollutants have become increasingly clear in recent years, as shown by discovery of toxic metallic substances in arctic animals. Only 3 months ago, a team of Columbia University scientists, working off Bermuda, determined that great patches of ocean, moved by the interaction of wind and surface agitation, spread pollutants up to 10 times faster than had been thought.

As stated by Paul R. Ehrlich and Anne H. Ehrlich in "The Food-From-the-Sea Myth," Saturday Review, April 4, 1970:

No one knows how long we can continue to pollute the seas with chlorinated hydrocarbon insecticides, polychlorinated biphenyls, and hundreds of thousands of other pollutants without bringing on a world-wide ecological disaster. Subtle changes may already have started a chain reaction in that direction. The true costs of our environmental destruction have never been subjected to proper accounting. The credits are localized and easily demonstrated by the beneficiaries, but the debits are widely dispersed and are borne by the entire population through the distintegration of physical and mental health, and, even more importantly, by the potentially lethal destruction of ecological systems. Despite social, economic, and political barriers to proper ecological accounting, it is urgent and imperative for human society to get the books in order.

The dumping of wastes into our waters is a national disgrace. The legislation before us today is a strong bill which establishes national control standards and in so doing has taken the first steps to preserve the health of the oceans.

OCEAN DUMPING

H.R. 9727 is a comprehensive bill covering three major areas. Title I deals with the problem of the dumping of materials into the U.S. waters, and the transportation for dumping of materials from the United States by anyone, and the transportation for dumping from any place in the world by Federal agencies. Title I provides a comprehensive system for the regulation of these activities, the most notable of which is the issuance of permits by the Administrator of the Environmental Protection Agency after consultation with other agencies and in compliance with other established criteria.

COMPREHENSIVE RESEARCH OF OCEAN DUMPING

Title II directs Government agencies to encourage the study and discussion of the broad questions of the consequences of ocean dumping. Closely related to this is the need to monitor the world's oceans before new problems reach the crisis stage. Title II provides a mechanism by which the National Oceanic and Atmospheric Administration and the National Science Foundation would be encouraged to participate in international cooperation on these matters.

MARINE SANCTUARIES

Title III authorizes the Secretary of Commerce—after consultation with other Cabinet members—

To designate as marine sanctuaries those areas of the oceans, coastal and other waters, as far seaward as the outer edge of the continental shelf as defined in the convention on the continental shelf . . . which he determines necessary for the purpose of preserving or restoring such areas for their conservation, recreational, ecological or esthetic values.

Before the Secretary could set aside such an area he would have to consider the views of affected States.

The Secretary's designation of a sanctuary would become final 60 days after it is proposed—unless the Governor of any State involved certified that the designation, or a specified portion of the area, was unacceptable to his State.

In such a case, the designated sanctuary would not include the area certified by the Government, until the Governor withdrew his certification of unacceptability.

The bill would require the Secretary of Commerce to make his initial designation of marine sanctuaries within 2 years following passage of the new law. Thereafter, he would periodically designate additional areas, submitting an annual report to Congress on his actions and recommendations.

The need to create a mechanism for protecting certain important areas of the coastal zone is not met by any legislation now on the books. It is hoped that the means of arriving at the designation of marine sanctuaries outlined in this section, such as appropriate consultation with State officials, and with Federal departments and agencies, will provide for complete coordination.

Jacques-Yves Cousteau, the well-known scientist and oceanographer, provided a statement which underscores the critical nature of the issues before us today:

Because 96 percent of the water on earth is in the ocean, we have deluded ourselves into thinking of the seas as enormous and indestructible. We have not considered that earth is a closed system. Once destroyed, the oceans can never be replaced. We are obliged now to face the fact that by using it as a universal sewer, we are severely over-taxing the ocean's powers of self-purification.

The sea is the source of all life. If the sea did not exist, man would not exist. The sea is fragile and in danger. We must love and protect it if we hope to continue to exist ourselves.

I strongly support this legislation and urge my colleagues to do likewise.

Mr. LENNON. Mr. Chairman, I yield such time as he may consume to the gentleman from New York (Mr. PODELL).

Mr. PODELL. I thank the gentleman for yielding.

Mr. Chairman, I would like to ask the gentleman from Michigan if he would yield for a question.

Mr. DINGELL. I will be glad to respond to a question. The gentleman does have the time, I would say.

Mr. PODELL. It is my understanding that anyone who knowingly violates any provisions of this law is subject to a criminal fine of not more than $50,000 or imprisonment for 1 year or both. Am I also correct in understanding that an individual who even accidentally dumps pollutants is subject to a stiff civil penalty under the terms of this proposed legislation?

Mr. DINGELL. Yes; the gentleman from New York is entirely correct. All violators, both knowing and accidental, are subject to penalty under the provisions of this bill. Section 105(a) covers any accidental dumping, while section 105(b) covers a knowing, or a knowing and willful flaunting of the law.

Mr. PODELL. It is most gratifying to see Congress taking a strong legislative initiative in this most vital area. Pollution knows no boundaries and the situation is already close to being totally out of hand. We can no longer tolerate massive fish kills, heaps of dead wildlife, and bathing beaches closed down everywhere.

All Americans will benefit from passage of this legislation.

Mr. Chairman, in recent years, the threat of environmental pollution has increased with alarming rapidity.

We have all breathed the air, befouled with filth from factory smokestacks and exhaust fumes from millions of automobiles. We have seen our parks and highways contaminated with carelessly strewn wastepaper and discarded bottles. Our rivers are clogged with raw sewage, and our once vast forests are being ravaged by notoriously wasteful industries.

However, it is now both technologically and economically possible to reverse this trend of destruction. We have the scientific knowledge necessary to clean up our dirty air and water. We have the money which is needed to effect antipollution measures. The problem at hand is to make these funds available at the Federal, State, and local levels, to those who will carry through the necessary antipollution programs.

Let us take a close look at several of the areas where we have problems with pollution. Our waterways are infested with several types of pollution. Domestic sewage consumes 30 percent of our water's oxygen supply. The water's oxygen supply is necessary to the sustenance of numerous forms of plant and animal life. This domestic sewage also determines whether or not water will be contaminated with disease.

There are two methods of purification utilized by waste treatment plants in the processing of domestic sewage. The primary treatment removes floating and settling solids. This eliminates between 30 and 50 percent of the oxygen consuming agents from the water. A secondary biological process will remove up to 95 percent of these oxygen-consuming agents. Through this processing and recycling treatment, it is possible to return water, fouled with sewage, back to our drinking water system.

The Federal Water Pollution Control Administration has already built plants which are capable of maintaining such a "closed system." However, certain problems persist. Even after primary and secondary processing, not even chlorination will positively remove the disease-carrying bacteria from badly contaminated water. Also, the high cost of running such a system presently makes this method of pollution control unfeasible on a nationwide scale.

Although industrial and agricultural wastes do not account for a very substantial part of the disease-carrying capacity of our waterways, they do account for as much as 70 percent of the consumption of the water's oxygen supply.

It is difficult to determine the extent of agricultural pollution as the problem is not centralized in any particular locality. The problem results from the pesticide runoff from our fields and farms.

On the other hand, the extent of industrial pollution is more easily determined.

The producers of primary metals and chemical products contribute more than half of the waste water produced by industrial sources. Other major polluters in this area are papermills, food processors, and the oil and coal industries.

This list is endless when we consider instances which have led to the pollution of our water. We have the problems of high phosphate content in our detergents, disposal of nuclear wastes, acid mine drainage, and of course, numerous tragic oil spills.

Although it may not be as obvious, the air we breathe has also become laden with filth.

Seventy percent of free floating foreign matter is made up of invisible fumes of carbon monoxide, hydrocarbons, and oxides of nitrogen. These are the major elements of automobile exhaust. Of course, a great deal of our air pollution is the result of industry, but the great majority of it is emitted from our own automobiles. The fact that so much of the pollution in the air is invisible, and the fact that air cannot be centrally collected to be filtered through a processing plant, makes the task of cleaning a very hard one.

Congress can pass water pollution control legislation, but it is the individual citizen voting on a local bond issue who will stimulate the construction of waste treatment plants.

The Congress can pass legislation dealing with air pollution control, yet it is up to individuals in each locality to enforce these standards—to see that the local industries are not polluting unnecessarily—and even to purchase pollution control devices for their automobiles.

Mr. Chairman, many societies have risen and fallen through man's recorded history. Some have perished because of war. Our society is daily tearing apart the delicately balanced structure of our natural heritage. Nature always strikes back at those who abuse her. If we do not act now to redress the already perilous imbalance we have created, we shall perish too, in an overwhelming tide of filth, pollution, and disease, all done by our own hand. We shall not go out with a bang, but like a last spark winking out in a garbage dump.

Mr. LENNON. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey (Mr. HOWARD).

Mr. HOWARD. I thank the Chairman for yielding.

Mr. Chairman, I am very, very happy that a bill concerning ocean-dumping sludge and other materials is being recognized by the Congress.

Mr. Chairman, it was just a short while ago that the first information came to our attention of the deplorable situation off the coast of New Jersey where there was a 20-mile diameter circle described as a "dead sea" which was caused by the dumping of sludge and other materials into the ocean over the past years.

Hearings have been held by this committee and by the Committee on Public Works on this subject and a great deal of information was brought forth concerning the damage that this indiscriminate dumping has done to the waters, to the shellfish, and to the beaches in that area.

Mr. Chairman, I am concerned with title II of the bill with reference to the research to be carried on having to do with ocean dumping. Section 201(a) deals with research that will be coordinated with the Secretary of the Department of Commerce and the Coast Guard in monitoring and doing research regarding the effects of these dumpings. The Congress is to be informed as to what the dumping is causing. However, I believe that we may be past that stage.

There is a great deal of information that the Congress has now as to the bad effects of dumping. What we need to do and to find out now is what we can do with the sludge. If it is too noxious to dump in the ocean, we certainly cannot spread it upon the land. We need some solutions. Solutions are not mentioned in the legislation itself, however, but in the committee print, it is described in section 201(a) where it states that this research money should be used for, among other things, finding "possible alternatives to existing programs."

I would like to know if it is the intent of the committee and if it is the intent of the Congress that this research money should be used, in part at least, toward finding ways of treating the sludge, ways of composting it or otherwise making it beneficial, or at the very least, making it neutral so that we will be aiming toward a solution of the problem.

Is this the intent of the committee, Mr. Chairman?

Mr. LENNON. Mr. Chairman, will the gentleman yield?

Mr. HOWARD. I yield to the gentleman from North Carolina.

Mr. LENNON. That was discussed, and while at this point in time we cannot be definitive as to what the research will develop in the future, I am grateful for the gentleman raising this question. Certainly, these two joint committees that have been involved in this matter intend to act as an oversight or monitoring committee of the activities of the agencies given the authority under this act.

We are grateful to the gentleman for bringing this to our attention. We have discussed it informally, but I do not recall that we got into the question specifically in considering this legislation, other than the fact that we felt that was what we hoped would come out of this.

Mr. HOWARD. In other words, from the research we may come through with these "alternatives"?

Mr. LENNON. That is correct.

Mr. HOWARD. I thank the chairman for his clarification and wholeheartedly support this legislation.

Mr. LENNON. Mr. Chairman, I yield 8 minutes to the distinguished gentleman from Colorado (Mr. ASPINALL).

Mr. ASPINALL. Mr. Chairman, I dislike being placed in the role of the devil's advocate because everything has been so harmonious here this afternoon, but I think that there are some things about this legislation that the members of the committee should understand. This is not only an antidumping piece of legislation—and may I say I support title I wholeheartedly, and I shall support title II without too much difficulty—but title III is a usurpation without notice of the authority of the Secretary of the Interior, and to me this seems to be rather unreasonable and inconsiderate on the part of those handling the legislation.

Mr. Chairman, I regret very much that I must oppose title III of H.R. 9727 which provides authority for the Secretary of Commerce to designate marine sanctuaries within a broad area ranging seaward to the outer edge of the Continental Shelf and to regulate any activities permitted within the designated marine sanctuaries. This delegation of authority to the Secretary of Commerce is not appropriate, since the Secretary of the Interior already has responsibility for the Outer Continental Shelf lands.

Mr. Chairman, this is another case where proposed legislation involves the jurisdiction of several committees, but I submit that so far as what is proposed in title III of this bill is concerned, the primary jurisdiction lies with the Committee on Interior and Insular Affairs. The Committee on Interior and Insular Affairs has jurisdiction over the public lands generally, mineral resources of the public lands, petroleum conservation on the public lands, and mineral land laws, as well as outdoor recreation plans and the preservation of areas for ecological and esthetic values. There is no question but that this legislation is directed at the mineral leasing program authorized by the Outer Continental Shelf Lands Act over which the Interior and Insular Affairs Committee has oversight responsibility. The OCS Lands Act is considered a public land law and responsibility for its administration has been given to the Department of the Interior.

The term "public lands" was defined by the Congress in the Withdrawal Act of 1958 as including lands and waters of the Outer Continental Shelf. The jurisdiction presently claimed by the United States beyond the territorial sea pertains only to the natural resources of the Outer Continental Shelf. Thus, the only per-

mitted activity lawfully that would be subject to certification by the Secretary of Commerce within a marine sanctuary beyond the territorial sea would be that which is already subject to regulation by the Department of the Interior under the Outer Continental Shelf Lands Act. Bills to create marine sanctuaries from leasing pursuant to the Outer Continental Shelf Lands Act are pending in the Committee on Interior and Insular Affairs. The Department of the Interior is already giving full consideration to the environmental impact of the mineral leasing program pursuant to the provisions of the National Environmental Policy Act. No Federal agency is better able than the Department of the Interior to identify the natural values that must be preserved, and it does not make sense to me to transfer this authority and responsibility to the Department of Commerce.

I regret that the Committee on Interior and Insular Affairs was not advised of this legislation. Title III was added to the bill after hearings were completed and without a word of testimony to support its inclusion. It came to my attention only after a rule had been granted. I regret also that the Department of the Interior was not afforded an opportunity to testify on title III. I have been advised by Secretary Morton that the Department of the Interior strongly opposes the enactment of title III, as do the Departments of State and Defense and the Office of Management and Budget. I insert letters and reports from the Office of Management and Budget and the Secretary of the Interior:

OFFICE OF MANAGEMENT AND BUDGET,
Washington, D.C., July 27, 1971.

Hon. THOMAS M. PELLY,
House of Representatives,
House Office Building,
Washington, D.C.

DEAR MR. PELLY. It is our understanding that your Committee is considering amendments to H.R. 9727, the "Marine Protection, Research, and Sanctuaries Act of 1971."

We are pleased with the way in which the Committee has moved to carry out generally the President's recommendations with respect to ocean dumping. In carrying out these recommendations, however, the bill raised several problems primarily in its features not directly involving ocean dumping. The purpose of this letter is to outline the major problems we have with the bill, as reported, and to recommend certain changes to deal with these problems.

Title I of H.R. 9727 would establish a comprehensive ocean dumping regulatory program under the leadership of the Environmental Protection Agency. These provisions largely carry out the President's recommendations in this regard. There is, however, one important provision that departs from the approach recommended by the President: namely, the special authority for the Secretary of the Army to issue permits respecting the dumping of dredged or fill material. We would strongly prefer that the bill require an EPA certification with respect to the Secretary of the Army's permits, as originally proposed by the President, but at a minimum favor deletion of the last proviso of subsection 103(b) which injects an economic feasibility test not applicable to other substances.

It is our view that the provisions of *Title II* of H.R. 9727, dealing with research on ocean dumping, are unnecessary and undesirable. Ample authority for carrying out the functions covered by this title already exists in such agencies as EPA, Commerce, the Coast Guard, the Smithsonian Institution, and the National Science Foundation. Moreover, ocean research is currently being carried out by these agencies at levels considerably in excess of the funds authorized in Title II, and these provisions therefore could have the unanticipated effect of restricting rather than promoting a balanced Federal ocean research program.

Title III of H.R. 9727 requires the Secretary of Commerce to designate "marine sanctuaries" which would be preserved or restored for their conservation, recreational, ecological, or esthetic values. Within these sanctuaries, which could extend as far seaward as the outer limits of the continental shelf, the Secretary would have to issue regulations controlling any activities therein, and violators could be subjected to civil penalties of up to $50,000 per violation.

We believe that Title III is highly objectionable for the following reasons:

(1) Organizational—These provisions authorizing the Secretary of Commerce to designate marine sanctuaries, would inject the Secretary, at the least, into the energy development responsibilities of the Secretary of the Interior, the foreign policy implementation responsibilities of the Secretary of State, the national defense concerns of the Secretary of Defense, and the environmental protection mission of the Administrator of EPA. Such a situation, coupled with the bill's requirement that the Secretary make his initial designation of marine sanctuaries within two years, would seem to guarantee confusion and conflict inimicable to the number of important national objectives.

(2) International—Notwithstanding qualifying statements in the Committee's report, the sweeping language of Title III could give rise to serious international policy complications. The efforts of the United States to limit the exercise of sovereign rights by other nations over areas of the high seas could be undercut and United States treaty commitments regarding the continental shelf and the high seas possibly violated. Moreover, attempts to enforce against foreign nationals the regulations covering any designated marine sanctuaries would be contrary to international law and embarrass United States relations with other nations.

(3) Budgetary—Interior has authority with respect to the granting of leases for development of oil and gas on the outer continental shelf. Any impairment of such leases by creating sanctuaries might involve "taking" the rights of private persons (with concomitant Federal costs that are difficult to estimate but which could be very significant), as well as in other cases resulting in the Federal government foregoing potentially enormous revenues. Further, it is unclear whether and to what extent the Submerged Lands Act would entitle a State to compensation for any areas under its jurisdiction included in a marine sanctuary. Neither the bill nor the report of the Merchant Marine and Fisheries Committee recognized these cost implications in the very general criteria which would govern the Secretary of Commerce's designation of marine sanctuaries.

We recognize that, from the standpoint of environmental protection or for other reasons, it may be desirable to refrain from certain activities in specific ocean areas. If it is considered that special legislation is needed to achieve this objective, we believe that problems of the type outlined above require that most careful consideration be given to the nature and extent of such authority and that a separate legislative proposal should be tailored for that purpose.

In conclusion, while we welcome the action of the Committee in reporting out legislation to carry out the President's ocean dumping recommendations, for the reasons set out in this letter we urge the Committee to support the amendment of Title I, as recommended above, and the deletion of Titles II and III.

Sincerely,

DONALD B. RICE,
Assistant Director.

U.S. DEPARTMENT OF THE INTERIOR,
Washington, D.C., July 28, 1971.

Hon. WAYNE N. ASPINALL,
Chairman, Committee on Interior and Insular Affairs, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: As you are no doubt aware, the Committee on Merchant Marine and Fisheries has reported and the House will soon consider, H.R. 9727, a bill "To regulate the dumping of material in the oceans, coastal, and other waters, and for other purposes." While title I of H.R. 9727 follows closely the Administration proposal introduced as H.R. 4723, titles II and III are committee amendments to which we are opposed.

Title II would afford to the Secretary of Commerce and the Director of the National Science Foundation redundant authority for the conduct of research regarding the effects of ocean dumping and "man-induced changes of ocean ecosystems." We are advised that existing authorities are adequate to permit the continuation on ongoing research in these areas.

With respect to the program responsibilities of this Department, we are most concerned about the prospective effect of title III. It provides generally for designation by the Secretary of Commerce of marine sanctuaries within a broad area ranging seaward to the outer edge of the Continental Shelf, for the regulation of "any activities permitted within the designated marine sanctuary," and for certification by the Secretary of Commerce that otherwise lawful activity "is consistent with the purposes of this title and can be carried out without (sic) the regulations" promulgated under section 302(b). In letters to the Chairman of the Committee on Merchant Marine and Fisheries, the Departments of State and Defense, and the Office of Management and Budget, have expressed their concern about the claim to extra-territorial jurisdiction proposed in title III. It may suffice to note that any such assertion of jurisdiction beyond established limits has been carefully, and properly, avoided in title I of the same bill.

To the extent that the United States does claim jurisdiction beyond the territorial sea and the contiguous fisheries zone, such jurisdiction pertains only to natural resources of the Outer Continental Shelf. Thus, the only "permitted activity" lawfully subject to certification by the Secretary within a marine sanctuary beyond the territorial sea would be that already subject to regulation by this Department under the Outer Continental Shelf Lands Act (43 U.S.C. 1331 *et seq.*). The National Environmental Policy Act of 1969 and regulations promulgated by this Department pursuant to the Outer Continental Shelf Lands Act require thorough consideration of environmental impact prior to the issuance of mineral leases, and during extraction, if a lease is issued. No Federal agency is better able than we, in fact, to identify those natural values deemed worthy of preservation in section 302(a).

The Department of the Interior has long expressed concern about the environmental effects of ocean dumping and has strongly recommended that dumping be regulated through enactment of H.R. 4723. While we recommend against enactment of title III for the reasons stated, a concern for the environment has prompted our suspension of certain extraction activity in the Santa Barbara Channel, and the recommendation to Congress that this area be set aside as a National Energy Reserve.

Regrettably, we were not afforded an opportunity to comment on H.R. 9727 prior to its being reported. We do not agree that the addition of title III constitutes an improvement of the Administration proposal, and strongly recommend that it be deleted prior to enactment. We appreciate your interest in this important matter, and stand ready to provide whatever additional information you might require.

Sincerely yours,

W. T. PECORA,
Under Secretary of the Interior.

Let me read a few sentences from a letter I have received from the Under Secretary of the Interior:

With respect to the program responsibilities of this Department, we are most concerned about the prospective effect of title III. . . . To the extent that the United States does claim jurisdiction beyond the territorial sea and the contiguous fisheries zones, such jurisdiction pertains only to natural resources of the Outer Continental Shelf. Thus, the only "permitted activity" lawfully subject to certification by the Secretary within a marine sanctuary beyond the territorial sea would be that already subject to regulation by this Department under the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.). The National Environmental Policy Act of 1969 and regulations promulgated by this Department pursuant to the Outer Continental Shelf Lands Act require thorough consideration of environmental impact prior to the issuance of mineral leases, and during extraction, if a lease is issued. We do not agree that the addition of title III constitutes an improvement of the Administration proposal, and strongly recommend that it be deleted prior to enactment.

At the appropriate time, Mr. Chairman, I shall offer an amendment to delete title III from this legislation unless such an amendment is offered by someone else. This matter was considered by the Committee on Interior and Insular Affairs and I am authorized by the committee to advise the House that an amendment to delete title III is supported by the committee.

Mr. THOMPSON of Georgia. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present. The Clerk will call the roll.

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

[Roll No. 249]

Abourezk	Clausen,	Gubser
Abzug	Don H.	Haley
Alexander	Clay	Halpern
Anderson,	Collier	Hamilton
Tenn.	Colmer	Hanna
Andrews,	Conyers	Hansen, Idaho
N. Dak.	Corman	Hansen, Wash.
Annunzio	Cotter	Hébert
Arends	Culver	Holifield
Ashley	Delaney	Horton
Baring	Derwinski	Hosmer
Barrett	Diggs	Ichord
Bell	Downing	Jarman
Betts	Dwyer	Jonas
Blatnik	Eckhardt	Jones, Ala.
Boggs	Edwards, La.	Kee
Bolling	Eshleman	Koch
Bray	Evins, Tenn.	Landgrebe
Broomfield	Flood	Link
Brown, Mich.	Foley	Long, La.
Caffery	Fraser	Lujan
Carney	Fuqua	McClory
Carter	Galifianakis	McCulloch
Casey, Tex.	Gallagher	McEwen
Cederberg	Gibbons	Macdonald,
Celler	Goldwater	Mass.
Chisholm	Grasso	Martin
Clark	Green, Oreg.	Mayne
Melcher	Rosenthal	Stephens
Minshall	Rostenkowski	Stokes
Monagan	Rousselot	Stubblefield
Morgan	Roy	Stuckey
Morse	Runnels	Sullivan
Nichols	Ruppe	Teague, Tex.
Patman	St Germain	Thone
Pelly	Saylor	Tiernan
Pepper	Scherle	Vander Jagt
Pirnie	Scheuer	Vigorito
Price, Ill.	Sebelius	Whitten
Quillen	Shipley	Wiggins
Rangel	Sisk	Wilson,
Rees	Smith, Calif.	Charles H.
Reid, Ill.	Smith, Iowa	Wyatt
Rodino	Snyder	Yates
Rooney, N.Y.	Springer	Yatron

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. PIKE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill H.R. 9727, and finding itself without a quorum, he had directed the roll to be called, when 303 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. Prior to the quorum call, the gentleman from Colorado (Mr. ASPINALL) had been recognized for 8 minutes and the gentleman now has 2 minutes remaining.

Mr. ASPINALL. Mr. Chairman and members of the Committee, at the time the point of order was made that a quorum was not present, I was suggesting to my colleagues that they read the reports of the Department of the Interior and the Office of Management and Bureau of the Budget concerning title III of this legislation.

Mr. Chairman, there should be further study given to title III of this bill by the committee having primary jurisdiction to determine whether it is needed and its effect on the offshore mineral leasing program. The enactment of this title could result in locking up unnecessarily offshore resources valued at billions of dollars, reducing revenues available in the land and water conservation fund for the acquisition of much-needed recreation areas, park areas, and wildlife refuges, and curtailing the President's program for meeting the growing energy needs of this Nation.

Mr. Chairman, may I call attention to the fact that the energy needs of the United States are fast approaching a very dangerous situation and unless something is done and unless we do it with logic and with constructive judgment, we will be faced with many difficulties.

Mr. McCLURE. Mr. Chairman, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman.

Mr. McCLURE. Mr. Chairman, I rise in support of the amendment to strike title III of H.R. 9727, and urge that my colleagues vote in support of the amendment to be offered by the distinguished chairman of the Committee on Interior and Insular Affairs.

As noted in the committee report on this legislation, title I follows closely the administration proposal introduced as H.R. 4723. The subject of ocean dumping, and the need for its regulation, were treated at length by the Council on Environmental Quality in its report "Ocean Dumping—A National Policy," transmitted to the Congress by President Nixon in October of last year. Title I of H.R. 9727 would implement generally the recommendations contained in that report, and provides authority to prohibit the transportation and actual disposal of waste material, except pursuant to permit issued by the Administrator of the Environmental Protection Agency. Title I of H.R. 9727 is an important step forward in the Nation's effort to preserve and protect the environmental quality of the oceans, coastal waters, and Great Lakes.

Title III is a committee amendment, and was not a part of the legislation proposed to implement recommendations of the Council on Environmental Quality. As drafted, title III would assert a claim to extraterritorial jurisdiction beyond those limits established as a matter of international law. The Departments of State and Defense have voiced strong objection to title III for this reason, and I share their concern about the effect of enactment upon our relations with other nations. Title I of H.R. 9727 has been carefully drafted to avoid this difficulty, and would regulate ocean dumping only within the territorial sea of the United States, and within the contiguous fisheries zone to the extent that dumping there would affect the territorial sea or the territory of the United States.

It is important to recognize, in this connection, that enactment of title III would conflict with regulatory authority vested in the Secretary of the Interior by the Outer Continental Shelf Lands Act. U.S. jurisdiction on the Outer Continental Shelf pertains only to its natural resources. Mineral leasing on the shelf, which could be subject to certification by the Secretary of Commerce under terms of title III, is already subject to stringent regulation by the Secretary of the Interior pursuant to the Outer Continental Shelf Lands Act.

Those regulations now require, in part, that prior to the final selection of tracts for leasing, the Director of the Bureau of Land Management "shall evaluate fully the potential effect of the leasing program on the total environment, aquatic resources, esthetics and other resources in the entire area during exploration, development and operational phases." The Secretary of the Interior can refuse, and has, in fact, refused the issuance of leases detrimental to the maintenance of environmental quality. Beyond the exercise of discretion in the issuance of leases, the Secretary can impose, and has, in fact, imposed special leasing stipulations and conditions when necessary to protect the environment and all other resources.

In his clean energy message of June 4, President Nixon stated quite clearly his concern for environmental protection on the Outer Continental Shelf. He said:

The Department of the Interior has significantly strengthened the environmental protection requirements controlling offshore drilling and we will continue to enforce these requirements very strictly. As a prerequisite to Federal lease sales, environmental assessments will be made in accordance with section 102 of the National Environmental Policy Act of 1969.

With broad program responsibility for fish and wildlife, outdoor recreation, land management, and preservation of our historic heritage, the Department of the Interior is uniquely well qualified to identify those natural values deemed worthy of consideration in the establishment of marine sanctuaries under section 302(a) of title III. The Congress recognizes this capability in its enactment of the Estuary Protection Act of 1968, which authorizes Interior administration for the preservation of estuaries and adjacent lands.

Opposition to the enactment of title III should not be construed as opposition to any imposition of limitations on the conduct of certain activities in specific ocean areas. The enactment of title I would accomplish just this objective, as it provides for thorough assessment of ecological impact by the Administrator of the Environmental Protection Agency. It is unfortunate that title III has been drafted in such a way as to raise serious questions of territorial jurisdiction and duplication of regulatory authority which necessarily preclude an evaluation of the broader concept. That concept is worthy of careful consideration, and of treatment as an independent proposal.

The adoption of Mr. ASPINALL's amendment will permit more careful consideration of the concept proposed in title III than has so far been possible, without causing further delay in the implementation of a much-needed program to control ocean dumping.

Mr. LENNON. Mr. Chairman, I yield to the gentleman from Florida (Mr. ROGERS).

Mr. ROGERS. Mr. Chairman, I rise in support of H.R. 9727.

Our oceans and coastal waters are one of the most important resources in the balance necessary for man's survival on earth. Yet we have consistently disregarded the well-being of this resource which provides a major part of the oxygen we breathe, as well as an increasingly important source of the food we will require to support our growing population. We dumped wastes into the oceans at the alarming rate of 48 million tons in 1968, on the premise that the oceans have an unlimited capacity to absorb these byproducts of civilization.

The contradictions to this premise are beginning to appear in many areas. Near many outfall systems that water is unfit for the sealife which once inhabited these areas. There are even reported cases of fish with cancerous growths and other deformities which have been blamed on the dumping of toxic wastes into the oceans. Huge coral reefs are dying in the Florida keys, this too has been blamed on ocean pollution. World fisheries reported that their catches declined in 1969 for the first time since World War II. Certainly these actions are adequate warnings to at least rethink our policy toward ocean dumping of toxic wastes.

The provisions of this bill, which I am honored to have coauthored, go a long way toward regulating and controlling the future dumping of wastes into our oceans and coastal waters. The bill provides an absolute ban on the dumping of radiological, chemical or biological warfare agents or high-level radioactive wastes. The nerve gas dump off the Florida coast amid a flood of unanswered questions graphically points out the need for regulation of Government dumping operations. This bill prohibits Federal employees from making dumps of certain substances, and requires permits to be obtained from EPA or the Secretary of Defense, in certain instances, before a dump is made. The Administrator of EPA may regulate the times and places that permit authorized dumps are made and also designate certain "prohibited areas" for certain materials when he finds such action is warranted by adverse effects on some part of the environment.

Title II authorizes a study and a program of research on the effects of ocean dumping to be completed by the National Oceanic and Atmospheric Administration in cooperation with other agencies already involved in this area. This title also recognizes the international nature of ocean dumping and provides for the dissemination of research information to other countries.

Title III of this bill, recognizing the need to conserve our fishing resources, authorizes the Secretary of Commerce to designate certain areas up to the edge of the Continental Shelf as marine sanctuaries, and when these extend beyond 12 miles or beyond the territorial sea, the Secretary of State is authorized to enter into agreements with other governments in order to protect these sanctuaries.

Mr. Speaker, this legislation is a very important part of our overall attack on the problem of pollution, and it represents an important step toward international cooperation in this area. In some instances we have run out of time as in mercury levels in fish. We have seen human death and brain damage in Japan as a result of industrial mercury dumping. It is fortunate that we recognized this problem before it reached unmanageable proportions, now we must take affirmative action to make sure it remains a manageable problem and insure the cooperation of other nations in this effort. I urge support for this very important legislation.

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

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

The CHAIRMAN. There being no further requests for time, pursuant to the rule, the Clerk will now read the substitute committee amendment printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Marine Protection, Research, and Sanctuaries Act of 1971".

Mr. DINGELL. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. PIKE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 9727, to regulate the dumping of material in the oceans, coastal, and other waters, and for other purposes, had come to no resolution thereon.

REPRESENTATIVE REUSS CALLS ON PRESIDENT TO MAKE HIS ECONOMIC PROGRAM WORK BY DISCARDING "EXCESS BAGGAGE"

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

Mr. REUSS. Mr. Speaker, like many others on the Democratic side of the aisle, I have for a long time been urging the President to break out of the high unemployment-high inflation morass in which this country has been floundering. We have recommended two central steps.

On the domestic front, we have urged a temporary price-wage freeze, to allow labor and management to construct a voluntary long-term wage-price-incomes policy. The Congress 13 months ago enacted legislation giving the President the requisite authority.

On the international front, we have urged closing the gold window, so as to permit the dollar to find its proper exchange parity with other currencies, and thus eliminate the hardship to American labor and business of artificially expanded imports to this country, artificially restricted exports, and artificially stimulated incentives to American corporations to export jobs abroad. A report issued on August 6 by the Joint Congressional Subcommittee on International Exchange and Payments, of which I have the honor to be chairman, reinforced this recommendation.

For months and years, the President has been telling those of us who held these views how wrong we were. Thus, it was a surprise, and a most pleasant one, when the President, on August 15, followed both pieces of advice by freezing prices and floating the dollar.

I applaud the President's action. But unhappily, not content to let well enough alone, the President has encumbered these two exemplary actions with excess baggage that, unless discarded, will undo all the good.

Let me explain.

The purpose of the price-wage freeze was to give an opportunity for labor and management to adopt long-term voluntary guideposts. This must be so. If price-wage controls are to be dropped in 90 days, and nothing put in their place, inflation will break out with added virulence, since then sellers will make sure that they hike their prices to high levels in order to protect themselves against a possible later freeze.

But nothing has been done about this essential voluntary phase. Twenty-five precious days have come and gone since the President's August 15 freeze action, and labor and management are still unsummoned to work out a creative program. Worse, labor has consistently made it clear—and, I believe, justly—that it will accept wage restraints only if some comparable restraints are put on corporate profits.

And there's the rub. Far from taking any steps to control corporate profits, the President has recommended a 10 percent investment tax credit, which will give away to corporations $5 billion a year. With industry presently using only 73 percent of its plant and equipment, and with a multibillion-dollar rapid depreciation tax bonanza already given capital investment last June, the 10 percent investment tax credit completely negates any possibility that labor will—or indeed should be asked to—adopt wage restraint.

Thus, the President's price-wage program is sure not to work.

As to the dollar float, this was designed to reveal the true exchange value of the dollar. But the President's 10 percent import surtax, plus the provision in the draft 10 percent investment tax credit which will in effect exclude all imported capital goods from this country, prevents the dollar from finding its true exchange value.

Quite apart from the dangers of retaliation and the bad example we set by these restrictionist measures, they mask the true value of the dollar, and thus continue to threaten the American economy.

In short, we Democrats gave President Nixon two good programs, with our blessing. By his excess baggage, he has made sure that neither will work.

We gave him good meat and potatoes to make a nourishing stew. He has taken the good ingredients, but covered them with a chocolate sauce that makes the whole thing an inedible mess.

I call upon the President to rid his program of its excess baggage. He should withdraw his request for the 10 percent investment tax credit. He should announce, immediately and publicly, the exchange rate changes needed to unshackle the dollar, and that the import surtax will be lifted the day those changes are made.

This done, an anti-inflationary price-wage policy can be evolved, and the dollar can find its true strength throughout the world.

It is imperative that this action be taken at once. Tomorrow, when the President addresses the Congress, would be a good time to make the announcement. If he does, he will receive the finest bipartisan support any President could ask.

RESOLUTION OF DISAPPROVAL OF THE PRESIDENT'S "ALTERNATIVE PLAN"

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

Mr. WALDIE. Mr. Speaker, today I am introducing a resolution to disapprove the alternative plan for pay adjustments for Federal employees under statutory pay systems which were submitted by the President to Congress on August 31, 1971

I am doing this because it does not seem to be at all fair for the President to compel the public employees to make a sacrifice to bail out his failing economic policies which is greater or more stringent than he has asked of the private employees. The Federal employees under the President's proposal will be subject to a wage freeze for at least 180 days and possibly 300 days, while the private employees will be subjected only to a 90-day freeze. That is not a fair treatment of the employees over whom we have the primary responsibility, and I will seek to have the House overturn the President's recommendation in that respect.

The Congress, last year, passed the Federal Pay Comparability Act to provide a permanent method of adjusting the rates of pay of Federal employees to a level comparable with private industry. We Members felt that the combination of good working conditions, fair pay and retirement benefits matching those in the private sector would work to the best interests of the taxpayers by keeping the Federal service young and vigorous.

But, rather than provide the leadership for this effort to achieve comparability, the President has rejected it. He has postponed a Federal employee pay increase for 6 months, and, in the process, made the Federal employee the sacrifical lamb for his economic policy. While the rest of the country waits out a 90-day freeze, the Federal employee must contend with a 300-day freeze.

This, Mr. Speaker, is merit enough for disapproving the President's action against the Federal employee. However, there is another, more ominous reason for disapproval. Congress, in the Federal Pay Comparability Act, developed the specific machinery which provides the President with the authority to submit an alternative plan for Federal employee pay adjustment, and Mr. Nixon has violated that procedure. It is my contention that the President, with his decision to postpone the pay increase, has exceeded the authority granted him by Congress. Congress gave the President the authority to submit an "alternative plan with respect to a pay adjustment." Nowhere did the Congress give the President the authority to postpone a pay adjustment altogether. Yet, this is exactly what the President has done.

If we in Congress are to remain the overseers of the Federal Pay Comparability Act, we must insure that the executive branch is not allowed to usurp authority that was originally invested in the legislature. The President's executive order challenges this authority. I urge my fellow Members to pass this resolution of disapproval and, thereby force the President to work within the existing limits of the laws which we pass.

THE ALLEN ORGAN CO. PROVIDES INSTRUMENTS FOR "THE MASS"

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

Mr. ROONEY of Pennsylvania. Mr. Speaker, I take particular pride today in the fact that a very famous musical instrument maker is located in my congressional district. Last night's performance of "The Mass" by Leonard Bernstein brings it to mind. It was, as you know, a new music work written especially for the occasion of the grand opening. The music was contemporary and electrifying with many musical forms and forces projected—from the sound of a single guitar to a full sweep of rock combos, marching band, electronic music effects, traditional organ sounds, dancers, orchestra, choirs, and even a boys' choir. The traditional form of the Mass was heard in a truly new way but the response from the audience had an emotional impact that probably has seldom been surpassed in any concert hall—a 20-minute wild acclamation.

The internationally known music experts involved selected the Allen Organ Co. to provide the keyboard instruments necessary for the entire work. A huge three-manual, 60-stop, Allen organ was heard with the choir, played by Richard W. Dirksen of Washington Cathedral fame. Allen's subsidiary corporation, Rock Mount Instrument Co., supplied the electric piano sounds that provided the rhythmic and melodic lines throughout the piece. Four electronic pianos and pianists joined at times. A total of five Allen keyboard instruments were involved—quite unprecedented.

The Allen Organ Co. is located in Macungie, Pa., a small town of about 1,000. Their 500 employees are also very much a part of the Allentown, Pa., scene. Mr. Jerome Markowitz, the president, invented and patented the Allen organ in the 1930's when he was a student at our Muhlenberg College—only 19 years old at the time. The formation and growth of the company during the quarter century after World War II is a fine example of American enterprise. They have produced about 40,000 instruments during this period which are presently heard in churches and auditoriums around the world.

The selection of the Allen organ used at the opening of the John F. Kennedy Center for the Performing Arts is certainly noteworthy. Since the selection came from outside the Government, it supports our own governmental decisions in which Allen organs during the last few years were selected for many of our military chapel needs both at home and abroad.

COMPENSATION FOR CRIME VICTIMS

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

Mr. VAN DEERLIN. Mr. Speaker, I am today offering legislation to provide Federal funds for the relief of crime victims. The bill is similar to S. 750, introduced earlier this year by Senator MANSFIELD, and it would—in my view—plug an alarming gap in our system of criminal justice.

The bill also would compensate States, such as California, which have already instituted programs of their own for aiding these victims. The maximum award under the proposed Federal law would be $25,000, while the top payment in

California is $5,000. Lest the suggested Federal maximum seem excessive, I should also point out that Maryland, along with California one of the six States that have authorized payments for victims of crime, now pays up to $27,500 for loss of life and as much as $45,000 for total disability suffered as the result of a crime.

I have in my files some poignant letters about the financial plight and shattered morale of these innocent victims. In one case, a woman was savagely beaten, and her husband murdered, by an intruder in their home. Now, 6 years later, she is paralyzed from the neck down, while trying to eke out an existence and pay hospital and medical bills on a total income, from social security and retirement pay, of only $300 a month.

Ironically, the victims of these cruel attacks seem to have become the forgotten party in most criminal justice proceedings. Our criminal cases usually pit the State or the United States against the accused suspect, with scarcely a mention of the victim. Yet it is the victim who suffers the direct consequences, often including great financial loss to himself or his survivors.

The idea of compensation for crime victims is an old one. Early American colonists in Massachusetts and Connecticut required the thief to pay back three times the value of what he had stolen, or else identure himself to his victim for a period of time sufficient to work out the debt.

Under our proposed legislation, also, the criminal could be made responsible to the victim. If a convicted criminal were financially able, the measure provides that the Justice Department could sue him for the partial or complete recovery of damages previously awarded by the Government as compensation to the victim.

Redress would be payable for medical and death expenses, loss of earnings and other income, and pain and suffering. The compensation would be considered a right, and would be payable to a victim or his survivors without regard to financial need.

The legislation would establish a three-member Violent Crimes Compensation Commission, which would exercise jurisdiction over claims stemming from the commission of crimes under Federal jurisdiction. The Federal Government also would pay up to three-quarters of the costs of State programs for compensating crime victims.

I believe the bill is worthy of early and favorable consideration of this Congress.

LACK OF JUSTIFICATION FOR COTTON RESEARCH AND PROMOTION PROGRAM

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

Mr. CONTE. Mr. Speaker, in the midst of all the activities of the executive branch during our recess which ends today, a decision was announced by the Secretary of Agriculture which is notable not only for its complete lack of justification, but, more importantly, for its timing.

On August 6—just 1 day after we began our recess—Secretary Hardin announced his approval of a $10 million cotton research and promotion program, despite what I am convinced is the clear mandate of Congress that such funds can only come from any savings effected by the $55,000 farm subsidy payment limitation.

Mr. Speaker, this House which so recently adopted my amendment for a lower ceiling of $20,000 on June 23, 1971—an amendment regrettably not accepted by the Senate—will well remember its dissatisfaction with the fact that virtually no such savings have, in fact, occurred, due to the methods of evading the ceiling employed by large corporate farmers. Secretary Hardin himself acknowledges that he has no proof of any actual savings to be effected.

Nevertheless, he has gone ahead and approved these funds, relying on one of the most tortured legal interpretations of the intent of Congress which I have ever seen. What is even more regretable is that Comptroller General Staats, who is supposed to be the watchdog of Congress, has sanctioned this outrage.

Mr. Speaker, I will not take time here to detail the stated "reasons" for this decision—for the benefit of my colleagues, I enclose copies of the exchange of correspondence between the Secretary and Mr. Staats, together with copies of my letters to those gentlemen and to the Office of Management and Budget Director, George P. Shultz, and a news story by George Anthan of the Des Moines Register at the close of my remarks—I think it is clear that there is no rational basis for this decision, beyond the unacceptable one of placating the powerful cotton lobby. I should add, I do not question the value of this promotion and research program; my only quarrel is with the Secretary's approval of a program, despite the lack of funds to do so.

Perhaps the most significant aspect of this sorry incident is that the Comptroller General had accepted Secretary Hardin's argument as long ago as April 30, but the Secretary chose to drop this little bombshell at a time when the least attention would be paid to it.

Such behavior can only serve to undermine whatever little public confidence remains in the conduct of farm policy by his department.

In closing, Mr. Speaker, I would hope that the Secretary will reconsider this decision, as I have asked. In any event, this incident is a sad reminder to all of us that congressional vigilance is required at all times, and not just when we are in session.

The material follows:

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., March 5, 1971.

Hon. ELMER B. STAATS,
Comptroller General of the United States, General Accounting Office, Washington, D.C.

DEAR MR. STAATS: Your decision is requested as to whether $10,000,000 may be made available each year by Commodity Credit Corporation, pursuant to the second sentence of section 610 of the Agricultural Act of 1970, to finance a program for market development, research, and sales promotion for upland cotton under such section, without proof of actual savings of that amount resulting from the application of the payment limitation under the 1970 Act on payments to cotton producers.

Section 610 of the 1970 Act (Public Law 91-524, approved November 30, 1970) provides:

Sec. 610. The Commodity Credit Corporation, in furtherance of its powers and duties under subsection (e) and (f) of section 5 of the Commodity Credit Corporation Charter Act, shall, through the Cotton Board established under the Cotton Research and Promotion Act, and upon approval of the Secretary, enter into agreements with the contracting organization specified pursuant to section 7(g) of that Act for the conduct, in domestic and foreign markets, of market development, research or sales promotion programs and programs to aid in the development of new and additional markets, marketing facilities and uses for cotton and cotton products, including programs to facilitate the utilization and commercial application of research findings. Each year the amount available for such agreements shall be that portion of the funds (not exceeding $10,000,000) authorized to be made available to cooperators under the cotton program for such year but which is not paid to producers because of a statutory limitation on the amounts of such funds payable to any producer. The Secretary is authorized to deduct from funds available for payments to producers under section 103 of the Agricultural Act of 1949, as amended, on each of the 1972 and 1973 crops of upland cotton such additional sums for use as specified above (not exceeding $10,000,000 for each such crop) as he determines desirable; and the final rate of payment provided in section 103, if higher than the rate of the preliminary payment provided in such section shall be reduced to the extent necessary to defray such costs. No funds made available under this section shall be used for the purpose of influencing legislative action or general farm policy with respect to cotton.

The Statement of Managers on the Part of the House accompanying the Conference Report on the Agricultural Act of 1970 (House Report No. 91-1594, 91st Cong., 2d Sess., p. 33) in explaining the provision stated as follows:

"It is the intent of the conferees that under section 610 of the conference substitute the Commodity Credit Corporation shall divert to the Cotton Board not more than $10,000,000 annually in 1971, 1972, and 1973 from those sums which would otherwise be paid to cotton producers, but for the operation of payment limitations, in order to develop and expand both domestic and foreign markets for upland cotton. *The only discretion intended for the Secretary in this regard is over the approval or disapproval of various research and promotion projects, as is the case under the Cotton Research and Promotion Act.*" (Emphasis supplied.)

We believe that the purpose of the underscored language in the above-quoted statement—to the effect that the *only* discretion intended for the Secretary of Agriculture in regard to the market development, research, and sales promotion program for cotton was over the approval or disapproval of the various research and promotion projects—was to make clear the intention of the Conferees that in all other respects the Secretary was to have no discretion whatsoever in making available $10,000,000 each year for the carrying out of approved projects. This would include no discretion to withhold funds for such approved projects pending proof of actual savings from the application of the payment limitation on payments to

cotton producers. Your early decision on the question presented would be appreciated.

Sincerely,

/s/ CLIFFORD M. HARDIN,
Secretary.

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, D.C., April 30, 1971.

DEAR MR. SECRETARY: Reference is made to your letter of March 5, 1971, requesting our decision as to whether $10,000,000 may be available each year by the Commodity Credit Corporation, pursuant to the second sentence of section 610 of the Agricultural Act of 1970, to finance a program for market, development, research, and sales promotion for upland cotton under such section, without proof of actual savings of that amount resulting from the application of the payment limitation under that act on payments to cotton producers.

Section 610 of the Agricultural Act of 1970, Public Law 91–524, approved November 30, 1970, 84 Stat. 1378, reads as follows:

"SEC. 610. The Commodity Credit Corporation, in furtherance of its powers and duties under subsections (e) and (f) of section 5 of the Commodity Credit Corporation Charter Act, shall, through the Cotton Board established under the Cotton Research and Promotion Act, and upon approval of the Secretary, enter into agreements with the contracting organization specified pursuant to section 7(g) of that Act for the conduct, in domestic and foreign markets, of market development, research or sales promotion programs and programs to aid in the development of new and additional markets, marketing facilities and uses for cotton and cotton products, including programs to facilitate the utilization and commercial application of research findings. Each year the amount available for such agreements shall be that portion of the funds (not exceeding $10,000,000) authorized to be made available to cooperators under the cotton program for such year but which is not paid to producers because of a statutory limitation on the amounts of such funds payable to any producer. The Secretary is authorized to deduct from funds available for payments to producers under section 103 of the Agricultural Act of 1949, as amended, on each of the 1972 and 1973 crops of upland cotton such additional sums for use as specified above (not exceeding $10,000,000 for each such crop) as he determines desirable; and the final rate of payment provided in section 103 if higher than the rate of the preliminary payment provided in such section shall be reduced to the extent necessary to defray such costs. No funds made available under this section shall be used for the purpose of influencing legislative action or general farm policy with respect to cotton."

The legislative history of this provision discloses that when H.R. 18546 (the bill subsequently enacted as Public Law 91–524) was passed by the House of Representatives it contained no provisions such as those in section 610. However, as passed by the Senate, section 610 contained language identical to that now contained in the first two and the last sentences of section 610.

The Committee of Conference inserted a new sentence immediately following the second, and, while included in section 610 as set forth above, is repeated below as follows:

"The Secretary is authorized to deduct from funds available for payments to producers under section 103 of the Agricultural Act of 1949, as amended, on each of the 1972 and 1973 crops of upland cotton such additional sums for use as specified above (not exceeding $10,000,000 for each such crop) as he determines desirable; and the final rate of payment provided in section 103 if higher than the rate of the preliminary payment provided in such section shall be reduced to the extent necessary to defray such costs."

The Statement of Managers on the Part of the House accompanying the Conference Report on the Agricultural Act of 1970, House Report No. 91–1594, page 33, in explaining the provisions of section 610 stated as follows:

"It is the intent of the Conferees that under section 610 of the conference substitute the Commodity Credit Corporation shall divert to the Cotton Board not more than $10,000,000 annually in 1971, 1972, and 1973, from those sums which would otherwise be paid to cotton producers, but for the operation of payment limitations, in order to develop and expand both domestic and foreign markets for upland cotton. *The only discretion intended for the Secretary in this regard is over the approval or disapproval of various research and promotion projects, as is the case under the Cotton Research and Promotion Act.*

"It is the conferees intent that the Secretary be given discretion to use an additional $10,000,000 annually during 1972 and 1973 for the same purposes." (Emphasis supplied.)

You state in your letter that it is your belief that the purpose of the italic language in the above statement—to the effect that the *only* discretion intended for the Secretary of Agriculture in regard to the market development, research, and sales promotion program for cotton was over the approval or disapproval of the various research and promotion projects—was to make clear the intention of the Conferees that in all other respects the Secretary was to have no discretion whatsoever in making available $10,000,000 each year for the carrying out of approved projects. This, you state, would include no discretion to withhold funds for such approved projects pending proof of actual savings from the application of the payment limitation on payments to cotton producers.

While the language of section 610 reasonably could be construed as meaning that the contemplated contracts could not be entered into except as savings were effected, we agree with your view that the conferees intended that the Secretary have no discretion to withhold funds for approved projects pending proof of actual savings.

As indicated above the Committee of Conference added to section 610 authority for the Secretary in his discretion, to use an additional $10,000,000 for program purposes, and, relative to such provision, stated in its report (as quoted above) that—"It is the conferees intent that the Secretary be given discretion to use an additional $10,000,000 annually * * * for the same purposes."

In addition to that part of the conference report relied on by you it seems clear from this last statement that the $10,000,000 there involved was intended as a sum in addition to the initial $10,000,000 and it seems to imply that no part thereof would be used until the initial $10,000,000 had been obligated. It also seems clear that the Conferees intended that the initial $10,000,000 be spent for these programs, the amount of the savings not being an issue during any part of the congressional consideration.

In view of the foregoing, and since the Congress subsequently adopted the legislation recommended by the Conferees and no question apparently was raised regarding the purpose of section 610 as described in the conference report, we see no objection to your entering into agreements authorized by section 610 even though there may be no proof that savings have been effected.

Sincerely yours,

ELMER B. STAATS,
Comptroller General of
the United States.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., September 7, 1971.

The Honorable CLIFFORD M. HARDIN,
Secretary of Agriculture, Department of Agriculture, Washington, D.C.

DEAR MR. SECRETARY: I was frankly shocked and disappointed to learn of your decision to approve a $10,000,000 cotton research and promotion program in disregard of the clear mandate of Congress that funds for this program can only come from savings to be generated by the application of the $55,000 subsidy payment ceiling, when, by your own admission, you lack "proof of actual savings of that amount." Beyond the question of the correctness of that decision, I am especially disappointed by the timing of your announcement—just one day after Congress began its August recess.

This matter of timing seems particularly questionable in view of the fact that the justification is apparently based on an exchange of correspondence with Comptroller General Elmer B. Staats that took place more than three months earlier, in March and April of this year. I will return to this question of timing after discussing the merits of your justification.

In your letter of March 5, 1971 to Mr. Staats you quote from Section 610 of the Agricultural Act of 1970 (Public Law 91–525, approved November 30, 1970) that each year the amount available for this promotion and research shall be: "that portion of the funds (not exceeding $10,000,000) authorized to be made available to cooperators under the cotton program for such year *but which is not paid to producers because of a statutory limitation on the amounts of such funds payable to any producers.*" (Emphasis added)

While there were many who assumed that the savings to be effected by the $55,000 ceiling would easily exceed $10,000,000, I am convinced that proof of actual savings is unquestionably a prerequisite to the approval of these funds. To maintain otherwise is to disregard totally the meaning of the statutory language italicized above.

The thrust of your argument to the contrary, regrettably concurred in by Mr. Staats in his reply of April 30, 1971, relies on language in the Conference Report (House Report No. 91–1594), at page 33, that the "only discretion intended for the Secretary in this regard is over the approval or disapproval of various research and promotion projects." While I agree this may show the Conferees' intent that you should fully fund this program, this language does not remove either the limitation as to the source of these funds or your responsibility to assure yourself that such funds are indeed available from that source. In fact, the entire language of the limitation as to the source of these funds is repeated by the Conferees immediately above the sentence you refer to.

When a member of my staff called your General Counsel Edward W. Shulman in my absence, he sought Mr. Shulman's reaction to my interpretation of the law; he was given no substantive response, but was simply told that we obviously disagreed. I am sure you will acknowledge that such a response is inadequate, and I would therefore appreciate it if you would respond directly to the interpretation I have presented here as soon as possible. If, in examining your decision in light of my views, you are persuaded that your decision was erroneous, I urge you to rescind this decision immediately.

To return to the subject of the timing of your announcement, one cannot ignore that the sole basis relied on for this decision was before you as long ago as April 30, 1971, when you received Mr. Staats' reply. In the absence of any explanation for the delay, one can only presume that the Department wished to make this decision public at a time

when the least amount of attention would be paid to it. Such a conclusion is especially unfortunate in view of the continuing lack of public confidence in our farm program and its administration. If there is a satisfactory explanation for this delay, I urge you to make it known as soon as possible.

I would appreciate your urgent consideration of this serious matter. With best wishes, I am

Cordially yours,

SILVIO O. CONTE,
Member of Congress.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., September 7, 1971.

Hon. ELMER B. STAATS,
Comptroller General of the United States, General Accounting Office, Washington, D.C.

DEAR MR. STAATS: Enclosed you will find a copy of my letter to Secretary Hardin, taking issue with his decision to approve a $10,000,000 cotton research and promotion program without proof of the actual savings necessary to fund the program. Since that decision was based on an interpretation of the law in which you concurred, in your letter to the Secretary of April 30, 1971, I would also appreciate your reconsideration of this question in light of my contrary interpretation.

Should this lead you to conclude your earlier judgment was erroneous, please advise me as soon as possible.

I would appreciate your prompt attention to this matter. With best wishes, I am

Cordially yours,

SILVIO O. CONTE,
Member of Congress.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., September 7, 1971.

Hon. GEORGE P. SHULTZ,
Director, Office of Management and Budget, Executive Office Building, Washington, D.C.

DEAR MR. SHULTZ: I am enclosing a copy of my letter to Agriculture Secretary Hardin, taking issue with his recent decision to approve a $10,000,000 cotton research and promotion program without proof of the existence of the savings anticipated to fund this program. I am convinced that the intent of Congress is clear that such approval is not permissible without proof of savings.

I am also enclosing a copy of the Secretary's letter to Comptroller General Staats of March 5, 1971, together with Mr. Staats' reply of April 30, 1971, accepting the Secretary's interpretation of his authority to take this step. While I presume this decision was reviewed at some level in your office, I am confident that you will agree with my assessment.

In view of the fact that curtailment of federal spending is such a key element of the President's new economic program, I urge you to give this matter your urgent personal attention. If the Secretary cannot be persuaded to rescind this decision, then I would reluctantly ask your intervention in this matter.

I would appreciate your early attention to this matter. With my best wishes and highest regards, I am

Cordially yours,

SILVIO O. CONTE,
Member of Congress.

[From the Des Moines Register, Aug. 11, 1971]

USE TAXES FOR COTTON PROMOTION—DOUBT LEGALITY OF $10 MILLION IN AID

(By George Anthan)

WASHINGTON, D.C.—The politically powerful cotton industry is getting $10 million in public funds from the U.S. Department of Agriculture (USDA) to help promote its products.

The payment has been approved by Agriculture Secretary Clifford Hardin, and will be delivered eventually to a group known as Cotton, Inc.

A spokesman for the National Cotton Council said Cotton, Inc., has been set up by the industry to carry on promotion and research activities.

Several USDA officials asknowledged privately Tuesday that legal authority for the $10-million payment is questionable and one said "politics" figured in the decision.

Both the Senate and House agriculture committees, which have jurisdiction over the USDA, are headed by southerners. Congressmen from cotton-producing states also have a strong influence over the department's finances.

The $10 million will be paid directly by the Commodity Credit Corp., a USDA agency, to the Cotton Board, a unit set up by federal law. USDA officials said the Cotton Board is to turn the funds over to Cotton, Inc.

LAW CIRCUMVENTED?

Congress, at the insistence of southern senators and representatives, provided for the "promotion and research" payment two years ago.

But last year, in passing the first limit on federal farm subsidy payments, Congress specified that the only money that actually could be paid was the amount saved as a result of the limitation, as it applies to cotton producers.

The new law limits each producer to a $55,000-a-crop maximum federal subsidy check.

But both the USDA and the law itself have produced so many loopholes that some officials now say little or no savings are expected.

Thus, under the 1970 law, it appeared the cotton industry would get little or no public money for its promotion and research activities. In no event was the amount to be more than $10 million, according to the law.

It is known there was considerable controversy within the USDA in recent weeks over the cotton payment.

Some officials argued the law should be strictly followed and the payment limited to whatever savings are finally realized—the difference between the cotton subsidy payments without limitation last year and with the $55,000 limitation this year.

But some other USDA officials, backed strongly by southern congressmen and cotton industry officials, argued that the maximum $10 million should be delivered for the fiscal year starting July 1.

One USDA official said privately: "It was a political determination that we made."

HOW LOOPHOLE WORKS

USDA officials in Washington and in cotton-producing states have disclosed that large cotton producers are bypassing the payments limitation by leasing their cotton allotments to smaller growers. The larger producers receive leasing fees, and the smaller producers receive federal payments, so the amount paid out by the federal government is expected to be about the same.

James Morris, a USDA official who supervises the subsidy program, said, "We don't know yet what the savings in the cotton program will be."

A number of high USDA officials refused to speculate on the amount of savings that could clearly, under the law, be turned over to the cotton industry, saying the information won't be available until later this year.

A cotton industry spokesman here said the $10 million authorized by Hardin will be used for advertising of cotton products, for developing better wash-and-wear fabrics and for developing better herbicides for cotton producers.

USDA officials are using, as justification for approving payment of the full $10 million, a report issued by a joint House-Senate conference committee that was named last year to work out differences between the two houses on the agriculture bill.

The conference committee said, "It is the intent of the conferees that the Commodity Credit Corp. shall divert to the cotton industry not more than $10 million in 1971, 1972 and 1973."

USDA officials said department lawyers and the U.S. comptroller general's office determined this meant the full amount could be used.

"A BUNCH OF GARBAGE"

"That's a bunch of garbage," said an administrative assistant to Representative Silvio Conte (Rep., Mass.), a strong critic of the USDA's administration of the subsidy program.

"The law is clear. It's not ambiguous. But they always wait and do these things when Congress is in recess."

Conte is in South Korea, but his office said it was beginning an immediate inquiry into the situation.

USDA officials said they are convinced "it was the intention of the conference committee that we pay the full $10 million to the industry."

Eight of the 11 conference committee members are from cotton-producing states.

Members of that conference committee are:

Representatives W. R. Poage (Dem., Tex.), Thomas Abernethy (Dem., Miss.), Graham Purcell (Dem., Tex.), B. F. Sisk (Dem., Calif.), Page Belcher (Rep., Okla.), Catherine May (Rep., Wash.), William Wampler (Rep., Va.); and Senators Spessard Holland (Dem., Fla.), James Eastland (Dem., Miss.), George Aiken (Rep., Vermont) and Jack Miller (Rep., Ia.).

Many big cotton producers, including Eastland, have legally circumvented the subsidy limitation. This year, the senator and his family will receive about $160,000, only slightly less than their payments last year.

The Eastlands avoided the $55,000 maximum payment by creating eight new business entities to farm their 5,200-acre plantation in the Mississippi delta.

FOLKS BACK HOME DEMAND ACTION

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

Mr. MADDEN. Mr. Speaker, the so-called 30-day August recess for the Congress was indeed fortunate because it gave many Members an opportunity to go back to their districts and get a first-hand survey of public opinion from their constituents on the Nation's foreign and domestic problems. I devoted the full time in my two home district offices and attended meetings and luncheons and talked to hundreds concerning their opinions and economic troubles and their suggestions and recommendations.

The Southeast Asia fiasco is still the No. 1 topic among the majority of the home folks and it will be a major issue in 1972.

The President's unexpected broadcast announcing the 90-day freeze took place immediately after Congress recessed. Of course, that surprise announcement probably overshadowed most of the other issues and gripes which the average citizen would bring up in his conversation with his Congressman. It was indeed surprising that so many would ask the question, "Why the President did not act on the legislation which the Con-

gress passed by a substantial majority in both Houses in December 1969 giving the President complete power and authority to curtail prices, wages, interest rates, and so forth, at that time." The President signed the legislation and allowed it to remain dormant until a week after Congress left Washington for recess on August 7. Large industries, business concerns, automobiles, supermarkets, food establishments, and interest rates, and so forth, have been raised several times during this intervening period since Congress gave the President power and authority to curb inflation prices and wages in December 1969.

Many of the laboring folks in my district deplored the fact that the wage restriction was clamped on the workers after the profiteers had had a field day for 20 months. Millions of Federal and public employees over the Nation are now restricted from catching up with the high cost of living increases over the last 20 months.

Probably the next complaint my constituents had was the failure of Congress to enact legislation limiting and restricting the fabulous sums being spent by candidates for public office, both Federal and State. The American voters still remember millions being spent in the 1968 presidential campaign. Figures from $2 to $4 million have been expended on campaigns by some candidates for the U.S. Senate. The New York news media quoted Governor Rockefeller as admitting spending $10 million to win victory as Governor of New York in 1968. Some congressional campaigns have gone into astronomical figures compared to the 2-year term involved. The voters of my area are demanding that Congress enact effective legislation with strict penalties against purchasing public office, whether Federal, State, or local.

Many citizens are complaining about the high tax on their homes and other personal taxes with which the consumers are burdened, such as sales tax and other special taxes on just about everything. They are also demanding that Congress do something about the fabulous, scandalous loopholes which powerful lobbies have succeeded in getting enacted by the Congress. These include the depletion, exemptions and quotas on big oil, which compared with their fabulous profits practically place that industry on the tax-free list. Tax loopholes on multimillion-dollar estates and foundations is another problem the voters are violently protesting.

One of my surprises during the recess was the number of citizens who are amply informed regarding these important issues which will be coming up for a decision by the American voter a year from November.

The 89th Congress passed legislation demanding expansion for education, housing, medical and nursing education, hospital construction, transportation, public works, antipollution and other projects, in public demand, and for the relief of the unemployed.

The public is amazed that the administration is withholding over $10 billion of the money Congress has appropriated for these necessary domestic programs.

The people want action and not constant presidential politics as a daily diet.

The SPEAKER. Under a previous order of the House, the gentleman from Ohio (Mr. MILLER) is recognized for 5 minutes.

TAKE PRIDE IN AMERICA

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a nation. The United States has 6 times the total road mileage of the Soviet Union and 12½ times the surfaced road mileage, more than 20 times as many trucks, buses, and private cars operate over the American road system as in the Soviet Union.

PROF. MICHAEL ZAND, VISITOR TO UNITED STATES

The SPEAKER. Under a previous order of the House, the gentlewoman from Massachusetts (Mrs. HECKLER) is recognized for 5 minutes.

Mrs. HECKLER of Massachusetts. Mr. Speaker, a visitor has newly come to our shores who, I am sure, will stir the conscience of America.

He is Prof. Michael Zand of the Hebrew University's Institute of Oriental and African Studies in Jerusalem. He has come to participate in the Association of Jewish Studies at Brandeis University in Waltham, Mass. What makes his visit a cry in the night is the fact that he represents millions of Jews in the Soviet Union whose plight he will recount from personal experience.

I met Michael Zand for the first time during my visit to Israel last month. I was impressed enough with him and his story to offer my help in getting his visa to visit the United States and to renew my efforts to bring about some concrete gesture of support for those Jews still living in Russia who have followed Professor Zand in spirit but cannot physically share his journey.

An expert in Arabic and Persian culture, he was a scholar at the Institute of Peoples of Asia in Moscow where his father had been a professor of philosophy.

Last March, he was one of 39 Jews who went to the office of the public prosecutor to protest the Leningrad trials of the alleged plane hijacking whose unfair arrest and prosecution aroused worldwide sentiment. Whereupon Zand himself was arrested and sentenced to 15 days in jail. He embarked on a hunger strike during his confinement which was also strongly protested by much of the American academic community.

Both before and after his imprisonment, Professor Zand petitioned for permission to go to Israel. It was granted, then denied. He applied for Israeli citizenship under a new Israeli law which allowed any Jew to claim it whether he lived there or not. That brought Zand Russian accusations of being a traitor and an enemy of the people.

Strangely enough, permission for him to leave the Soviet Union was again granted, and on May 22 he left for Israel with his wife, two children, his mother, and a niece.

The only real difference in Michael Zand's story and that of millions of his fellow Soviet Jews is that he escaped.

They are still there, undergoing much of the same denial of rights, indignities, harassments, persecutions, only more so, that he underwent. They cannot find work, receive mail, partake of their own culture or even emigrate to their spiritual holy land. And I think that situation, replete with a thousand examples that parallel Michael Zand's story, should move us at least to a gesture of sympathy and support, if not a strong and continuous pressure against such Russian treatment of Soviet citizens.

It has been suggested that one way this could be done is via Voice of America broadcasts in Yiddish to the Jews in the Soviet Union. This would let them know most effectively that America is on their side and that possibly would give them the strength and determination to sustain their misfortune and ultimately prevail. Serving notice on Russia of the free world's outrage at the same time just might stem the tide of repression altogether.

I have introduced a resolution urging such broadcasts upon the U.S. Information Agency, as have many of my colleagues in both bodies. And I consider the USIA and State Department reasons for refusing to initiate such broadcasts to be totally spurious and insubstantial.

If the basic fear is of doing violence to negotiations with the Soviets on many other fronts, why then broadcast to any ethnic minority in Russia as is done every day now?

I once again call upon the USIA, Mr. Speaker, to begin such broadcasts immediately, extending America's voice to these people so the darkness they find themselves in will not hold such anguish and fear. And men like Michael Zand could pursue their destiny in peace and dignity.

EXTENSION OF MDTA

The SPEAKER. Under a previous order of the House, the gentleman from Michigan (Mr. O'HARA) is recognized for 30 minutes.

Mr. O'HARA. Mr. Speaker, I am today introducing legislation which I believe should be among the priority items to be considered when the Committee on Education and Labor turns, later this year, or early next, to consideration of manpower programs.

Because of the many legitimate concerns voiced over shortcomings in the administration of existing manpower programs, as well as in their organization, the Committee on Education and Labor has indicated its intention to examine various proposals for manpower reform—ranging all the way from the comprehensive and detailed legislative reform which was vetoed by the President in 1969 to the "manpower revenue-sharing" bill which the administration offered as an ultimate solution to our manpower problems.

It may well be, Mr. Speaker, that the committee, which has gone over all this

ground many times, can come to a resolution of the problems which plague our manpower programs fairly quickly. Or it may be that we cannot do so. It may even happen that the always inventive minds at the top levels of the Office of Management and Budget will once more come up with a fundamentally new proposal, replacing "revenue sharing" the way that replaced last year's proposal.

In short, Mr. Speaker, while there is a good deal of bipartisan agreement that manpower structures should be reexamined, and improved upon, so that the bureaucrats' work will be easier, and the responsibilities differently diffused, and the "delivery systems" brought more into conformity with various experts' conceptions of organizational symmetry, and even so that the ultimate recipients of manpower services may get a better deal, it does seem to me, and I suspect to most of us that we are a long way from agreement on the details. And in manpower, as elsewhere, it is much easier to get agreement on the basic principle that there should be training and other manpower programs available, than it ever can be to secure consensus on who gets the final signoff authority on a piece of Federal paper.

So, Mr. Speaker, while it seems to me wise to examine the prospects of manpower-systems-to-be in great detail, and to press ahead with such reforms as can be shown to be in the interests of the people who need manpower services, it would also be prudent in the extreme to extend the existing authority under the Manpower Development and Training Act for enough time following its present date expiration to assure the unemployed and those in need of manpower services that there will be a manpower program for them for some little time to come. The bill I am introducing today, Mr. Speaker, would do nothing whatever to the substance of the Manpower Development and Training Act except to amend the existing terminal dates by extending them for 18 months. This amendment would extend the basic authority under title II—the operational title—of MDTA from June 30, 1972, to December 31, 1973, and it would permit actual financial outlays, which now must be made prior to December 31, 1972, to be made up to June 30, 1974.

Let me reiterate, Mr. Speaker, that nothing in my introduction of this bill, nor in my remarks to you should be interpreted to suggest that I think we should stop with a simple extension of MDTA. In fact, I have some ideas on manpower reform myself, and I am giving very serious thought to introducing more detailed legislation later. I propose this extension solely and wholly as an act of prudence, and as an assurance to the beneficiaries of manpower programs that their interests will be safeguarded with even greater zeal than the institutional interests of the various segments of the manpower profession.

Our first task, Mr. Speaker, is to assure that we can have a manpower program. Then, and only then, we can and we should turn to the question of how it will be organized.

SUPPORT FOR REPEAL OF AMERICA'S CONCENTRATION CAMP LAW SPREADS ACROSS THE NATION

The SPEAKER. Under a previous order of the House, the gentleman from Hawaii (Mr. MATSUNAGA) is recognized for 10 minutes.

Mr. MATSUNAGA. Mr. Speaker, the Emergency Detention Act is a blight on the statute books of America. My efforts, and those of many others, to have it repealed will culminate next Monday, September 13, when the House considers H.R. 234.

As most of my colleagues know, support for the repeal measure is widespread. One hundred and sixty House Members have sponsored bills to repeal this repugnant law; they include Republicans and Democrats from 34 States in all sections of the country.

The breadth of support is indicated, also, by the editorial voices calling for repeal, from media in every corner of the land. For the information and convenience of my colleagues, I am including excerpts from several editorials at the close of my remarks. They come from newspapers in Portland, Oreg., and Easton, Pa.; from California, New York, and South Carolina; from Kentucky and West Virginia; from Arizona and Ohio.

They constitute only a small number of those who have evidenced their strong support for repeal of, and not a mere cosmetic amendment to, America's concentration camp law.

The editorial excerpts follow.

The Louisville Times said:

The repeal is necessary to declare for all Americans, particularly those of racial or ethnic minorities, that the detention camps will not and cannot be used by the government to confine persons whose views may be unpopular or suspect at the moment. Repeal would also serve as another belated acknowledgement to Japanese-Americans of the injustice done by their removal during World War II to concentration camps euphemistically called "relocation centers."

Minor procedural changes are not the answer. The solution lies in positive assurance to all Americans that detention camps are not part of the government's plans for anyone. This Congress can provide it only by repealing the provision.

The Columbia, S.C., State specifically refuted those who would merely amend the existing law rather than repeal it:

The amenders miss the point. The bill is (1) unnecessary and (2) offensive, and the thing to do with unnecessarily offensive laws is to get them off the books. The Internal Security Committee only damages its reputation by continuing to defend this disreputable statute.

The Tucson Daily Citizen:

The declaration of an internal security emergency would allow the government to disregard normal legal safeguards. . . . The movement to erase this undemocratic act, which strikes at our system of due process, deserves the backing of all Americans.

The Los Angeles Times:

Congress passed the Internal Security Act, which carried with it the whiff of a police-state measure. In the years since, the Supreme Court has nullified most of this law as unconstitutional, but Title II of the Act remains. . . . As long as this provision remains in force, it endangers us all, but Japanese-Americans and other minorities feel especially threatened.

The Easton, Pa., Express:

The [bill to amend title II] should be ignored. Title II unquestionably is unnecessary; it is certainly demeaning and dehumanizing, and probably unconstitutional. Rep. Matsunaga's bill to wipe it out should be passed.

The Portland Oregonian:

There is no place in the United States for Hitlerian or Stalinist laws and the Emergency Detention Act should be repealed as quickly as Congress can do it.

The Cleveland Plain Dealer in one editorial said that—

Democracy will not last very long if the government begins apprehending those who act.

A week later, the Plain Dealer made its stand on the repeal legislation more specific:

Lest anyone be tempted to use the never-used detention act against peace demonstrators or any protest group, that law ought to be done away with so it will no longer weigh on the American conscience.

The Washington Post:

The Matsunaga bill would eradicate an ugly splotch from the American escutcheon. It has the full backing of the Justice Department. It would lift a pall of fear from the country. We hope that Congress will adopt it speedily, restoring the American way of dealing with dissent and rejecting the Un-American Activities way.

The Sacramento, Calif., Bee:

Congress can and should rectify a flagrant legislative mistake of some 20 years ago by repealing the Emergency Detention Act, Title II of the 1950 Internal Security Act.

This anti-American law gives government dangerous powers amounting to nothing less than the use of concentration camps.

The Chattanooga Times:

It was a product of the witch-hunting fever of the McCarthy era, and the fact that it has never been used neither gives it standing as a deterrent nor justifies it as a proper safeguard.

The Huntington, W. Va., Herald-Dispatch:

A mere personal prejudice by some future president who chose to invoke the terms of this [Emergency Detention] Act would be sufficient for a round-up of black citizens, Chinese-Americans, Women's Liberation Movement members or any groups "suspected" of having dissenting thoughts. Our World War II persecution of Japanese-American has already proved that "it can happen here."

The New York Times:

Although the [detention] camps have long since been abandoned, the law stands as a memento of a dangerously defeatist, if not totalitarian, lapse. The Nixon Administration has told the House Judiciary Subcommittee that it unequivocally favors the law's repeal. Nothing should now stand in the way of erasing all remnants of this affront to freedom.

LIBERAL SUPPRESSION OF THE SEARCH FOR TRUTH

The SPEAKER. Under a previous order of the House, the gentleman from Louisiana, (Mr. RARICK) is recognized for 10 minutes.

Mr. RARICK. Mr. Speaker, one of the principal tactics of the bully when confronted with opposition is to resort to name-calling tactics, a defense mechanism that he uses when he cannot confront those who oppose his pet theories or ideas with questions and statements that he is afraid to contradict or dares not consider because he fears that he will learn his whole philosophy is based on a false premise.

Most mothers realize this tendency in the bully and in an attempt to instruct their children in the way to handle such a situation have them memorize or consider a remarkable piece of doggerel:

Sticks and stones may break my bones,
But words will never hurt me.

The truth of this youthful teaching is never more evident than in the liberal reaction to the theory of Dr. William Shockley, Nobel Prize winner, that the Negro is inferior intellectually to the Caucasian. Dr. Shockley has offered this as a working hypothesis and called upon his fellow scientists to investigate this theory through scientific observations and experiments, yet he is branded as "Fascist" or "racist" by some of his fellow scientists, who, like the bully, resort to name calling as a defense mechanism because they are afraid to confront him with facts or they fear that scientific examination of his theory will topple their house of cards built on a misreading of Jefferson's dictum in his Declaration, "that all men are created equal." Jefferson's statement in context meant created equal before God and before the law; the truth of nature, the very basis of the American way of life, is that each man is unique, different, possessing different characteristics and abilities, who should be allowed to develop his potential to the fullest.

To be inferior intellectually is not to be inferior as a man. Dr. Shockley has never suggested that the Negro is an inferior man; rather, he has suggested that the Negro is inferior intellectually. His ideas do not smack of totalitarian governments; rather, the opposition to his theories and the suppression of scientific investigation is characteristic of the unenlightened dictatorial state. His ideas deserve to be heard and investigated on a scientific basis, not categorized and attacked as Castro and as Chairman Mao do when they scream and harangue, villifying Americans as "imperialistic" or "running dogs." The basic weakness of the extreme left-wing liberal is evident in the attacks on Dr. Shockley; they are more characteristic of fascism than Americanism. These attacks do more to destroy the freedom of thought and expression that is the basis of our society than protect it. Fear may suppress the truth but is no substitute for it. I include a related news article in the RECORD at this point:

[From the Washington Post, Sept. 8, 1971]

RACE THEORY CALLED "FASCIST"

(By Stuart Auerbach)

Nobel laureate Dr. William Shockley was publicly accused of "racism" and promoting "fascist ideas" yesterday when he presented to the American Psychological Association his theory that Negroes are genetically inferior to whites.

A clinical psychologist, Dr. Edward C. Scanlon, described Shockley at a public meeting as "paranoid," and asserted that his theory "is a fascist idea like Nazi Germany."

"The problem in my terms is the racism of Dr. Shockley; it's too bad there are no longer heresy trials for scientists who have either gone senile or mad," said Scanlon in the first personal attack in public on Shockley since he began presenting his controversial—and largely unaccepted—views at major scientific meetings five years ago.

Later, a black woman psychologist in the audience, Alice Madison of Rutgers University, told Shockley that his theory shows that he is afraid "that black people some day will rise up."

"You don't scare us and you don't put us down," she declared. "We are either as bright or superior to you, and we're scaring you. I thank you for that compliment."

Although the National Academy of Sciences repeatedly has refused Shockley's requests to sponsor studies to test his theory, the debates there have been proper and polite.

Even the black students at Dartmouth College who prevented him from speaking two years ago, didn't attack Shockley personally. They merely kept clapping rhythmically until he left the platform.

Shockley, a professor of electrical engineering at Stanford University who won the Nobel Prize in 1956 for his part in the invention of the transistor, appeared unruffled by the public attacks.

"I don't take that seriously," said Shockley of Scanlon's charge that he is paranoid because he tape-records everything he says, refuses to answer questions at a press conference until he writes down a reporter's name and affiliation and sends all letters by certified mail.

As to the racism and Nazism charges, Shockley said that Scanlon's views "are far more in keeping with a totalitarian state than mine."

Professionally, Shockley said, he will be "profoundly disconcerted" if he is proven wrong and there is no genetic difference in the intelligence of whites and blacks.

But as a human being, he continued, he would say, "Thank God. I won't have to mess with these things any more."

He bases his theory, which is supported by Dr. Arthur R. Jenson, University of California at Berkeley educational psychologist, on analysis of data reported by other social scientists.

Because of "wishful thinking" about the equality of all men, Shockley said, these other scientists are unwilling to draw the same conclusions he does from the data.

His main sources of information, he said, are a massive federal Office of Educational study comparing Negro and white scholastic achievement and Armed Forces Qualification Test results.

Just last week, Dr. George W. Mayeske, a psychologist, reported that his analysis of the same Office of Education data on 123,000 students showed that any differences between whites and Negroes on scholastic achievement tests were due completely to social and economic factors, not genetics.

And Scanlon, a clinical psychologist at the Schuylkill County (Pa.) Mental Health Center, said his experiences as an Army psychologist indicated a considerable amount of cheating among southern whites who are supervised by white officers while taking Armed Forces tests.

"He (Shockley) ought to quit using them unless he wants to tell a lie," said Scanlon.

Shockley acknowledged that the idea that the Armed Forces tests may not be an accurate reflection of the intelligence of Negroes and whites is "a very valid area of criticism; it bears on the validity and significance of one of the types of data I am using."

But, he insisted that his main thesis that Negroes are innately inferior to whites in intelligence still holds.

"Nature has color-coded groups of individuals so that statistically reliable predictions of their adaptability to intellectually rewarding and effective lives can easily be made and profitably used by the pragmatic man in the street," said Shockley.

He proposed "as a thinking exercise" that the government offer bonuses for the sterilization for people who don't pay income tax.

The amount of the bonus would depend, Shockley said, on the number of hereditary disadvantages the person has. He listed "disadvantages such as diabetes, epilepsy, heroin addiction, arthritis, etc."

THE SHARPSTOWN FOLLIES—XXX

The SPEAKER. Under a previous order of the House, the gentleman from Texas, (Mr. GONZALEZ) is recognized for 10 minutes.

Mr. GONZALEZ. Mr. Speaker, since we last met there have been many chapters added to the Sharpstown Follies, all of which I will recite to the House in due course. All in all, however, I can tell you now that all these events, and others that are yet to be revealed, will add to the growing weight of evidence that the Assistant Attorney General of the United States, Will Wilson, is unfit for the office he occupies.

For 6 years Mr. Wilson was a private citizen, and in that time he advanced from being a comfortably wealthy man to a millionaire, with a great deal of assistance from Mr. Frank Sharp. As it turns out, Sharp was a crook and his pals seem to have been less than honorable men. Wilson was one of those pals—he was Sharp's attorney, adviser, and beneficiary.

Many questionable, dubious, and dishonest deals took place in Sharp's empire while Will Wilson was in its employ. Wilson has never explained his role in any of these deals, but he did offer a few days ago a 9-page public statement on how he became a millionaire, and since this is a curious document I offer it for the RECORD:

STATEMENT BY ASSISTANT ATTORNEY GENERAL WILL R. WILSON

From 1963 through 1968, I was engaged in the private practice of law in Austin and Houston. One of my clients was Frank Sharp, whose implication in a stock fraud case has led to insinuations that I am or have been involved in illegal activities as a result of this association. There is absolutely no truth to this.

For more than 30 years—since I graduated from college—I have actively engaged in the buying and selling of land. Most of these transactions have been profitable. In addition, my net worth was increased by inheritances which occurred when my father died and at the death of my wife's father.

At the time I was elected Attorney General of the State of Texas, my net worth was approximately $300,000. I engaged in very few land transactions during the time I was Attorney General. However, the value of the land that I owned, located in the fast-growing cities of Dallas and Austin, continued to appreciate and by 1963 my net worth was approximately $500,000.

As Attorney General from 1956 through 1962, I was automatically a member of the State Banking Commission. During that time, I voted to charter more than 150 bank ap-

plications, including a request by Frank Sharp to establish the Sharpstown Bank in the southwest part of the city of Houston. I supported the charter application on its merits. I was acquainted with Frank Sharp at the time as I was with many of the applicants who came before the Commission.

I left public office at the end of 1962, following an unsuccessful race for Governor, and helped organized the law firm of Wilson, Kendall, Koch & Randall in Austin. Mr. Sharp became one of the firm's clients in the spring of 1963—one of approximately 100 persons or corporations who retained our firm's services.

In the course of the next six years, the volume of business which Mr. Sharp brought to the firm varied a great deal. Some years he was a major client and other years he was not.

In addition to our lawyer-client relationship, business interests controlled by Mr. Sharp were a source of legitimate credit for me—similar to other lending institutions I used to increase my land holdings.

On April 22, 1964, I received two loans of $50,000 each from the Sharpstown Realty Company, which was owned by Mr. Sharp. One loan, which carried an interest rate of 4½ percent, was used to purchase a five-acre tract of land in Southwest Houston from the realty company. The loan was secured by the land. The other loan—at five percent interest—was used to buy a ten acre parcel of land from individuals not connected with Mr. Sharp or Sharpstown. I was not required to post any collateral for this loan. At this time, my net worth was estimated at $687,000.

By billing the realty company for legal services and expenses incurred in connection with representing the company, I paid off this loan by July 1968.

Without my knowledge, the $50,000 note for the five acre parcel was transferred from the realty company to the Sharpstown Bank on April 27, 1964.

During the next two years, I borrowed a total of $55,000 from the Sharpstown Bank in three separate transactions on my signature and at the interest rates then being charged. These loans were used to purchase listed stock and other tracts of land, and in connection with the construction of an apartment complex in Austin.

In April of 1966, I borrowed $95,000 from the Sharpstown Bank, again for the purpose of buying stock and parcels of land and for the apartment house construction. At the same time, I consolidated my entire indebtedness into one note for $200,000 at the prevailing rate of interest. I secured this loan with the two parcels of land purchased in 1964. My net worth in February, 1966 was approximately $885,000.

By September of 1968, I had paid $25,000 on the $200,000 loan. The Sharpstown Bank requested payment of the balance, so I transferred the note to the Bank of Texas in Houston. In December of 1969, I paid off the loan at the Bank of Texas by liquidating certain properties.

There have been only two other loan transactions involving myself and the Sharpstown Bank. One was for $17,000 which was made to the law firm of Wilson, Ridings and Osborne on September 6, 1968 to purchase office equipment and furniture for the firm which occupied space provided by the bank. This law firm only represented the bank and was dissolved in January 1969 following my appointment as Assistant Attorney General. One payment of $9,531 was made on a loan and the balance was assumed by one of my previous partners.

The other transaction occurred in August of 1970 when I borrowed $30,000 on my signature—at 9 percent interest—for use in connection with my investment program. This loan was repaid in full within seven months.

During the winter of 1967–68, I began buying stock in National Bankers Life, eventually purchasing 8,000 shares in a year's time at prices ranging from $8.00 to $11.50 a share. My interest in this company came as a result of a request from Mr. Sharp to study the company's statements to determine the value of the stock. Although the stock was selling at $8.00 a share at the time, it was my opinion as a result of my analysis that the stock was worth $11.00 a share.

Mr. Sharp expressed an interest in acquiring the company from former Governor Allan Shivers who held controlling interest. He asked me to ascertain the asking price, which Mr. Shivers said was $14.50 a share. I subsequently advised Mr. Sharp that, in my opinion, the price was too high. Contrary to my advice, he directed me to begin negotiating for the purchase of a controlling interest in the company at $14.50 a share, and I drew up a contract totalling $7.5 million for the purchase of the stock. The contract called for the transaction to be entirely in cash and to be closed on August 12, 1968, at a bank in Dallas. This was the end of my involvement with the acquisition of the stock.

Subsequently, Mr. Sharp and Mr. Shivers agreed between themselves to modify the contract by moving the closing date up to July 5 and to change the terms of payment. Mr. Sharp paid one half on the closing date and the other half six months later. I did not know then and I do not know now where Mr. Sharp got the money to pay for the purchase of the stock. He did not consult me about it and I did not advise him about any bank loans or other financing involved in this purchase. Mr. Sharp did inquire as to how much bank stock the insurance company could acquire under the insurance laws. I looked up the law and told him what it said.

Without violating the privileged relationship between lawyer and client, I believe I can say that I frequently urged Mr. Sharp to be more cautious in his debt and expansion. And he just as frequently replied: "I hired you for your legal advice, not business advice." I think this best characterizes our relationship.

I have not had the benefit of reading a deposition taken from Mr. Sharp by the Securities and Exchange Commission. However, press reports quote Mr. Sharp as saying in the deposition that I was present at the bank in Dallas at the time the transaction involving Bankers Life was closed. That is not true. I was away on a fishing trip at the time.

My firm's fee for handling the Bankers Life transaction was less than $5,000 and was based on a billing rate of $40 an hour.

In February of 1968, prior to Mr. Sharp's acquisition of the insurance company, he called me to inquire about the value of the stock and asked if I was still buying shares. He said he had a friend who wished to purchase about 1,000 shares of the stock but did not have a local broker. He asked if I would buy it through my account. I agreed and Mr. Sharp sent a check for the amount. I made the purchase of the stock through my account in the names he gave me, Teddy Joe Bristol and June Bristol.

I did not inquire then and I do not have any direct knowledge now as to the identity of these persons beyond what I have read in recent newspaper accounts.

In the fall of 1968, I sold 1,000 of the 8,000 shares that I had purchased in National Bankers Life. Following notification that I would be nominated as an Assistant Attorney General, I began liquidating much of the stock that I held at the time, including the remaining 7,000 shares of National Bankers Life. As a result of the sale of all my National Bankers Life stock, for which I received no more than $10.00 a share, I sustained a net loss of approximately $1,700 in my investment in the insurance company.

On February 12, 1969, I received the last payment for the sale of the stock. Since that time, I have not purchased any shares of Bankers Life. The brokerage house apparently kept some of the stock registered in my name, although I had been paid in full for it, because it wasn't sent through for re-registration until some months later.

When I liquidated my law practice prior to becoming an Assistant Attorney General, I had several accounts receivable, including $31,000 due from Mr. Sharp's realty company. For tax purposes, I requested that no payment be made on any of the outstanding accounts during 1969.

In January of 1970, Mr. Sharp paid $20,000 on this account, leaving a balance of $11,000 which is still due.

Despite my association with Mr. Sharp, I did not learn of the investigation by the Securities and Exchange Commission into allegations of stock fraud concerning the Sharpstown Bank and National Bankers Life until November or December 1970. The matter was not brought officially to the attention of the Department of Justice until after the SEC suit was filed on January 18, 1971.

At that time, I disqualified myself from taking any part in the case. Accordingly, when Department attorneys decided to seek immunity for Mr. Sharp in exchange for his testimony, the decision was made by Deputy Attorney General Richard Kleindienst. The decision normally would have been made by the Assistant Attorney General of the Criminal Division.

During the six years that I was in private practice, my net worth increased from approximately $500,000 to approximately $1.3 million. My net income from my law firm rose from approximately $50,000 in 1963 to approximately $100,000 by 1968, and I had a limited number of successful investments in securities. However, the primary reason for the increase in my net worth was the rapidly appreciating value of the property I owned.

It was not unusual for someone with heavy investments in prime location real estate during that period of economic inflation to experience rapid and substantial growth.

Although my relationship with Mr. Sharp was a profitable one and the firm's billings to his company were substantial, my personal wealth has increased primarily due to a substantial growth in the size of three of Texas' largest cities.

I might say here that on the day before the statement was issued, it was made known that it would come out at 10 o'clock on the morning of August 26. On the appointed day, Department of Justice representatives said that the statement would be ready that afternoon, at 3 o'clock. It was after 4 by the time the statement actually became available. Wilson and his public relations men found it hard indeed to explain things. The "facts" just kept changing on them.

Well, Wilson's statement turned out to be less than candid. In fact it is not even a good dodge. It speaks of everything except the one vital issue, and that is, just what did he do for Frank Sharp? It never mentions the crooked deals that I have described. Yet Wilson must have known about these deals, for they could have never taken place without his at least being aware of them, or taking part in them.

Those deals that he has admitted to are blatantly dishonest.

Wilson coyly says that he never asked questions about these deals, that he did not know what was going on. He just did what he was told, no questions asked. He was a pasty, he says.

Wilson says that he did not know that the bribery of a Federal bank examiner took place, even though his brokerage account was used for the deal. Yet at that time, he knew that the FDIC was closely watching the Sharpstown Bank and he had every reason to know who the bank examiners were. Yet he says he never asked any questions when Sharp asked him if he could use the Wilson brokerage account for "a friend."

Wilson says also that he never asked any questions when Sharp's pal Joe Novotny asked him to pay a little old construction bill that they did not want to run through the Sharpstown Bank accounts. Wilson asked no questions, did not sense that the bank was trying to cover anything up, never asked what it was about. He just did as he was told, and collected $2,500 for his trouble. As it happened the bill was to cover the cost of bugging the Sharpstown Bank offices where FDIC examiners were working.

So, Wilson says that he knew nothing of who the examiners were, and could not have been party—at least knowingly—to any bribery attempt. And he says that he knew nothing about efforts to breach the security of a Federal examination.

He also claims he knew nothing about Federal investigations into the Sharpstown Bank many moons later, when he borrowed $30,000 from his pal, Sharp. Wilson says he repaid the loan within 7 months, that he knew nothing about the Federal investigation when he took the loan. Well, he does not say when he repaid the loan or how or even what it was used for—and it would be interesting to know. And, of course, the Sharpstown State Bank was broke and out of business within the 7-month period Wilson talks about in his statement, and all loans were called by the liquidators. I believe that Wilson probably paid off the loan as soon as he found out charges against Sharp would be filed, to cover up his relationship with Sharp and get out of the picture. And, indeed, I doubt very much that he paid it all off in cash.

Wilson thus far has said that he cannot talk about what he did with Frank Sharp and for Frank Sharp without destroying the lawyer-client relationship. Yet when it suits his convenience he can talk—his silence is selective.

The public has yet to hear from Wilson about the SAC–RIC deal, the many self-dealing loans that Sharp had set up between his companies, to the tune of millions—many of which were never repaid, and which were directly responsible for the failure and deterioration of Sharp's companies; nor has he ever said anything about his knowledge of such fine deals as the recapitalization of the Sharpstown Bank by use of its very own funds. This latter deal, some say, was arranged on the expert advice and by a formula dictated by none other than Will Wilson.

And so it goes.

As more embarrassing deals are revealed, Wilson keeps saying that he knew nothing about them, or that he was a patsy, or that he was away fishing when it happened. It is impossible that he did not know what was happening. Even if he did not know, there is no reason to have confidence in him—patsies are unfit to hold high office.

Everything that has been revealed to date shows that Frank Sharp and his pals were crooks in one degree or another. It is hard to believe that any one man in that crowd was wholly honest or wholly ignorant. I do not believe that Wilson was either. He is unfit to serve and ought to resign.

HEALTH CARE IN AMERICA: A HERETICAL DIAGNOSIS

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

Mr. HALL. Mr. Speaker, the following article represents a deep and honest look at the entire medical situation in the United States. It points up the shortcomings that need correction in the present medical care system in an honest, thoughtful, and well researched way. The author, Mr. Harry Schwartz, is known as one of the real heavyweights in the field of reporting, and I congratulate him for one of the outstanding pieces done in the medical area in recent years. I am happy the Saturday Review of Literature published it.

The article follows:

[From the Saturday Review, Aug. 14, 1971]

HEALTH CARE IN AMERICA: A HERETICAL DIAGNOSIS

(By Harry Schwartz)

The conventional practice of medicine and the physicians engaged in it are under attack in the United States as never before. Ranged behind a banner reading HEALTH CARE CRISIS, a large and vociferous group of critics claims that the nation's medical system is woefully deficient in so many major respects that it must be radically reorganized—and quickly. On this essential diagnosis and prescription, the Nixon administration stands shoulder to shoulder with Senators Edward Kennedy and Edmund Muskie, among others, as well as with numerous trade union leaders.

Many patients are vocally dissatisfied with the high cost of medical care and, increasingly, with the outcome—this latter fact attested to by an epidemic of malpractice suits. The past few years have seen a barrage of articles, books, television programs, and other investigations of the weaknesses and inadequacies of the medical system. "Don't get sick in America," the nation has been told, as though there were some place where it was good to have cancer or multiple sclerosis or schizophrenia. Alarmed by this atmosphere, the American Medical Association has begun to run scared, offering programs for improved financing and delivery of health care, and seeking to upgrade its public image by sponsoring advertisements to show that doctors do care about the health of their patients, the quality of the environment, and the like.

In their righteous wrath, many of today's critics seem to feel that limits of truth, balance, or plain good sense just don't apply to their holy cause. Thus, one national magazine recently blazoned its front cover with Why You Can't Get a Doctor, though the editors surely know that every week millions of Americans see and are treated by physicians. And in another national magazine, a television critic who signs himself "Cyclops" assured his readers that Medicare had enriched the doctors in much the same fashion that the oil depletion allowance had served the oil industry. One wonders if in an earlier era Cyclops denounced "faceless and nameless accusers" who presented no evidence but simply accused broad categories of people. More generally, the critics have often focused on the worst areas in this field and trumpeted their findings as though they were typical. With that technique of course, every aspect of American life can be indicted since all—like medicine—have weaknesses and deficiencies.

Even unfair criticism can be useful in keeping an individual, an institution, or a section of society on its toes and helping prevent complacency. Vice President Agnew's attack on the media can be defended from this point of view. But in the case of medical care, many of the critics have "solutions" they want to offer. Having told us what incompetent, greedy monsters dominate the medical profession, the critics assure us that if we will only adopt their pet nostrum all will be well in the best of all medical worlds. The fact that for many years to come most of the physicians treating sick Americans will be the same men and women with M.D. degrees who are being denounced now doesn't seem to shake the faith of these true believers in simplistic solutions. Nor does it seem to occur to many of these would-be reformers that there could be heavy costs in the transition to some new health-care mechanism and there could even turn out to be serious new problems with the proposed "solutions." Such complications tend to be ignored as the fighters against medical evil use the undoubted weaknesses of what now exists for their propaganda while assuming that their proposals would introduce a utopia. Only a few cynics seem to realize that all human arrangements have faults and that present difficulties need to be compared with probable future difficulties.

A staple argument advanced by those who profess to see a health care crisis is that the nation's health is well below what it might be because of the inadequacies of the present medical mechanism. To buttress this argument, the critics virtually always trot out international statistics purporting to show that the United States is way down on the list of the world's nations ranked by such indicators as infant mortality and expectancy.

In part, this argument is based upon simple naiveté in statistical matters. It assumes that it is meaningful to compare small, homogeneous nations concentrated on relatively tiny territories—Sweden and Holland, for example—with the United States, whose population is roughly twenty times as large, incredibly heterogeneous, and spread across a whole continent. Moreover, those who triumphantly cite these statistics usually ignore the problems of statistical definition that make such comparisons even more suspect. And they almost never point out that if comparisons are made between the two most nearly comparable large countries for which data are available—the Soviet Union and the United States—the Soviet Union turns out to have a much higher infant mortality rate than the United States and approximately the same life expectancy level. Why doesn't anyone talk about a Soviet health care crisis?

But this argument has an even more fundamental fallacy, which is the assumption that in a highly developed, modern urban society medical care is somehow the decisive element in such matters as infant mortality and life expectancy. This, of course, ignores all the complex social forces at work. Whatever its sins, the American medical establishment is not responsible for hunger in this country, for the automobiles that kill 50,000 or more people here annually, for the drug overdoses that claim thousands of young lives, or for the millions of Americans who court heart disease and lung cancer by overeating, exercising little or not at all, and smoking a pack or more of cigarettes daily. If a person chooses to eat or smoke his way to death despite his doctor's warning, why blame the doctor?

Finally, it is curious that those who rush to use statistics to indict American medicine are so quiet about data that point in the opposite direction. Why is so little said, for example, about the dramatic decline in American infant mortality in recent years—a drop of more than 20 per cent just between 1965 and 1970? Last year, for the first time in American history, the infant mortality rate went below twenty deaths per thousand live births. Nor are we often reminded that, when allowance is made for the changing age distribution of the population, the death rate in this country has been dropping significantly. In 1967, the last year for which data are available, the age-adjusted death rate in this country was 7.3 per thousand population. Twenty years earlier, the corresponding figure, 9.0 per thousand, was almost 25 per cent higher.

I do not mean to suggest that there is no room for further improvement. But if critics want to be honest with the American people, they ought to present the whole picture—including the undeniable evidence of substantial and continuing improvement, in some cases very rapid improvement—and not merely carefully selected international comparisons, the relevance or validity of which is dubious. It should be added, moreover, that the gains, i.e., the reductions, in American infant mortality and overall mortality rates have been shared by whites and non-whites of both sexes.

A second frequent complaint is about shortages of doctors, sometimes more generally of all health manpower and womanpower. Along with this grievance often goes the more or less explicit charge that the American Medical Association has been choking off the supply of doctors, presumably to increase its members' monopolistic power.

Nobody can deny that there are shortages of doctors in some places and that the worst problems are encountered in urban slums and remoter rural communities. But the United States as a whole has one of the highest ratios of physicians to population in the entire world. Between 1950 and 1970 the number of M.D.s in this country increased almost 50 per cent, or substantially more than the roughly one-third population increase in the same period. Moreover, the country's rate of physician production is mounting rapidly as old medical schools expand enrollments, new medical schools begin operating, and some medical schools cut the period for M.D. training from four to three, or even two, years. In September 1971, according to an estimate by the Association of American Medical College, 12,500 new medical students will begin their studies, about 40 per cent more than the number of freshmen enrolled as recently as 1965.

The net increase of between 35,000 and 40,000 doctors in this country just since 1965 makes a mockery of the charge that the AMA or any other organization is attempting to preserve some sort of monopoly. The real problems are different, and they have at least three roots. One is the trend toward specialist care and away from general practice, a trend born both of the economic advantages of being a specialist and of the increasing volume and complexity of medical knowledge. A second factor is the understandable desire of many physicians to live and practice where it is most advantageous and pleasant for them to do so, rather than in surroundings of poverty or of professional isolation; physicians are abundant on Manhattan's fashionable East Side and in affluent Westchester County, but very scarce in Bedford-Stuyvesant and the East Bronx. Finally, there has been a tremendous upsurge in the demand for physicians' services born of the Medicare and Medicaid revolutions of the mid-1960s, which lowered the economic barriers to medical care for millions without immediately doing anything to compensate for the provision of this care.

Nevertheless, there can be little doubt that in recent years more Americans have been receiving more—and usually better—medical care than ever before in the nation's history. But this is hardly the situation that the term "health care crisis" brings to mind or is intended to bring to mind.

A third complaint is the rapid rise in the nation's total medical bill. Here is the way the Nixon administration's recent White Paper on medical care put the indictment:

"In fiscal year 1970, the nation spent $67-billion on health, nearly three-fifths again as much as had been spent only four years earlier. While undoubtedly there were improvements in the quality of care for at least some of the population, more than 75 per cent of the increase in expenditures for hospital care and nearly 70 per cent of the increase for physician services were the consequence of inflation."

Put this way, of course, there is a strong implication of gouging, of conscienceless profiteering at the expense of the sick. But every American knows that the last four or five years have been a period of rapid *general* inflation, of substantial rises in prices and wages throughout the economy. Between 1967 and 1970, for example, the consumer price index shows that physicians' fees rose an average of 21.4 per cent, or almost exactly the same percentage by which average hourly earnings of workers on private nonagricultural payrolls increased over the same period. Between 1967 and 1970, the consumer price index reports, the average price of a semi-private hospital room rose 45.4 per cent. Hospitals, of course, are very labor-intensive institutions, and before Medicare and Medicaid many of their personnel—interns, residents, and housekeeping workers, many of the last being from minority groups—received very low wages. These last mentioned groups have particularly benefited from above-average wage raises in recent years, a circumstance that hardly makes such formerly disadvantaged workers economic criminals.

There should be no illusions in this area. Proper care of the sick—particularly of the elderly, who make up such a disproportionately high percentage of the seriously ill—is and always will be a very expensive proposition. There are, of course inefficiencies in the existing medical-care mechanism that add to costs, but it is a delusion to think that the physically ill or the emotionally disturbed can be handled satisfactorily and humanely in ways that will compare in efficiency and cost effectiveness with the assembly-line techniques Detroit uses to build automobiles. Certainly the nation does not want the high percentage of error and neglect in its health care that car buyers find in their new vehicles.

Yet, it is essentially assembly-line medicine provided by collectivized physicians that the critics suggest to meet the "health care crisis." The road to medical utopia, many voices now tell us, is to be found by general acceptance of prepaid group practice arrangements ("health maintenance organizations," in Nixon administration jargon) on the model of the Kaiser-Permanente groups along the West Coast. Such prescriptions are natural if one believes this country is now in a health care crisis, which derives from the cliches the critics employ to describe present American medicine. They hold that it is "a cottage industry" consisting of "solo practitioners" working on a "fee-for-service basis" in a "non-system." Simply inverting these terms produces the notion that what is needed is a mass-production medical industry staffed by teams of doctors working independently of payment in a highly organized system.

This description of the present situation is grossly oversimplified. American medicine today is highly pluralistic. Millions of Americans have completely socialized medicine; for example, those in the armed forces and in Veterans Administration hospitals. Several million others belong to prepaid group practice organizations, and additional millions look to hospital emergency rooms, outpatient clinics, and the like for their primary medical care. Medicare, Medicaid, and private medical insurance, including Blue Cross, have revolutionized the economics of medical care in recent years. In short, the stereotype of the sick American going to the isolated physician and digging into his pocket for the $10 or $15 fee covers only a portion of the reality. And, except in remote areas, no physician is really isolated since any good doctor is part of an informal system that includes him, the specialists he refers patients to when specialists are needed, and the hospital or hospitals he sends his patients to when necessary. And it is a strange cottage industry indeed that includes such institutions as New York City's Presbyterian Hospital, Boston's Massachusetts General Hospital, and similar large hospitals all over the country.

The existing pluralistic system provides choices for both physicians and patients. In such large communities as New York City, San Francisco, and Denver there is competition between private physicians and group practice organizations, as well as, of course, among the private physicians themselves. And where one uses private practitioners, the fact that the doctor collects a fee gives him an economic interest in satisfying the patient—not a bad motive however much the idealists might wish that doctors, unlike all other human beings, had no sense of self-interest. And the fee acts as a partial barrier to excessive calls on the doctor's service, a restraint against running for help for every vague pain. Moreover, a system in which the doctor's income is proportionate to how many patients he sees encourages physicians to work hard. Many doctors today work sixty or more hours weekly.

Of course, insofar as American medicine is still a cottage industry based on a one-to-one relation between a family doctor and a patient, it has much to recommend it. Since most ailments are self-limiting, they can be handled adequately even by a "solo practitioner," especially if, as is normal, he has access to laboratory and X-ray facilities. A family doctor—and there are still many of them around—gets to know his patients as human beings and is able to provide what is probably the most frequent positive outcome of the patient-physician encounter: reassurance and phychological support. A large fraction of people who go to doctors have no objectively detectable illness and really want psychiatric aid, which comes more effectively from a man or woman the patient knows than from some impersonal stranger. And for many frightened persons, reassurance is far more effective if it comes from a full-fledged M.D. than from a physician's assistant, a nurse, or some other person with less training than a physician has.

Private medicine also has flaws, of course, and is sometimes abused, as any human arrangement tends to be. Unscrupulous doctors can keep a patient coming back more times than necessary in order to collect more fees. But the fact that most doctors are busy probably minimizes this type of abuse. Some observers have charged that there is a fair amount of unnecessary surgery in some areas, a possibility that cannot be dismissed. Some surgeons have complained that general practitioners often perform surgery they are really not qualified to undertake, sometimes with terrible and even fatal results. A growing problem in private office and hospital practice is the plague of malpractice suits, which is adding substantially to the cost of medical care. Physicians, increasingly fearful they may be sued, are practicing "defensive medicine," prescribing more laboratory tests,

more X-rays, and more specialist consultations than are often necessary in order to be sure they have an adequate defense if a disgruntled patient sues. But the same problem will exist with any type of medical system until the whole malpractice situation is radically changed.

There could be no quarrel with advocates of prepaid group practice systems if these advocates simply urged the elimination of existing legal barriers to such arrangements and limited public subsidy to help meet initial costs of setting up such groups. Kaiser-Permanente and similar organizations have shown that group practice is one feasible way to organize medical care with attractions for some physicians and for some consumers. Physicians get reasonable salaries, freedom from the entrepreneurial and other woes of private practice, regular hours, and the aid of other physicians and ancillary medical workers. Patients have a fixed or semi-fixed medical cost, for which they can budget in advance, and a source of medical care available at any hour and on any day. Competing with private physicians, group practices can put economic curbs on private doctors' fees and force the private practitioners to make their own informal or formal arrangements to ensure that patients can get a doctor at 3 a.m. on a Fourth of July and on other occasions when most people are sleeping or on holiday.

But the zealous advocates of revolutionary change in American medical care go far beyond such modest and realistic claims. They see group practice or health maintenance organizations as wonder-working systems that can provide better care for lower costs while simultaneously ensuring that the population enjoys better health than ever before. It is these expectations that explain the intensity of the more extreme propagandists for universal health insurance and compulsory group practice.

However, the evidence presented for these claims is very thin, particularly since group practice in the United States has historically been limited to special groups, while what is advocated by the extremists is extension of this mode of health care delivery to the entire population.

How, for example, can group practice improve the nation's health if medical science knows so little about the causes of the degenerative and hereditary diseases that cause so much illness? And what is there about group practice that will enable it to stop smoking, overeating, lack of exercise, reckless driving, heroin addiction, alcoholism, poverty, inheritance of genetic defects, and other individual or social causes of sickness and death?

Some people argue that the end of direct financial cost for medical care will encourage people to go to doctors earlier than they might otherwise and thus catch diseases at a stage where they can be dealt with more effectively. This may be true in some cases, but the change to prepaid medical care has more complex consequences.

The end of fee-for-service removes the individual physician's economic interest in his patient, while, for the group as a whole, it is economically advantageous to do as little as possible for the patient. For the subscriber to such a group, however, the removal of additional out-of-pocket cost for a visit to the doctor creates the temptation to overuse the group's resources. Thus, a tension is automatically set up between the group physicians and their patients.

One result of this situation has been well described by Dr. Sidney Garfield, the founder of the Kaiser-Permanente groups. Last year Dr. Garfield wrote in the *Scientific American:*

"Elimination of the fee has always been a must in our thinking, since it is a barrier to early entry into sick care. Early entry is essential for early treatment and for preventing serious illness and complications. Only after years of costly experience did we discover that the elimination of the fee is practically as much a barrier to early sick care as the fee itself. The reason is that when we removed the fee, we removed the regulator of flow into the system and put nothing in its place. The result is an uncontrolled flood of well, worried-well, early-sick, and sick people into our point of entry—the doctor's appointment—on a first-come first-served basis that has little relation to priority of need. The impact of this demand overloads the system, and, since the well and worried-well people are a considerable proportion of our entry mix, the usurping of available doctors' time by the healthy people actually interferes with the care of the sick."

Dr. Garfield is attempting to meet this problem by experimenting with the use of computerized, automated, multiphasic screening techniques. A battery of tests—by machines and physician's assistants—is hardly the kind of warm, humane, intimate medical care most people want. On the contrary, the impersonality of such care, the lack of any long-term continued contact with one physician, is likely to repel many people. Moreover, the possibilities that a national system of prepaid group practice will turn into a bureaucratic monster are enormous.

It is strange that the enthusiasts for more "system" in medicine have not learned anything from the debacle of the nation's public school system. In every community, public school education is free to the recipients; yet, everywhere—or almost everywhere—there is bitter complaint of the failure of this system to teach effectively or to satisfy the psychological needs of our young people. Strikes by schoolteachers are now no longer novelties. Are there any guarantees that a national medical system will not follow the same path, and that someday we will not have strikes by doctors? Will some future Ivan Illich have to appear to demand the liberation of sick Americans from the medical bureaucrats as Mr. Illich now calls for the liberation of young Americans from the educational bureaucrats?

In an era when people are again referring respectfully to the one-room schoolhouse as a "daring experiment," should we lightly scrap the cottage industry aspects of medicine where they permit intimate, long-term, and humane contacts between physicians and patients? A human being is not a machine that can be fixed by any garage mechanic when something goes wrong. Yet, that philosophy is the implicit premise of much current discussion of medical reorganization.

The nation's real problems of medical care can best be met by measures that focus on particular trouble areas, rather than by a violent transformation of the entire complex medical system that would affect equally all parts, those working well and those working poorly.

Of course, the ghettos and small towns need more doctors and medical facilities. But the government already has authority to recruit physicians and other medical personnel to meet these needs. And if young physicians are idealistically anxious to go into these deficient areas, why shouldn't the state help them do so?

The family of moderate means struck by catastrophic illness can be bankrupted by heavy medical bills. That problem could be solved by government-organized, compulsory major medical insurance whose cost on a national per capita basis would be relatively small.

In the present period of galloping inflation, it is probably utopian to suppose that the inflation of medical costs can be curbed, short of a general wage-price freeze for the entire economy. But it is not unrealistic to suppose that the upward rocketing of hospital costs might be slowed down by a variety of measures. One important need is for revision of the formulas used to reimburse hospitals under Medicare, Medicaid, Blue Cross, and other insurance schemes. These formulas—which in the past have often stressed cost reimbursement without pressures for economy—need to be altered so that hospital administrators will be more economy-minded in the future than in the past. The needless proliferation of duplicative hospital facilities needs to be stopped and replaced by systems of hospital cooperation so that patients at several hospitals in a locality have shared access to a particularly scarce or expensive facility. The escalation of medical costs could also be usefully countered by effective action on the malpractice front so as to curb present excesses and abuses that add significantly to the costs patients, insurance firms, and the government must pay.

There are many other ways in which the present medical system can be intelligently and humanely improved. But these needed and useful improvements can be made within the context of a continued pluralistic system. Different people have different tastes and different needs. Those who want to use prepaid groups should be permitted to do so; those who want to go to a physician and pay him each time should be free to do so, too. The result may not seem to be as neat on an organization chart as a uniform national system, and it may have seeming inefficiencies and duplications. But the right of choice for doctors and patients alike is worth such costs—at least in a really humane society.

In an era of increasing and justified disenchantment with big government, it is astonishing that so many well-meaning and intelligent reformers essentially want to nationalize and bureaucratize American medicine, either explicitly as in Britain or implicitly as in some of the legislation before Congress. One would have thought that the postal and public school systems would have taught them long ago that nationalization does not mean efficiency, and that the telephone system would have taught them that even a private integrated system can develop serious flaws. Based on the record of the past, we have every reason to suspect that if the revolutionary proposals for transforming American medicine are adopted and implemented, medical care in this country will cost more while providing less satisfaction and poorer treatment for millions.

AIRLINE CAMPAIGN WRITEOFFS

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

Mr. DEVINE. Mr. Speaker, during the recess period I was examining the election reform legislation adopted by the other body and now under consideration by the Elections Subcommittee of our House Administration Committee.

As long as we are trying to close loopholes and possibly put limitations on certain contributions it seems to me, Mr. Speaker, we must not condone by indirection that which is prohibited directly.

Accordingly, on August 18, 1971, I wrote a letter to our very able Elections Subcommittee Chairman, WATKINS ABBITT, citing examples of unpaid airline fares by both Republicans and Democrats, and some writeoffs.

A copy of this letter follows:

AUGUST 18, 1971.

Hon. WATKINS M. ABBITT,
Chairman, Subcommittee on Elections, Washington, D.C.

DEAR MR. CHAIRMAN: When Congress reconvenes following the recess period, we will resume the consideration of Election Reform legislation, including the recently enacted Senate Bill.

In this overall problem, I think it is of prime importance that major loopholes be closed relative to what might be properly called "contributions by indirection". By this, I make reference to the practice of "write-offs" by corporations which are already prohibited from making political contributions.

For example, American Airlines, as of April 30, 1971, was carrying campaign debts incurred by candidates for Federal Office from 1962 as follows:

National Democratic Committee	$426,833
Republican Nat'l Finance Committee	151,871
Richard M. Nixon	69,376
Hubert H. Humphrey	138,762
Robert F. Kennedy	415,120
McCarthy for President	135,872

It is my understanding none of these obligations were either written off or settled to date.

United Airlines, as of April 30, 1971, shows:

Nixon-Agnew Campaign	$75,107.55
Humphrey-Muskie Campaign	79,083.65
Democrat Nat'l Committee (Robert F. Kennedy obligation)	12,651.97

Further, United had $1,213.66 freight charges incurred by Eugene McCarthy supporters. This was settled for half, with $606.83 written off.

The McCarthy National Headquarters incurred $34,386.03 with United during the period of May through September 1968. $5000 was paid by National Headquarters, plus $425.00. Litigation for the balance of $28,961.03 was settled for $22,500.

Eastern Airlines shows a balance due from the Democratic National Committee (Humphrey, Muskie) of $208,867.12, and Republican National Committee $112,823.44. Eastern says, "In keeping with accepted practices, the Democrat National Committee receivable was written off at the year-end 1969. However, the account remains under active collection procedures."

Trans World Airlines report outstanding campaign debts of:

United Democrats for Humphrey	$221,519.55
Humphrey Charter	25,091.04
Republican National Committee	13,196.05

TWA wrote off $6,867.36 debt on February 24, 1969, incurred by McCarthy for President, and listed a total debt of $16,352.36 with a negotiated settlement on November 4, 1968 of $9,485.00.

Continental Airlines reports a write-off of $4,497.96 on a Charter Flight debt of McCarthy for President of $8,997.96.

Piedmont, Western, Aspen Airways, and Johnson Flying Service also show unpaid campaign debts of the Democrat National Committee, Robert F. Kennedy campaign incurred by Senator Ted Kennedy, and a Mr. Burke, with some write-offs.

It seems to me, Mr. Chairman, when we are considering limitations on campaign expenditures, we just cannot afford to give lipservice to election reform on the one hand, and permit campaign obligations, which amount to contributions, to be swept under the rug. Perhaps the Subcommittee should call in some of these Airlines with a view of possibly referring the matter to the Justice Department.

Sincerely,

SAMUEL L. DEVINE, M.C.

Mr. Speaker, election reform, in order to be effective, must meet the problems head on and we have a duty to inform ourselves about practices which circumvent the intention of the Congress.

JACK GIBBS—PRINCIPAL EXTRAORDINARY

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

Mr. DEVINE. Mr. Speaker, an outstanding Negro educator-administrator has been recognized and honored in Columbus, Ohio. He is Jack Gibbs, highly respected principal of East High School.

Mr. Gibbs is taking a year leave of absence to work on a Model City education project, but his impact on the community is on the credit side of the ledger in Columbus education circles.

An editorial appeared last week in the Barnesville (Ohio) Enterprise, which I am happy to reprint for the benefit and knowledge of my colleagues in the Congress and the American people.

ONE SCHOOL MAN'S INFLUENCE

Friends of the former principal of East High School in Columbus held a testimonial party for him Sunday afternoon, but it never made the society page. All it got was a story spread across the top of a newspaper page with a banner headline. It was worth every bit of the publicity it received.

The school man honored was Jack Gibbs, a Negro who has taken a year's leave of absence from his principal job to work on a Model Cities education project. Other principals of East High have left without a farewell party, but Gibbs was different. So thought the school's Parent-Teacher Association, the faculty and people of the black community around East High, mostly Negroes, in planning the testimonial.

Why was Jack Gibbs singled out for this honor? Because, in the words of the Columbus Dispatch, he "held the school's approximately 1,200 students together while some Columbus schools suffered racial turmoil and rioting."

He did this in a year when a more highly educated Negro who was employed to direct the black studies program at Ohio State University went from the campus to incite trouble among students at another Columbus high school. He made himself so obnoxious that he lost his job, while the East High principal was honored by patrons, faculty and students while on a leave of absence.

"There aren't any black or white problems, just American problems," Gibbs was quoted as saying to his students repeatedly. When students from other schools assembled at a park across from East High to observe with disturbances the birthday of Malcolm X, East High students were not there. They met in their assembly hall to talk about Malcolm X. They were not participants in the disorders that gave the area a lot of bad publicity.

Because of his efforts to promote better race relations, the East High principal was attacked by some militants who accused him of being an Uncle Tom. His reply to this was characteristic:

"If wanting you to be a lady or a gentleman makes me a Tom, then call me that," he said. "If wanting you to make something of yourself makes me a Tom, then call me that. Human relations, teaching a person respect for himself is the important thing. If you teach that first, the other (book knowledge) will come."

The ultimate solution in the race problem will come, we believe, with more school teachers and administrators, occupying the unique position that they do, following the successful ideas that Jack Gibbs has. He didn't seek popularity. He just wanted to do the best kind of job he could as he saw it.

Our guess is that Columbus, the state and the nation haven't heard the last of Jack Gibbs and the testimonial party for him. There is only one way that a man like that can go, and that is UP!

J. EDGAR HOOVER ON SUPPRESSION DOCTRINE OR EXCLUSIONARY RULE

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

Mr. DEVINE. Mr. Speaker, in the September FBI Law Enforcement Bulletin, Director J. Edgar Hoover makes some excellent comments about releasing patently guilty criminals and the suppression doctrine. His message follows:

If justice is to be the ideal of man, then its refinement must never cease. As we know, pure justice, even if definable, is not always achieved. However, this is not to say that free people should be content to settle for impure justice. Perfection must continue to be our goal. In this regard, it is well to remember the words of Patrick Devlin, former Justice of the High Court of England, "When a criminal goes free, it is as much a failure of abstract justice as when an innocent man is convicted."

As the development of our legal system shows, meaningful judicial concepts frequently originate from dissenting opinions. Thus, the impact of scholarly dissent should never be underestimated.

Recently, Mr. Chief Justice Burger, in his dissent in *Bivens* v. *Six Unknown Named Agents of Federal Bureau of Narcotics*, raised some highly significant points, particularly for law enforcement officers, regarding the Suppression Doctrine or the Exclusionary Rule. He noted that the rule is based on a theory that suppression of evidence obtained in violation of the Fourth Amendment is imperative to deter law enforcement authorities from using improper methods to obtain evidence. In exploring some of the far-reaching consequences of the rule, the Chief Justice points out that ". . . many judges and lawyers and some of our most distinguished legal scholars have never quite been abel to escape the force of [Justice] Cardozzo's statement of the doctrine's anomalous result: "The criminal is to go free because the constable has blundered.' . . ."

The main thrust of Mr. Chief Justice Burger's argument is that the doctrine is both "conceptually sterile" and "practically ineffective" as far as its stated objective is concerned. In spite of the good intentions of the theory, he reasons, the results of the rule's application do not justify ". . . the high price it extracts from society—the release of countless guilty criminals."

Concerning the majority opinion in this case, the Chief Justice noted that ". . . the holding serves the useful purpose of exposing the fundamental weaknesses of the Suppression Doctrine. Suppressing unchallenged truth has set guilty criminals free but demonstrably has neither deterred deliberate violations of the Fourth Amendment nor decreased those errors in judgment which will inevitably occur given the pressures inherent in police work having to do with serious crimes."

The Chief Justice points out that the rule makes no allowance for the severity of the violation. It excludes equally evidence obtained by deliberate, malevolent conduct as well as that attributable to honest errors in judgment by the officer.

"Instead of continuing to enforce the Suppression Doctrine, inflexibly, rigidly, and mechanically," Chief Justice Burger added, "we should view it as one of the experimental steps in the great tradition of the Common Law and acknowledge its shortcomings. But in the same spirit we should be prepared to discontinue what the experience of over half a century has shown neither deters errant officers nor affords a remedy to the totally innocent victims of official misconduct.

"I do not propose, however, that we abandon the Suppression Doctrine until some meaningful alternative can be developed. . . . Reasonable and effective substitutes can be formulated if Congress would take the lead. . . . I see no insuperable obstacle to the elimination of the Suppression Doctrine if Congress would provide some meaningful and effective remedy against unlawful conduct by government officials. . . . I conclude, therefore, that an entirely different remedy is necessary, but it is one that in my view is as much beyond judicial power as the step the Court takes today. Congress should develop an administrative or quasi-judicial remedy against the government itself to afford compensation and restitution for persons whose Fourth Amendment rights have been violated."

The essence of the Chief Justice's plea parallels the thinking of numerous law enforcement officials and legal scholars throughout the country. There is no apparent benefit in a doctrine which continually releases patently guilty criminals to prey again upon society because of inadvertent "blunders" by hard-pressed law enforcement officers.

JOHN EDGAR HOOVER,
Director.

WHAT'S SAUCE FOR THE GOOSE

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

Mr. DEVINE. Mr. Speaker, an editorial in the Barnesville, Ohio, Enterprise last week suggests a double standard is being used by one of the many Members on the other side of the Capitol that are mentioned as presidential hopefuls.

The editorial makes reference to remarks attributed before the National Press Club by one of their favorites:

PEOPLE IN GLASS HOUSES

One has reason to wonder whether Senator Edward Kennedy ever heard the old saying that "people who live in glass houses shouldn't throw stones." Speaking before the National Press Club in Washington last Thursday, the Senator said that he deplored the way the Justice Department closed its books on the Kent State killings in May 1970 and announced that he is going to pursue the matter further in Congress.

It isn't likely that he will try to revive the scandal involving him when his car swerved from a bridge, resulting in the drowning death of a young girl who had gone riding with him. If ever there was a case that was investigated from every angle, it was the Kent State tragedy. One can hardly say the same of the Kennedy scandal.

Opinion polls at the time and since have continually shown that the American people do not believe that the full story of the Kennedy affair has ever been brought out. It probably never will be.

While ducking two questions about his candidacy for the presidency, Kennedy finally answered a third one by saying that his position in this matter is unchanged. Many have their doubts about this as they have about his story about the drowning of his girl companion. It appears that in reviving the Kent State tragedy he is making a bid for the younger vote and this seems just as plain as his mod hairdo.

NEEDED: ANOTHER BRETTON WOODS MONETARY CONFERENCE

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

Mr. WYMAN. Mr. Speaker, in July 1944 the United Nations Monetary and Financial Conference was held at Bretton Woods, N.H. From this conference developed an international monetary policy of proven international value over the last quarter of a century.

Presently, because of marked disparities between the productivity and fiscal policies of the several nations, a situation has developed in which a second International Monetary Conference appears urgently needed. The nations of the world should devise a monetary system in which the currencies of the nations will honestly reflect actual comparabilities and valuation from day to day.

Gold may or may not be the answer because of its limited availability in terms of overall monetary requirements, but convertibility can be assured by international agreement whether it be based on silver, land, or even a nonvoting stock interest in the national assets of issuing countries.

There is no better place to convene a second assembly of the family of nations for the purpose of resolving international fiscal policy than Bretton Woods, N.H. It is magnificent natural beauty set in the bowl of the presidential range in the shadow of Mount Washington is exceeded only by its unparalleled facilities for the entertainment, comfort, and convenience of visitors.

At Bretton Woods the air is clean, the streams are like crystal, and the people are warm and cordial. I have respectfully recommended to the Secretary of the Treasury that if a second International Monetary Conference is to be held, that it be held at Bretton Woods, N.H. I wrote the Secretary on August 27 as follows:

AUGUST 27, 1971.

HON. JOHN B. CONNALLY,
Secretary of the Treasury,
Department of the Treasury,
Washington, D.C.

DEAR MR. SECRETARY: Recognizing that a decision to convene a second international Monetary Conference is essentially one of policy for the Executive Branch, it nevertheless occurs to me that in light of the recent unsettling developments in relation to dollar exchange in various countries, the suggestion of another International Monetary Conference might be under your active consideration as a matter of policy. In this event, I would like to respectfully suggest and recommend that if one is held, it be held again at the Mount Washington Hotel in Bretton Woods, New Hampshire. Bretton Woods has been identified with international monetary matters on a worldwide basis for more than a quarter of a century. It is admirably equipped and located for such a conference.

I would like to invite you, either personally or through a representative, to come up and inspect the Bretton Woods facility anytime at your convenience. I would be glad to be with you or your representative on such an occasion.

If there is any way that I can be helpful in this connection should a second IMC be called, it would be a pleasure to do so.

Cordially,

LOUIS C. WYMAN,
Member of Congress.

POLICY QUESTION OF WHETHER A SECOND IMC IS NEEDED

In connection with this it is not without significance that experts in the field agree as Eugene Rostow has written in the attached column which appeared in yesterday's Washington Post that a "new international monetary system is urgently needed." Likewise, in yesterday's Wall Street Journal it is reported that the finance ministers of 10 nations are meeting to consider these problems in a preliminary sense. Surely, they are of sufficient magnitude to warrant a second International Monetary Conference as these articles explain. In this connection I include in the RECORD at this point for reference purposes, a story in the Manchester Union-Leader of August 23 with reference to the possibilities of a second Bretton Woods meeting by its able reporter, Joseph McQuaid.

Mr. Speaker, we should have a second International Monetary Conference soon and the place to have it is where the first one was held, a place in which articles of agreement established the International Monetary Fund were signed in July 1944—Bretton Woods, N.H.

The material follows:

DEVALUATION BY AGREEMENT, NOT FIAT

(By Eugene V. Rostow)

PERU, VT.—Internationally, President Nixon's new economic policy recalls one of F.D.R.'s worst mistakes—the London economic conference of 1933. We have proved that we can take violent unilateral action, which may give transitory satisfaction to some. But if devaluation was justified, we could have devalued at lesser risk by agreement and not by fiat.

In the event, we have broken a pattern of international cooperation in whose successful continuity we have an urgent national interest.

Can the breach be repaired, or must we retreat to autarchy, and fall back even further in the war against world poverty? Such a retreat would be economic folly. Even worse, it would fray our political relationships with Europe and Japan on which national security and hope of world peace ultimately depend.

To have built a progressive world economy out of the ruins after 1945 was a brilliant achievement, accomplished over 25 years by a few key officials and the responsive energy of private business. Habits of cooperation among governments and central banks crystallized around their work. So did more and more liberal policies toward trade and investment, which in turn stimulated an extraordinary expansion of international economic activity.

Of course mistakes were made. Of course the practice of international cooperation is difficult and sometimes exasperating.

But is shock therapy a better way to deal with these problems than patient leadership within O.E.C.D.?

The international monetary system is obsolete. The economies and societies of Western Europe, the United States, Canada, Japan and a number of smaller countries are now more integrated than their monetary institu-

tions. For implacable reasons, the process of their integration will accelerate. But the economy of this emerging social unit—the Pan-Atlantic Community—cannot function unless its monetary system is unified.

First, the nuclear weapon makes Europe and Japan more dependent on American protection than in 1949. American troops are stationed in Europe and Japan primarily to make nuclear deterrence credible. Under present and foreseeable conditions, deterrence is impossible without such deployments. While the tensions of the Soviet-Chinese-American triangle may produce stalemate, stability, detente and peaceful coexistence, policy cannot assume that these goals have already been achieved.

But keeping troops abroad affects the balance of payments as well as the budget. None of the palliatives thus far used can free security planning from balance of payments restraint, as Lend Lease did. The problem must be solved.

Second, the scale of investment and travel within the Pan-Atlantic Community has produced a degree of business and social integration which in itself compels monetary consolidation. Like security expenditures, most transfers of this kind are independent of exchange rates.

Third, a central bank of central banks is also needed to help rationalize the movement of wage rates within the community. No Western society (save Japan) has thus far succeeded for long in achieving wage rates compatible with full employment at stable prices. None has been willing as yet to adopt Keynes' proposal of fixed money wages, despite the super-obvious fact that rising money wages do not increase labor's share in national income.

When wages increase at different rates in different countries, the modern system of fixed exchanges becomes unmanageable. Education in ecoomics is the only ultimate cure for the absurdities of Western wage-making.

Monetary unity is a more feasible course than floating exchange rates. Beyond all the other objections to a system of floating exchange rates—more uncertainty and speculation; higher interest rates, less trade and investment—it cannot work, save at the price of even more rapid inflation.

By removing the last international restraint on wage-making, it would finally transfer monetary management from the central banks to the trade unions, and start a race of competitive devaluation no one could win.

President Nixon has said that a new international monetary system is urgently needed, and that he will press for cooperative action with the I.M.F. and our trading partners to establish it. This should have been his policy since 1969. The explosion of Aug. 15 was a curious way to launch it.

WORLD MONETARY REFORM APPEARS STALLED; FINANCE MINISTERS OF GROUP OF 10 TO MEET

(By Ray Vicker)

World monetary reform is stalled by political bickering, with little hope in sight for any near-term break in the deadlock.

Japan and European nations with strong currencies appear unwilling to raise the value of their currencies to the extent considered desirable by the U.S.

The U.S., at a meeting of deputies of the Group of Ten in Paris, emphasized that it is up to foreign nations to come up with some solution for solving the present monetary crisis. In the meantime, the U.S. 10% surcharge on imports will be maintained.

Gold price is rising on bullion markets, reflecting the belief of some speculators that any solution ultimately reached is bound to provide for a rise in the official price no matter what the U.S. says to the contrary.

And the Italian government, for its part, is advocating a compromise in behind-the-scenes talks with other Common Market nations.

The essential point of its plan is that the price of gold should be increased. Strong-currency countries such as West Germany and the Netherlands would lift the value of their currencies to still higher levels, whereas France and Italy would devalue from the new gold price level. Italian sources say this compromise might overcome objections of France to any increased value for the franc.

While the debate continues, the outlook is for a long float of the world's major currencies, with market conditions and government pressures setting monetary rates. There is little likelihood of a completely free market establishing the parity for any currency. The Netherlands, for instance, yesterday joined the ranks of those nations exerting currency controls over its money markets.

MEETING IN LONDON

An agreement to hold a full ministerial meeting on the world monetary turmoil was about the only concrete accord to emerge from the meeting of deputy finance ministers of the Group of Ten in Paris late last week. The ministerial meeting will be held Sept. 15 and 16 in London. But even before the start of that session, participants were warning against any hope for settling the world's monetary problems at any one gathering.

The Group of Ten is the term used to designate a group that consists of monetary experts of 10 major industrial nations. These are the U.S., Britain, France, Belgium, the Netherlands, Italy, Canada, Japan, West Germany and Sweden. It and the International Monetary Fund are considered to be the two likeliest groups for coming up with some solution for the current monetary impasse.

In Paris, deputy ministers listened to what one participant termed "a tough presentation" by Paul Volcker, U.S. Under Secretary of the Treasury. Its gist was that the U.S. hasn't any intention of lifting the surcharge in the near future. It is the U.S. position that it is up to nations with huge surpluses in their international payments to adjust their currencies upward against the dollar. Then the monetary system can be overhauled through multinational cooperation.

Mr. Volcker also emphasized that the U.S. expects other nations to carry more of the defense and foreign aid burden of the West.

"But," griped one continental finance official, "he had nothing specific to suggest. We are being asked to do something without knowing just what the U.S. does expect in this area."

RANKLED BY SURCHARGE

It is the U.S. import surcharge that rankles foreigners most. Contrary to expectations, however, the Paris meeting didn't produce any fireworks on the import theme.

Participants listened to one report indicating that since President Nixon's economic program was announced on Aug. 15, the German mark and the Canadian dollar have risen about 8% in value against the U.S. dollar while the Dutch guilder has gone up 5%. The British pound, Italian lira and Belgian franc have gone up 3% against the dollar while the French franc used in commercial transactions, which is still controlled, has risen only 1%.

The net effect of the currency changes so far is equivalent to a 6% devaluation of the U.S. dollar, one Group of Ten member stated.

The toughness of the U.S. position was indicated by Mr. Volcker at a news conference after the Group of Ten meeting. He said: "Any solution will necessarily have to be a multilateral solution, but how any particular groupings of countries come to agreement among themselves is up to them, not us."

Other countries, however, didn't show any signs of being overwhelmed by the U.S. position.

The Group of Ten evidently stands nine to one against the U.S. with the majority favoring some increase in the price of gold as part of any package deal that should be negotiated to solve the currency crisis.

PRICE ON FREE MARKET

The official price among the world's central bankers had been $35 an ounce. But that was before Aug. 15, when Mr. Nixon announced the U.S. no longer stood ready to swap dollars for gold. On the free market, where gold is traded by speculators and users alike but not by central banks for monetary purposes, bullion was quoted yesterday at about $41 an ounce.

There is general agreement among strong-currency countries that it is impossible to arrange any meaningful changes in money values while the U.S. import surcharge is in effect. The contention of Europeans is that the surcharge fogs currency values to such an extent that the floats are almost meaningless in determining any reasonable valuations.

The consensus in Europe is that monetary problems have so many political implications that it will take more than a meeting of technical experts to solve them. So far there haven't been any discussions or negotiations on the actual level of parities that might be necessary in any overhaul of the monetary system.

In Rome, where he had gone to discuss monetary matters, Karl Schiller, West Germany's minister of finance and economics, expressed little confidence in any immediate revision of the monetary system.

In Amsterdam, meanwhile, the dollar improved slightly against the guilder after the government introduced a variety of controls aimed at stemming speculative inflows into the country. The restrictions are aimed at making it difficult for foreigners to funnel money into Dutch bonds and debentures.

Effective yesterday, nonresidents must purchase such bonds with "O" guilders. The "O" stands for obligaties, the Dutch word for bonds. Whenever any foreigner sells Dutch bonds, the proceeds will go into a pool. This pool then will provide the "O" guilders for any foreigner wishing to purchase such bonds.

Should foreign bond demand be heavy, of course, "O" guilders will demand a premium, thus making it progressively more expensive for hot money holders to switch funds into Dutch bonds.

The dollar closed on the Amsterdam exchange yesterday at 3.45 guilders, up from 3.4425 at Friday's close.

In London, the dollar held steady at $2.46 against the pound, on a par with the rate last Friday. In Milan, the dollar closed at 614.85 lire to the dollar, a slight improvement from Friday's close of 614.75. In Frankfurt, the dollar closed firm at 3.389 marks, which represents an upward valuation of 7.99% from the old parity of 3.66 to the dollar, abandoned by Germany in May.

In Tokyo, the dollar also closed steady against the Japanese yen, ending Monday's session at 338.2 yen, the same rate as Saturday. That figure is equivalent to a 6.4% increase in the yen's worth since it was floated Aug. 28 from its previous parity of 360 to the dollar.

[From Manchester (N.H.) Union Leader, Aug. 26, 1971]

RETURN TO BRETTON WOODS—CLEAN AIR FOR CLEAR MINDS

The convening of a second Bretton Woods Conference to formulate a new international financial agreement undoubtedly will result from President Nixon's dramatic and abrupt shift in economic policy.

The only questions are where the monetary summit meeting will be held—and when.

The first problem is easily resolved. The Mount Washington Hotel, site of the Bretton Woods Conference in 1944 which shaped the world's economic structure and resulted in

establishment of the World Bank and the International Monetary Fund, is magnificently accoutered to accommodate the large number of participants and observers such a conference would draw from virtually every nation in the world. The Mount Washington Development Corporation, which purchased the hotel two years ago, has literally "spent a million" to restore the original atmosphere of the 69-year-old structure.

As anyone who has visited the area knows, the site is one of indescribable scenic beauty with a super-abundance of that one commodity that is in shortest supply on the world market these days—clean air.

The question of "when" is not so easily arrived at. By conservative estimate, people who should know say that the conference could not possibly be convened before next summer.

But when Senator Cotton broaches the idea of a second Bretton Woods Conference at the next biweekly meeting of senior GOP congressional leaders with President Nixon, and when Congressman Wyman brings the matter before Congress next month, it is probable that both men will place considerable emphasis on another aspect of a world monetary conference—timing.

Whenever the conference is actually held, it would seem that an early announcement of the event would not only have a calming influence on the international monetary scene but also would serve the purpose of stifling partisan controversy about the conference that otherwise might develop during a presidential election year.

By relying on historical precedence and moving quickly to offer the Mount Washington Hotel as the site of the conference, the President would also eliminate the political problem that could result from a mad scramble of other interests in other states bidding to play host to the financial wizards.

[From the Manchester (N.H.) Union Leader, Aug. 23, 1971]

A NEW BRETTON WOODS MEETING? SENATOR COTTON SAYS IT COULD BE NECESSARY

(By Joe McQuaid)

The distinct possibility that a second International Monetary Conference may be held at the famed Mt. Washington Hotel in Bretton Woods, the New Hamphsire Sunday News reported exclusively yesterday.

U.S. Senator Norris Cotton, the ranking Republican member of the influential Senate Commerce Committee, said President Nixon's economic policy revision "could well make it necessary, after the dust has settled, for a second Bretton Woods Conference."

Meanwhile the Sunday News learned a high U.S. Treasury Department official, reportedly close to Secretary John B. Connally, has expressed interest in the conference plan. The official, who would not be named, also expressed approval of the Mt. Washington Hotel as a likely scene for the meetings.

U.S. Rep. Louis C. Wyman (R-N.H.) said he will take the matter to the floor of the House next month and recommend Bretton Woods as the conference site.

Senator Cotton said it would be "highly desirable" to hold the monetary summit meeting at the Mt. Washington Hotel, scene of the first such conference in July of 1944.

A report that Vice President Spiro Agnew may be invited to come to Bretton Woods and survey the suitability of that North Country town as a conference site could not be confirmed yesterday.

Senator Cotton, a member of a select group of senior Republican congressional leaders who meet bi-weekly at the White House, said yesterday he will discuss the possibility of a Bretton Woods conference with President Nixon at the next White House meeting.

Cotton's senatorial predecessor, the late Charles W. Tobey, played a major role in luring the 1944 parley to the state.

EARLIEST DATE 1972

If another international fiscal summit conference is to be held the involved organizational procedures would preclude any chance of holding the meeting this year. The earliest possible date would probably be in the summer of 1972.

The Mt. Washington Hotel, now under new ownership has been completely refurbished at a cost of more than $1 million. Scene of many regional and national business and civic conventions, it is quite capable of handling the huge monetary parley.

The first conference brought together the leading economists of 44 nations and laid the groundwork for the international monetary systems used today. However, the work was later tainted by shocking charges that the international fund's chief architect, Harry Dexter White, had been a Communist agent prior to World War II.

White, later to become Assistant Secretary of the Treasury Department and an executive of the world fund he had planned, died at his summer home in Fitzwilliam in 1948. Mysterious circumstances surrounding his death were never fully explained.

WHITE'S STATEMENT

The week before he died White told a House subcommittee on Un-American activities, "the principles by which I live make it impossible for me to do a disloyal act to the United States."

Despite this denial and his death, White was a central figure in a national political controversy in 1953. Eisenhower Administration Atty. Gen. Herbert Brownell charged former President Harry S. Tuman with keeping White in sensitive positions even though Truman knew of White's alleged Communist work.

Truman admitted this but said he retained him fearing White's ouster would tip off other Communist agents then being watched by the FBI. But FBI Director J. Edgar Hoover denounced Truman's excuse, saying he had urged White be dismissed immediately.

Asked if measures would be taken to prevent characters of White's ilk from attending and regulating a second world monetary conference, Sen. Cotton said this would be difficult.

"I think the ghost of Harry Dexter White has lingered long enough in this region to leave a bad taste here," Cotton said. "But you'll still find some Americans who are apparently a hell of a lot more anxious to use our resources to take care of people other than our own. They're hailed as 'broad-minded, world-vision, liberals'."

Cotton said the recent world financial situation "when the dollar began to falter and world finances began to wobble," should demonstrate clearly the one thing necessary to the welfare of the world. Namely, he said, "it is for us to maintain a strong and solvent America."

He castigated those who "think there is something selfish and wicked in trying to take care of your own people."

MENGE BACKS COTTON

In agreement with Cotton's call for a second conference was Dartmouth economist, Prof. John Menge. He explained the result of the first conference was "to fix the value of the dollar at $35 per ounce of gold."

"They also agreed to establish the International Monetary Fund and the World Bank," Menge said. But he said President Nixon's action was to "unilaterally breach the Bretton Woods agreement to tie the dollar to gold."

Menge said the problem with the first agreement was "the dollar had, in international trade, a fixed value while in domestic trade within the U.S. it had a decreasing value because of inflation. The result was that U.S. citizens and foreigners used more and more of the readily available fixed value international-trade dollars . . . and fewer and fewer of the decreasingly valued domestic-trade dollars. . . ."

Menge said Mr. Nixon's action may result in "a more prosperous, healthy and well-balanced international economy" and a second Bretton Woods conference may be necessary to reach a new international agreement.

Principals at the 1944 conference included Treasury Secretary Henry Morgenthau; Chinese Minister of Finance, Dr. H. H. Kung; and Lord Keynes, Britain's finance spokesman.

Sen. Tobey was an American delegate along with New York Sen. Robert F. Wagner.

Perhaps a foreshadowing of the communist spy controversy involving White, were stories emanating from the conference praising the Russian delegation for its "highly sympathetic" attitude.

A wire dispatch from Bretton Woods quoted "an informed U.S. government official" as saying "the Russians are eager to cooperate in a field in which they previously had taken little part. It is not easy to know what the Russians are thinking," this unnamed source continued, "partly because of the difficulties of language and partly because they are more deliberate and formal in their discussions." (One state resident who remembers the conference recalls the "formal" Russians disposing of their cigars by rubbing them into the conference tablecloth.)

White, who was the official conference spokesman, was quoted as saying the idea the United States should have a favorable balance of payments "is nonsense."

U.S. POLICY AS OTHERS SEE IT

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

Mr. WYMAN. Mr. Speaker, much has been said regarding the direction in which the United States is going these days. Some have almost cheerfully stated that our position of world leadership is slipping badly and some have foreseen the complete decay of our way of life. With these dire predictions in mind, it is particularly heartening to come upon another view of the United States, particularly when it comes from some of our more responsible and objective foreign friends. Such a view is stated in an article by David Sargent appearing in the August 30, 1971, issue of United Business Service. I commend the article entitled "The Back Yard" to the attention of readers of the RECORD:

THE BACK YARD

With all the goings on of the past few weeks, one could wonder if we were not at last going the way of Rome. But before giving way to despair, it's well to see how others view us. Here is how the prestigious London Economist views the United States these days:

"The shape of things to come will not on the surface seem very different from what it is already. There will still be a Western alliance in which the United States is the largest, richest, more powerful partner. The Americans will still be in Asia, even when their army leaves Vietnam. The dollar will still be the chief reference point in commercial dealings among countries. America will still be a country which can, though at increasing cost, withdraw into its own massive and still largely self-sufficient shell, damaging the Europeans and Japanese left outside even more than itself. Russia and China will still each reckon

the United States as their most formidable antagonist in the non-communist camp.

"For twenty-five years the Americans have provided the free world's bodyguard. Whatever its allies may have thought and said about some of them, America has had to fight most of the free world's wars during this time. The United States has paid for and carried the free world's nuclear umbrella. And Washington has mistakenly allowed the rest of the world to subsidize its own trade at American expense by deliberately undervaluing other world currencies against the dollar.

"In the end it was American impatience with the advantage outsiders could take of an overvalued dollar which brought last week's actions to pass."

Quite obviously, many thoughtful observers in this world, both East and West, have reviewed our situation thoroughly and, as a result, share this confident view from London.

LEST WE FORGET

(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, in a land of progress and prosperity, it is often easy to assume an "out-of-sight, out-of-mind" attitude about matters which are not consistently brought to our attention. The fact exists that today more than 1,550 American servicemen are listed as prisoners or missing in Southeast Asia. The wives, children, and parents of these men have not forgotten, and I would hope that my colleagues in Congress and our countrymen across America will not neglect the fact that all men are not free for as long as one of our number is enslaved. I insert the name of one of the prisoners.

Maj. Donald Glenn Waltman, U.S. Air Force, [redacted] Kellogg, Idaho. Married and the father of five children. The son of Mr. and Mrs. Glenn Waltman, Kellogg, Idaho. A 1954 graduate of the University of Idaho. Major Waltman was listed as missing on September 19, 1966, and officially listed as a prisoner of war on December 1, 1966. As of today, Major Waltman has been held captive in Southeast Asia for 1,814 days.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. BETTS (at the request of Mr. GERALD R. FORD), for today and tomorrow, on account of official business as delegate to the 60th Conference of the Interparliamentary Union.

Mr. DERWINSKI (at the request of Mr. GERALD R. FORD), for today and tomorrow, on account of official business as delegate to the 60th Conference of the Interparliamentary Union.

Mr. MCCLORY (at the request of Mr. GERALD R. FORD), for today and tomorrow, on account of official business as delegate to the 60th Conference of the Interparliamentary Union.

Mr. MORSE (at the request of Mr. GERALD R. FORD), for today and tomorrow, on account of official business as delegate to the 60th Conference of the Interparliamentary Union.

Mr. PIRNIE (at the request of Mr. GERALD R. FORD), for today and tomorrow, on account of official business as delegate to the 60th Conference of the Interparliamentary Union.

Mr. GOLDWATER (at the request of Mr. GERALD R. FORD), for today through September 20, 1971, on account of illness.

Mrs. ABZUG (at the request of Mr. O'NEILL), for today and the balance of the week, on account of illness.

Mr. RODINO (at the request of Mr. ADDABBO), from Wednesday, September 8, 2 p.m., to Thursday, September 9, 3 p.m.

Mr. ESHLEMAN (at the request of Mr. GERALD R. FORD), for the balance of the week, on account of medically ordered recuperation.

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), to revise and extend their remarks and to include extraneous matter:)

Mr. HORTON, on September 9, for 10 minutes.

Mr. MILLER of Ohio, today, for 6 minutes.

Mrs. HECKLER of Massachusetts, today, for 5 minutes.

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

Mr. O'HARA, today, for 30 minutes.

Mr. MATSUNAGA, today, for 10 minutes.

Mr. RARICK, today, for 30 minutes.

Mr. GONZALEZ, today, for 10 minutes.

EXTENSION OF REMARKS

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

Mr. ASPINALL to include extraneous material with his remarks today during general debate on H.R. 9727.

Mr. SEIBERLING to extend his remarks following those of Mr. MYERS, today.

Mr. BARRETT.

Mr. EDMONDSON, in two instances, and to include extraneous material.

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

Mr. PEYSER in five instances.

Mr. RHODES in five instances.

Mr. SCHMITZ in three instances.

Mr. BAKER in three instances.

Mr. FINDLEY in two instances.

Mr. STEIGER of Wisconsin in three instances.

Mr. ZWACH.

Mr. THOMSON of Wisconsin.

Mr. EDWARDS of Alabama.

Mr. COUGHLIN.

Mr. DERWINSKI.

Mr. KEMP in three instances.

Mr. YOUNG of Florida in five instances.

Mr. DUNCAN in two instances.

Mr. ASHBROOK in two instances.

Mr. MILLER of Ohio in six instances.

Mr. FREY.

Mr. REID of New York.

Mr. PRICE of Texas.

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

Mr. BRADEMAS in six instances.

Mr. MATSUNAGA in two instances.

Mr. FRASER in two instances.

Mr. GONZALEZ in two instances.

Mr. HAGAN in two instances.

Mrs. ABZUG in 10 instances.

Mr. EVINS of Tennessee in three instances.

Mr. MCCORMACK in two instances.

Mr. EILBERG in four instances.

Mr. SARBANES in five instances.

Mr. HARRINGTON in two instances.

Mr. O'HARA in two instances.

Mr. WOLFF in three instances.

Mrs. MINK in two instances.

Mr. RARICK in three instances.

Mr. BADILLO in five instances.

Mr. WILLIAM D. FORD in two instances.

Mr. BRINKLEY.

Mr. DULSKI in six instances.

Mr. RODINO.

Mr. EDWARDS of California.

Mr. FULTON of Tennessee in two instances.

Mr. MAHON in two instances.

Mr. GAYDOS in five instances.

Mr. HUNGATE in two instances.

Mr. ANDERSON of California in two instances.

Mr. MAZZOLI in two instances.

Mr. CONYERS in 10 instances.

Mr. WRIGHT in two instances.

Mr. SYMINGTON in two instances.

Mr. PRYOR of Arkansas.

SENATE BILLS AND A JOINT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 659. An act to amend the Higher Education Act of 1965, the Vocational Education Act of 1963, the General Education Provisions Act (creating a National Foundation for Postsecondary Education and a National Institute of Education), the Elementary and Secondary Education Act of 1965, Public Law 874, Eighty-first Congress, and related Acts, and for other purposes; to the Committee on Education and Labor.

S. 1852. An act to provide for the establishment of the Gateway National Recreation Area in the States of New York and New Jersey, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 2216. An act to amend the Investment Company Act of 1940, as amended; to the Committee on Interstate and Foreign Commerce.

S.J. Res. 72. Joint resolution consenting to an extension and renewal of the interstate compact to conserve oil and gas; to the Committee on Interstate and Foreign Commerce.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. HAYS, from the Committee on House Administration, reported that that committee did on August 6, 1971, present to the President, for his approval, bills and joint resolutions of the House of the following titles:

H.R. 135. An act to provide for periodic pro rata distribution among the States and

other jurisdictions of deposit of available amounts of unclaimed postal savings system deposits, and for other purposes;

H.R. 2587. An act to establish the National Advisory Committee on the Oecans and Atmosphere;

H.R. 2596. An act to amend the act of July 11, 1947, to authorize members of the District of Columbia Fire Department, the U.S. Park Police force, and the Executive Protective Service, to participate in the Metropolitan Police Department Band, and for other purposes;

H.R. 2600. An act to equalize the retirement benefits for officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia who are retired for permanent total disability;

H.R. 4263. An act to add California-grown peaches as a commodity eligible for any form of promotion, including paid advertising, under a marketing order;

H.R. 5208. An act to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard, and to authorize the annual active duty personnel strength of the Coast Guard;

H.R. 7718. An act to exempt from taxation by the District of Columbia certain property in the District of Columbia which is owned by the Supreme Council (Mother Council of the World) of the Inspectors General Knights Commanders of the House of the Temple of Solomon of the Thirty-third Degree of the Ancient and Accepted Scottish Rite of Free Masonry of the Southern Jurisdiction of the United States of America;

H.R. 8794. An act to provide for the payment of the cost of medical, surgical, hospital, or related health care services provided certain retired, disabled officers and members of the Metropolitan Police force of the District of Columbia, the Fire Department of the District of Columbia, the U.S. Park Police force, the Executive Protective Service, and the U.S. Secret Service, and for other purposes;

H.R. 9798. An act to authorize the Secretary of the Interior to establish the Lincoln Home National Historic Site in the State of Illinois, and for other purposes;

H.R. 10061. An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1972, and for other purposes;

H.J. Res. 829. A joint resolution making further continuing appropriations for the fiscal year 1972, and for other purposes; and

H.J. Res. 833. A joint resolution making an appropriation for the Department of Labor for the fiscal year 1972, and for other purposes.

BILLS SIGNED BY THE PRESIDENT

On the following dates the President approved and signed bills of the House of the following titles:

On August 5, 1971:

H.R. 3344. An act to authorize the Administrator of Veterans' Affairs to sell at prices which he determines to be reasonable under prevailing mortgage market conditions direct loans made to veterans under chapter 37, title 38, United States Code.

On August 6, 1971:

H.R. 3201. An act 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;

H.R. 4762. An act to amend section 5055 of title 38, United States Code, in order to extend the authority of the Administrator of Veterans' Affairs to establish and carry out a program of exchange of medical information;

H.R. 7109. An act to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management, and for other purposes; and

H.R. 9020. An act to amend the Egg Products Inspection Act to provide that certain plants which process egg products shall be exempt from such act for a certain period of time.

On August 9, 1971:

H.J. Res. 829. Joint resolution making further continuing appropriations for the fiscal year 1972, and for other purposes;

H.J. Res. 833. Joint resolution making an appropriation for the Department of Labor for the fiscal year 1972, and for other purposes; and

H.R. 8432. An act to authorize emergency loan guarantees to major business enterprises.

On August 10, 1971:

H.R. 19. An act to provide for a coordinated national boating safety program;

H.R. 3146. An act to authorize the Secretary to cooperate with the states and subdivisions thereof in the enforcement of State and local laws, rules, and regulations within the national forest system;

H.R. 6239. An act to amend the maritime lien provisions of the Ship Mortgage Act of 1920;

H.R. 9270. An act making appropriations for Agriculture-Environmental and Consumer Protection programs for the fiscal year ending June 30, 1972, and for other purposes.

H.R. 9272. An act making appropriations for the Department of State, Justice, and Commerce, the judiciary, and related agencies for the fiscal year ending June 30, 1972, and for other purposes;

H.R. 9382. An act making appropriations for the Department of Housing and Urban Development; for space, science, veterans, and certain other independent executive agencies, boards, commissions, corporation, and offices for the fiscal year ending June 30, 1972, and for other purposes;

H.R. 9417. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1972, and for other purposes;

H.R. 9667. An act making appropriations for the Department of Transportation and related agencies for the fiscal year ending June 30, 1972, and for other purposes; and

H.R. 10061. An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1972, and for other purposes.

On August 11, 1971:

H.R. 943. An act to provide mortgage protection life insurance for service-connected disabled veterans who have received grants for specially adapted housing;

H.R. 2591. An act to amend section 8 of the Act approved March 4, 1913 (37 Stat. 974), as amended, to standardize procedures for the testing of utility meters; to add a penalty provision in order to enable certification under section 5(a) of the Natural Gas Pipeline Safety Act of 1968, and to authorize cooperative action with State and Federal regulatory bodies on matters of joint interest;

H.R. 2594. An act to amend chapter 19 of title 20 of the District of Columbia Code to provide for distribution of a minor's share in a decedent's personal estate where the share does not exceed the value of $1,000;

H.R. 2894. An act to incorporate the Paralyzed Veterans of America;

H.R. 5638. An act to extend the penalty for assault on a police officer in the District of Columbia to assaults on firemen, to provide criminal penalties for interfering with firemen in the performance of their duties, and for other purposes;

H.R. 6638. An act to amend the Act of August 9, 1955, relating to school fare subsidy for transportation of school children within the District of Columbia;

H.R. 7931. An act to amend the District of Columbia Code with respect to the administration of small estates, and for other purposes;

H.R. 7960. An act to authorize appropriations for activities of the National Science Foundation, and for other purposes;

H.R. 9181. An act to amend the Northwest Atlantic Fisheries Act of 1950; and

H.R. 9388. An act to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

On August 13, 1971:

H.R. 135. An act to provide for periodic pro rata distribution among the States and other jurisdictions of deposit of available amounts of unclaimed Postal Savings System deposits, and for other purposes;

H.R. 4263. An act to add California-grown peaches as a commodity eligible for any form of promotion, including paid advertising, under a marketing order;

H.R. 5208. An act to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard, and to authorize the annual active duty personnel strength of the Coast Guard; and

H.R. 7718. An act to exempt from taxation by the District of Columbia certain property in the District of Columbia which is owned by the Supreme Council (Mother Council of the World) of the Inspectors General Knights Commanders of the House of the Temple of Solomon of the Thirty-third Degree of the Ancient and Accepted Scottish Rite of Free Masonry of the Southern Jurisdiction of the United States of America.

On August 16, 1971:

H.R. 2587. An act to establish the National Advisory Committee on the Oceans and Atmosphere.

H.R. 2596. An act to amend the act of July 11, 1947, to authorize members of the District of Columbia Fire Department, the U.S. Park Police force, and the Executive Protective Service, to participate in the Metropolitan Police Department Band, and for other purposes;

H.R. 7586. An act to amend the act of December 30, 1969, establishing the Cabinet Committee on Opportunities for Spanish-Speaking People, to authorize appropriations for 2 additional years; and

H.R. 8794. An act to provide for the payment of the cost of medical, surgical, hospital, or related health care services provided certain retired, disabled officers and members of the Metropolitan Police Force of the District of Columbia, the Fire Department of the District of Columbia, the U.S. Park Police force, the Executive Protective Service, and the U.S. Secret Service, and for other purposes.

On August 18, 1971:

H.R. 9798. An act to authorize the Secretary of the Interior to establish the Lincoln Home National Historic Site in the State of Illinois, and for other purposes.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 3 o'clock and 5 minutes p.m.), the House adjourned until tomorrow, Thursday, September 9, 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:

1044. A letter from the Director, Office of Management and Budget, Executive Office of the President, transmitting a report as of June 30, 1971, on the operation of section 501 of the Second Supplemental Appropriations Act, 1970, establishing a limitation on budget outlays for fiscal year 1971 (H. Doc. No. 92–159); to the Committee on Appropriations and ordered to be printed.

1045. A letter from the Chairman, U.S. Advisory Commission on International Educational and Cultural Affairs, transmitting the eighth annual report of the Advisory Commission, pursuant to section 107 of Public Law 87–256 (H. Doc. No. 92–160); to the Committee on Foreign Affairs and ordered to be printed.

1046. A letter from the Clerk of the House of Representatives, transmitting his semiannual report of receipts and expenditures of appropriations and other funds for the period ended June 30, 1971, pursuant to 2 U.S.C. 104a (H. Doc. No. 92–155); to the Committee on House Administration and ordered to be printed.

1047. A letter from the Secretary of the Army, transmitting a letter from the chief of Engineers, Department of the Army, dated December 4, 1970, submitting a report, together with accompanying papers and illustrations, on Mississippi River at Moline, Ill., and Davenport, Iowa, in partial response to two resolutions of the committee on flood control, House of Representatives, adopted September 18, 1944. It is also in response to an item contained in section 208 of Public Law 89–298, approved October 27, 1965 (H. Doc. No. 92–161); to the Committee on Public Works and ordered to be printed with illustrations.

1048. A letter from the Secretary of Agriculture, transmitting the 1971 Annual Report of the Department of Agriculture on its efforts to provide information and technical assistance to rural areas, pursuant to section 901(d) of the Agriculture Act of 1970; to the Committee on Agriculture.

1049. A letter from the Acting Secretary of Agriculture, transmitting a draft of proposed legislation to continue mandatory price supports for tung nuts only through the 1976 crop; to the Committee on Agriculture.

1050. A letter from the Secretary of Agriculture and the Secretary of Housing and Urban Development, transmitting the second annual report on assistance furnished by their two Departments for nonmetropolitan planning districts, covering fiscal year 1971, pursuant to title IX of the Agricultural Act of 1970; to the Committee on Agriculture.

1051. A letter from the General Sales Manager, Export Marketing Service, Department of Agriculture, transmitting a report of agreements signed providing for the use of foreign currencies during July and August 1971, pursuant to Public Law 85–128; to the Committee on Agriculture.

1052. A letter from the Architect of the Capitol, transmitting a report of all expenditures during the period January 1 through June 30, 1971, from moneys appropriated to the Architect of the Capitol, pursuant to section 105(b) of Public Law 88–454; to the Committee on Appropriations.

1053. A letter from the Deputy Director, Office of Management and Budget, Executive Office of the President, transmitting a report that the appropriation to the Department of Labor for "Federal Unemployment Benefits and Allowances" for the fiscal year 1972, has been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation, pursuant to 31 U.S.C. 665; to the Committee on Appropriations.

1054. A letter from the Deputy Director, Office of Management and Budget, Executive Office of the President, transmitting a report that the appropriation to the Department of the Treasury for "Salaries and expenses," Bureau of Accounts for fiscal year 1972, has been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation, pursuant to 31 U.S.C. 665; to the Committee on Appropriations.

1055. A letter from the Assistant Secretary of Defense (Comptroller), transmitting a report for the fourth quarter of fiscal year 1971 on certain support furnished in various countries, pursuant to section 838(b) of Public Law 91–668; to the Committee on Appropriations.

1056. A letter from the Deputy Secretary of Defense, transmitting the semiannual report of the Air Force on experimental, defare and biological research programs during the second half of fiscal year 1971, pursuant to section 409 of Public Law 91–121; to the Committee on Armed Services.

1057. A letter from the Secretary of the Army, transmitting a draft of proposed legislation to amend section 3031 of title 10, United States Code, to increase the number of authorized Deputy Chiefs of Staff for the Army Staff, and eliminate the provisions for the Assistant Chiefs of Staff for the Army Staff; to the Committee on Armed Services.

1058. A letter from the Secretary of the Air Force, transmitting the semiannual report of the Air Force on experimental, development, test, and research actions, covering the period January 1 through June 30, 1971, pursuant to 10 U.S.C. 2357; to the Committee on Armed Services.

1059. A letter from the Acting Secretary of the Navy, transmitting a draft of proposed legislation to amend title 37, United States Code, to provide entitlement to round trip transportation to the home port for a member of the uniformed services on permanent duty aboard a ship being inactivated away from home port whose dependents are residing at the home port; to the Committee on Armed Services.

1060. A letter from the Assistant Secretary of the Navy (Installations and Logistics), transmitting notice of the proposed transfer of the submarine U.S.S. *Batfish* to the Oklahoma Maritime Advisory Board on behalf of the State of Oklahoma, pursuant to 10 U.S.C. 7308; to the Committee on Armed Services.

1061. A letter from the Deputy Assistant Secretary of Defense (Installations and Housing), transmitting notice of the location, nature, and estimated cost of a facilities project proposed to be undertaken for the Naval and Marine Corps Reserve, pursuant to 10 U.S.C. 2233(a)(1); to the Committee on Armed Services.

1062. A letter from the Deputy Assistant Secretary of the Army (Research and Development), transmitting a report of contracts of $50,000 or more for Army research and development contracts awarded during the 6 months ended June 30, 1971, pursuant to section 4 of Public Law 557, 82d Congress; to the Committee on Armed Services.

1063. A letter from the Attorney General, transmitting a report on voluntary agreements and programs as of August 9, 1971, pursuant to section 708(e) of the Defense Production Act of 1950, as amended; to the Committee on Banking and Currency.

1064. A letter from the Secretary of Commerce, transmitting the 96th quarterly report on export control, covering the second quarter of 1971, pursuant to the Export Administration Act of 1969; to the Committee on Banking and Currency.

1065. A letter from the Secretary of Health, Education, and Welfare, transmitting a proposed amendment to H.R. 5191 requiring that in determining the financial need of a veteran for student assistance only his own income and assets and not those of his family will be taken into account; to the Committee on Education and Labor.

1066. A letter from the Assistant Secretary of State for Congressional Relations, transmitting the semiannual report for the period ended June 30, 1971, on third country transfers of U.S. origin defenses articles to which consent has been granted under the provisions of section 3(a)(2) of the Foreign Military Sales Act and section 505(a) of the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

1067. A letter from the Acting Assistant Secretary of State for Congressional Relations, transmitting copies of Presidential Determination 72–2, relating to the Khmer Republic; to the Committee on Foreign Affairs.

1068. A letter from the Acting Secretary of the Treasury, and the Director, Office of Management and Budget, Executive Office of the President, transmitting the first annual report on the performance of functions and duties imposed on the Office of Management and Budget and the Department of the Treasury by sections 201 and 202 of the Legislative Reorganization Act of 1970, pursuant to section 202(b) of the act; to the Committee on Government Operations.

1069. A letter from the Acting Secretary of Health, Education, and Welfare, transmitting a report on personal property donated to public health and educational institutions and civil defense organizations under section 203(j) of the Federal Property and Administrative Services Act of 1949, as amended, and on real property disposed of to public health and educational institutions under section 203(k) of the act, during fiscal year 1971, pursuant to section 203(o) of the act; to the Committee on Government Operations.

1070. A letter from the Secretary of the Interior, transmitting the annual report of the U.S. Government Comptroller for the Virgin Islands for fiscal year 1970, pursuant to Public Law 90–496; to the Committee on Interior and Insular Affairs.

1071. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to provide for the division of assets between the Twenty-Nine Palms Band and the Cabazon Band of Mission Indians, California, including certain funds in the U.S. Treasury, and for other purposes; to the Committee on Interior and Insular Affairs.

1072. A letter from the Assistant Secretary of the Interior, transmitting a copy of a proposed concession contract for the continued provision and operation of certain concession facilities and services for the public within Everglades National Park, for a period ending December 31, 1981, pursuant to 67 Stat. 271 and 79 Stat. 543; to the Committee on Interior and Insular Affairs.

1073. A letter from the Assistant Secretary of the Interior, transmitting a copy of a proposed concession contract for the provision of food, beverage, and merchandising facilities and services for the public within Rocky Mountain National Park, Colo., for a period ending May 31, 1991, pursuant to 67 Stat. 271 and 70 Stat. 543; to the Committee on Interior and Insular Affairs.

1074. A letter from the Assistant Secretary of the Interior, transmitting a copy of an application by the Yolo County Flood Control and Water Conservation District of Woodland, Calif., for a loan and grant under the Small Reclamation Projects Act, pursuant to section 4(c) of the act; to the Committee on Interior and Insular Affairs.

1075. A letter from the Assistant Secretary of the Interior, transmitting notice of a 2-year deferment of the construction repayment installments due the United States for irrigation facilities in the Kansas-Bostwick Irrigation District No. 2, Pick-Sloan Missouri River Basin program, Kansas, pursuant to 73 Stat. 584; to the Committee on Interior and Insular Affairs.

1076. A letter from the Director, Bureau of Land Management, Department of the

Interior, transmitting a report on negotiated sales contracts made under Public Law 87–689 for disposal of materials during the period January 1 through June 30, 1971; to the Committee on Interior and Insular Affairs.

1077. A letter from the Chairman, Indian Claims Commission, transmitting a report of the final determination of the Commission in docket No. 175, *The Nez Perce Tribe of Indians, Plaintiff,* v. *The United States of America, Defendant,* pursuant to 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

1078. A letter from the Vice Chairman, Indian Claims Commission, transmitting a report of the final determinations of the Commission in docket No. 328, *Southern Ute Tribe or Band of Indians, Plaintiff,* v. *The United States of America, Defendant,* pursuant to 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

1079. A letter from the Chairman, Ad Hoc Advisory Group on the Presidential Vote for Puerto Rico, transmitting the report and recommendations of the Advisory Group; to the Committee on Interior and Insular Affairs.

1080. A letter from the Secretary of Transportation, transmitting an addendum to his report (Executive Communication No. 1019) concerning the financial condition of the Central Railroad Co. of New Jersey, containing a preliminary list of those persons who have filed protests or requested hearings in the company's application with the Interstate Commerce Commission for authority to abandon approximately 375 miles of railroad; to the Committee on Interstate and Foreign Commerce.

1081. A letter from the Secretary of Transportation, transmitting a statement on national transportation policy, pursuant to section 3A of the Airport and Airway Development Act of 1970; to the Committee on Interstate and Foreign Commerce.

1082. A letter from the Assistant Secretary of Commerce for Administration, transmitting the 1971 report of the Department of Commerce on commissary activities outside the continental United States, pursuant to 15 U.S.C. 1514(b); to the Committee on Interstate and Foreign Commerce.

1083. A letter from the Acting Chairman, Civil Aeronautics Board, transmitting a draft of proposed legislation to amend the Federal Aviation Act of 1958 so as to authorize the Civil Aeronautics Board to regulate the depreciation accounting of air carriers; to the Committee on Interstate and Foreign Commerce.

1084. A letter from the Acting Chairman, Civil Aeronautics Board, transmitting a draft of proposed legislation to amend the Federal Aviation Act of 1958 so as to clarify the powers of the Civil Aeronautics Board in respect to consolidation of certain proceedings; to the Committee on Interstate and Foreign Commerce.

1085. A letter from the Acting Chairman, Civil Aeronautics Board, transmitting a draft of proposed legislation to amend the Federal Aviation Act of 1958 so as to specifically provide that remedial orders issued by the Civil Aeronautics Board in enforcement proceedings may require the repayment of charges in excess of those in lawfully filed tariffs; to the Committee on Interstate and Foreign Commerce.

1086. A letter from the Acting Chairman, Civil Aeronautics Board, transmitting a draft of proposed legislation to amend the Federal Aviation Act of 1958 so as to assure opportunity for the Board's participation and representation in certain court proceedings through its own counsel as a matter of right and to provide for all review of Board actions in the court of appeals; to the Committee on Interstate and Foreign Commerce.

1087. A letter from the Executive Director, Federal Communications Commission, transmitting a report on the backlog of pending applications and hearing cases in the Commission as of July 31, 1971, pursuant to section 5(e) of the Communications Act, as amended; to the Committee on Interstate and Foreign Commerce.

1088. A letter from the Chairman, Federal Power Commission, transmitting a copy of the publication entitled, "Hydroelectric Plant Construction Cost and Annual Production Expenses, 1969"; to the Committee on Interstate and Foreign Commerce.

1089. A letter from the Chairman, Aviation Advisory Commission, transmitting a report concerning the extent to which military airports and airport facilities can be made available for civil use, pursuant to Public Law 91–258; to the Committee on Interstate and Foreign Commerce.

1090. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend the act entitled "An act to provide for the registration and protection of trademarks used in commerce, to carry out the provisions of international conventions, and for other purposes," approved July 5, 1946, as amended; to the Committee on the Judiciary.

1091. A letter from the Assistant Secretary of Commerce for Administration, transmitting a report on personal property claims of employees of the Commerce Department settled during fiscal year 1971, pursuant to 31 U.S.C. 240–243; to the Committee on the Judiciary.

1092. A letter from the Director, Administrative Office of the U.S. Courts, transmitting a draft of proposed legislation to make it a criminal offense to discharge an employee for the reason of such employee's Federal jury service; to the Committee on the Judiciary.

1093. A letter from the Commissioner, Federal Prison Industries, Inc., Department of Justice, transmitting the Annual Report of the Directors of Federal Prison Industries, Inc., for fiscal year 1970, pursuant to 18 U.S.C. 4127; to the Committee on the Judiciary.

1094. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved according to certain beneficiaries third and sixth preference classification, pursuant to section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

1095. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved according to certain beneficiaries third and sixth preference classification, pursuant to section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

1096. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in the cases of certain aliens found admissible to the United States, pursuant to section 212(a)(28)(I)(ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

1097. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in cases in which the authority contained in section 212(d)(3) of the Immigration and Nationality Act was exercised in behalf of certain aliens, together with a list of persons involved, pursuant to section 212(d)(6) of the act; to the Committee on the Judiciary.

1098. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation, together with a list of the persons involved, pursuant to section 244(a)(1) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

1099. A letter from the adjutant general, Military Order of the Purple Heart, transmitting an audit of the books of the order for fiscal year 1971, pursuant to section 14 of Public Law 85–761; to the Committee on the Judiciary.

1100. A letter from the president, Jewish War Veterans, U.S.A., National Memorial, Inc., transmitting a copy of the annual audit of the books of the corporation, for the fiscal year 1971; to the Committee on the Judiciary.

1101. A letter from the Secretary of Commerce, transmitting the Annual Report of the Maritime Administration for 1970; to the Committee on Merchant Marine and Fisheries.

1102. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report of the number of NASA employees in each general schedule grade on June 30, 1970, and June 30, 1971, pursuant to 65 Stat. 736, 758; to the Committee on Post Office and Civil Service.

1103. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 9, 1971, submitting a report, together with accompanying papers and illustrations, on Tangipahoa River and tributaries, Louisiana and Mississippi, requested by resolutions of the Committees on Public Works of the U.S. Senate and the House of Representatives, adopted January 16 and May 10, 1962; to the Committee on Public Works.

1104. A letter from the Acting Secretary of the Army transmitting a letter from the Chief of Engineers, Department of the Army, dated June 9, 1971, submitting a report, together with accompanying papers and illustrations, on Gulf Intracoastal Waterway to vicinity of Boutte, La., authorized by section 304 of the River and Harbor Act approved October 27, 1965; to the Committee on Public Works.

1105. A letter from the Acting Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated July 13, 1971, submitting a report, together with accompanying papers and an illustration, on Greenport Harbor, N.Y., requested by a resolution of the Committee on Public Works, House of Representatives, adopted June 25, 1955; to the Committee on Public Works.

1106. A letter from the Acting Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated July 15, 1971, submitting a report, together with accompanying papers and an illustration, on Houston ship channel, Goose Creek, Tex., requested by a resolution of the Committee on Public Works, House of Representatives, adopted August 13, 1958; to the Committee on Public Works.

1107. A letter from the Acting Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 22, 1971, submitting a report, together with accompanying papers and an illustration, on Racine Harbor, Wis., requested by resolutions of the Committees on Public Works, U.S. Senate and House of Representatives, adopted March 4 and July 31, 1957; to the Committee on Public Works.

1108. A letter from the Secretary of the Interior, transmitting the annual report for 1970–71 on the National Visitor Center, pursuant to Public Law 90–264; to the Committee on Public Works.

1109. A letter from the Administrator of General Services, transmitting prospectuses proposing alteration of public buildings at various locations, pursuant to 73 Stat. 480; to the Committee on Public Works.

1110. A letter from the Chairman, Federal Maritime Commission, transmitting a draft of proposed legislation to amend the Federal Water Pollution Control Act to provide specific enforcement provisions with re-

spect to section 11(p)(1); to the Committee on Public Works.

1111. A letter from the Secretary of Commerce, transmitting the sixth in the series of interim reports stemming from the U.S. metric study, prepared by the National Bureau of Standards; to the Committee on Science and Astronautics.

1112. A letter from the Secretary of Commerce, transmitting the eighth in the series of interim reports stemming from the U.S. metric study, prepared by the National Bureau of Standards; to the Committee on Science and Astronautics.

1113. A letter from the Secretary of Commerce, transmitting the ninth in the series of interim reports stemming from the U.S. metric study, prepared by the National Bureau of Standards; to the Committee on Science and Astronautics.

1114. A letter from the Deputy Assistant Secretary of the Interior (Management and Budget), transmitting a report covering grants made during calendar year 1970 to nonprofit institutions and organizations for support of scientific research programs pursuant to section 3 of Public Law 85–934; to the Committee on Science and Astronautics.

1115. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report of the proposed transfer of $665,000 of "Research and development" funds to the 1971 "Construction of facilities" appropriation pursuant to section 3 of the National Aeronautics and Space Administration Authorization Act, 1971; to the Committee on Science and Astronautics.

1116. A letter from the Secretary of Health, Education, and Welfare, transmitting a report concerning grants approved by his office, which are financed wholly with Federal funds and subject to section 1120(b) of the Social Security Act, during the period April 1 to June 30, 1971; to the Committee on Ways and Means.

1117. A letter from the Acting Secretary of Health, Education, and Welfare, transmitting a report in accordance with section 1114(f) of the Social Security Act; to the Committee on Ways and Means.

RECEIVED FROM THE COMPTROLLER GENERAL

1118. A letter from the Comptroller General of the United States, transmitting a report on the audit of payments from the special fund to Lockheed Aircraft Corp. for the C–5A aircraft program during the period ended June 30, 1971, Department of Defense; to the Committee on Armed Services.

1119. A letter from the Acting Comptroller General of the United States, transmitting a report on U.S. participation in foreign assistance programs for Indonesia, Department of State, Department of Defense, and Agency for International Development; to the Committee on Government Operations.

1120. A letter from the Comptroller General of the United States, transmitting a report of the second review of the phasedown of U.S. military activities in Vietnam. Department of Defense; to the Committee on Government Operations.

1121. A letter from the Comptroller General of the United States, transmitting a report on too many crewmembers assigned too soon to ships under construction, Department of the Navy; to the Committee on Government Operations.

1122. A letter from the Comptroller General of the United States, transmitting a report on the need for improving the administration of study and evaluation contracts, Office of Education, Department of Health, Education, and Welfare; to the Committee on Government Operations.

1123. A letter from the Comptroller General of the United States, transmitting a report on the cost, schedule, and design aspects of selected Atomic Energy Commission construction projects; to the Committee on Government Operations.

1124. A letter from the Comptroller General of the United States, transmitting a report on development of minority businesses and employment in the Hough area of Cleveland, Ohio, under the Special Impact program, Office of Economic Opportunity, to the Committee on Government Operations.

1125. A letter from the Comptroller General of the United States, transmitting a report that recreational projects financed by the Farmers Home Administration, Department of Agriculture, provide benefits to a limited number of rural residents; to the Committee on Government Operations.

1126. A letter from the Acting Comptroller General of the United States, transmitting a report on the savings available through a Government-wide program to rehabilitate instrumentation tape, General Services Administration; to the Committee on Government Operations.

1127. A letter from the Acting Comptroller General of the United States, transmitting a report on the assessment of the Teacher Corps program at the University of Southern California and participating schools in Tulare County serving rural-migrant children, Office of Education, Department of Health, Education, and Welfare; to the Committee on Government Operations.

1128. A letter from the Comptroller General of the United States, transmitting a list of reports of the General Accounting Office issued or released in July 1971, pursuant to section 234 of Public Law 91–510; to the Committee on Government Operations.

1129. A letter from the Comptroller General of the United States, transmitting a list of reports of the General Accounting Office issued or released in August 1971, pursuant to section 234 of Public Law 91–510; 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:

(Pursuant to the order of the House on Aug. 3, 1971 the following reports were filed on Aug. 16, 1971)

Mr. DAVIS of Georgia: Committee on Science and Astronautics. H.R. 10243. A bill to establish an Office of Technology Assessment for the Congress as an aid in the identification and consideration of existing and probable impacts of technological application; to amend the National Science Foundation Act of 1950; and for other purposes (Rept. No. 92–469). Referred to the Committee of the Whole House on the State of the Union.

Mr. ICHORD: Committee on Internal Security. Report on the Black Panther Party, 1966–71. (Rept. No. 92–470). Referred to the Committee of the Whole House on the State of the Union.

(Submitted Sept. 8, 1971)

Mr. PERKINS: Committee on Education and Labor. H.R. 10351. A bill to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, and for other purposes; with an amendment (Rept. No. 92–471). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. ABBITT:

H.R. 10511. A bill to authorize the Secretary of the Interior to conduct a study to determine the best and most feasible means of protecting and preserving the Great Dismal Swamp and the Dismal Swamp Canal; to the Committee on Interior and Insular Affairs.

H.R. 10512. A bill to continue the expansion of international trade and thereby promote the general welfare of the United States, and for other purposes; to the Committee on Ways and Means.

By Mrs. ABZUG:

H.R. 10513. A bill to establish a National Bank for Cooperative Housing to aid in financing the purchase and construction of low- and middle-income cooperative housing; to the Committee on Banking and Currency.

By Mr. BRINKLEY:

H.R. 10514. A bill to further provide for the farmer-owned cooperative system of making credit available to farmers and ranchers and their cooperatives, for rural residences, and to associations and other entities upon which farming operations are dependent, to provide for an adequate and flexible flow of money into rural areas, and to modernize and consolidate existing farm credit law to meet current and future rural credit needs, and for other purposes; to the Committee on Agriculture.

H.R. 10515. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

H.R. 10516. A bill to provide increases in certain annuities payable under chapter 83 of title 5, United States Code, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CLARK:

H.R. 10517. A bill to amend the Internal Revenue Code of 1954 to restore the investment credit; to the Committee on Ways and Means.

By Mr. DERWINSKI:

H.R. 10518. A bill to amend the Internal Revenue Code of 1954 to permit barbers who work for a percentage of the charges made for their services to establish qualified pension plans for themselves in the same manner as if they were self-employed; to the Committee on Ways and Means.

H.R. 10519. A bill to amend the Internal Revenue Code of 1954 to permit beauticians who work for a percentage of the charges made for their services to establish qualified pension plans for themselves in the same manner as if they were self-employed; to the Committee on Ways and Means.

By Mr. DICKINSON:

H.R. 10520. A bill to provide that the reservoir formed by the lock and dam referred to as the "Jones Bluff Lock and Dam" on the Alabama River, Ala., shall hereafter be known as the Robert F. Henry Lock and Dam; to the Committee on Public Works.

By Mrs. GRIFFITHS (for herself, Mr. CORMAN, Mr. MOSHER, Mr. REID of New York, and Mrs. ABZUG):

H.R. 10521. A bill to create a national system of health security; to the Committee on Ways and Means.

By Mr. HUNGATE:

H.R. 10522. A bill relating to crime and law enforcement in the District of Columbia; to the Committee on the District of Columbia.

H.R. 10523. A bill to exempt real estate investment trusts from the act of February 4, 1913, which regulates the loaning of money on security in the District of Columbia; to the Committee on the District of Columbia.

H.R. 10524. A bill to provide a title insurance code for the District of Columbia; to the Committee on the District of Columbia.

By Mr. HUNGATE (for himself and Mr. THOMSON of Wisconsin):

H.R. 10525. A bill to enlarge the authority of the District of Columbia Board of Optometry to make bylaws and regulations; to the Committee on the District of Columbia.

By Mr. JACOBS:

H.R. 10526. A bill to amend the Federal Food, Drug, and Cosmetic Act to require the labels on all foods to disclose each of their ingredients; to the Committee on Interstate and Foreign Commerce.

H.R. 10527. A bill to provide for the care, housing, education, training, and adoption of certain orphaned children in Vietnam; to the Committee on the Judiciary.

By Mr. KING:

H.R. 10528. A bill to make additional immigrant visas available for immigrants from certain foreign countries, and for other purposes; to the Committee on the Judiciary.

By Mr. KYL:

H.R. 10529. A bill to provide for the establishment of the Upper Mississippi River National Recreation Area, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. LENNON:

H.R. 10530. A bill to amend the Internal Revenue Code of 1954 to encourage higher education, and particularly the private funding thereof, by authorizing a deduction from gross income of reasonable amounts contributed to a qualified higher education fund established by the taxpayer for the purpose of funding the higher education of his dependents; to the Committee on Ways and Means.

By Mr. MATSUNAGA:

H.R. 10531. A bill to permit a noncontiguous State to elect to use and allocate funds from the highway trust fund to achieve a balanced transportation system responsive to the unique transportation needs and requirements of such a noncontiguous State; to the Committee on Public Works.

H.R. 10532. A bill to prohibit the withdrawal of merchandise from a customs bonded warehouse for exportation pursuant to retail sales unless such warehouse is located in close proximity to a port, airport, or border crossing station; to the Committee on Ways and Means.

By Mr. MINISH:

H.R. 10533. A bill to amend the Internal Revenue Code of 1954 to increase personal exemptions to $750 for 1971, and to $1,000 thereafter; to the Committee on Ways and Means.

By Mr. O'HARA:

H.R. 10534. A bill to amend the Manpower Development and Training Act of 1962, as amended, by postponing the expiration of title II thereof for 18 months; to the Committee on Education and Labor.

By Mr. PEYSER:

H.R. 10535. A bill to establish a National Environmental Bank, to authorize the issuance of U.S. Environmental Savings Bonds, and to establish an Environmental Trust Fund; to the Committee on Banking and Currency.

H.R. 10536. A bill to establish a consumer education program in the Office of Education; to the Committee on Education and Labor.

H.R. 10537. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from gross income for certain social security taxes; to the Committee on Ways and Means.

By Mr. POAGE:

H.R. 10538. A bill to extend the authority for insuring loans under the Consolidated Farmers Home Administration Act of 1961; to the Committee on Agriculture.

By Mr. PRICE of Texas:

H.R. 10539. A bill to extend the authority for insuring loans under the Consolidated Farmers Home Administration Act of 1961; to the Committee on Agriculture.

By Mr. REID of New York:

H.R. 10540. A bill to provide for the Secretary of the Department of Health, Education, and Welfare to assist in the improvement and operation of museums; to the Committee on Education and Labor.

By Mr. ROGERS:

H.R. 10541. A bill to amend chapter 9 of title 44, United States Code, to require the use of recycled paper in the printing of the CONGRESSIONAL RECORD; to the Committee on House Administration.

By Mr. THOMSON of Wisconsin:

H.R. 10542. A bill to amend title VII of the Public Health Service Act to train certain veterans, with appropriate experience as paramedical personnel, to serve as medical assistants in long-term health care facilities; to the Committee on Interstate and Foreign Commerce.

H.R. 10543. A bill to amend chapters 31, 34, 35, and 36 of title 38, United States Code, in order to make improvements in the vocational rehabilitation and educational programs under such chapters; to authorize an advance initial payment and prepayment of the educational assistance allowance to eligible veterans and persons pursuing a program of education under chapters 34 and 35 of such title; to establish a work-study program and work-study additional educational assistance allowance for certain eligible veterans; and for other purposes; to the Committee on Veterans' Affairs.

H.R. 10544. A bill to provide increased unemployment compensation benefits for Vietnam era veterans; to the Committee on Ways and Means.

By Mr. VAN DEERLIN:

H.R. 10545. A bill to provide for the compensation of persons injured by certain criminal acts, to make grants to States for the payment of such compensation, and for other purposes; to the Committee on the Judiciary.

By Mr. VEYSEY:

H.R. 10546. A bill authorizing the Secretary of the Army to establish a national cemetery in Riverside County, Calif.; to the Committee on Veterans' Affairs.

By Mr. VEYSEY (for himself, Mr. SCHMITZ and Mr. DANIELSON):

H.R. 10547. A bill to amend the Clean Air Act to clarify California's right to enforce its own stringent motor vehicle emission standards; to the Committee on Interstate and Foreign Commerce.

By Mr. ZWACH:

H.R. 10548. A bill to extend to all unmarried individuals the full tax benefits of income splitting now enjoyed by married individuals filing joint returns; to the Committee on Ways and Means.

By Mr. ANDERSON of California:

H.J. Res. 851. Joint resolution asking the President of the United States to declare the fourth Saturday of each September "National Hunting and Fishing Day"; to the Committee on the Judiciary.

By Mr. JACOBS:

H.J. Res. 852. Joint resolution proposing an amendment to the Constitution of the United States with respect to the observation of a moment of silence in public buildings; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.J. Res. 853. Joint resolution to declare a U.S. policy of achieving population stabilization by voluntary means; to the Committee on Government Operations.

By Mr. PURCELL:

H.J. Res. 854. Joint resolution proposing an amendment to the Constitution of the United States relative to freedom from forced assignment to schools because of race, creed, or color; to the Committee on the Judiciary.

By Mr. ANDERSON of Illinois (for himself, Mr. WINN, Mr. ARCHER, and Mr. VANDER JAGT):

H. Con. Res. 396. Concurrent resolution to relieve the suppression of Soviet Jewry; to the Committee on Foreign Affairs.

By Mr. CLARK:

H. Res. 586. Resolution to express the sense of the House of Representatives that the United States maintain its sovereignty and jurisdiction over the Panama Canal Zone; to the Committee on Foreign Affairs.

By Mr. WALDIE:

H. Res. 587. Resolution disapproving the alternative plan for pay adjustments for Federal employees under statutory pay systems recommended by the President to Congress on August 31, 1971; to the Committee on Post Office and Civil Service.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

257. By the SPEAKER: Memorial of the Legislature of the State of California, relative to suspension of the Davis-Bacon Act; to the Committee on Education and Labor.

258. Also memorial of the Senate of the Commonwealth of Massachusetts, relative to peace in northern Ireland; to the Committee on Foreign Affairs.

259. Also, memorial of the house of representatives of the Commonwealth of Massachusetts, relative to economic and military aid and sales to Pakistan; to the Committee on Foreign Affairs.

260. Also, memorial of the senate of the Commonwealth of Massachusetts, relative to economic and military aid and sales to Pakistan; to the Committee on Foreign Affairs.

261. Also, memorial of the Legislature of the State of California, relative to mining claims and excavations; to the Committee on Interior and Insular Affairs.

262. Also, memorial of the Legislature of the Territory of the Virgin Islands, relative to the method of filling vacancies in the Legislature of the Virgin Islands; to the Committee on Interior and Insular Affairs.

263. Also, memorial of the Legislature of the State of Wisconsin, relative to the broadcasting of sporting events; to the Committee on Interstate and Foreign Commerce.

264. Also, memorial of the Legislature of the Commonwealth of Massachusetts, requesting Congress to call a convention for the purpose of amending the Constitution of the United States to authorize financial aid to private schools; to the Committee on the Judiciary.

265. Also, memorial of the Legislature of the State of North Carolina, ratifying the 19th amendment to the Constitution of the United States, relating to the right to vote, regardless of sex; to the Committee on the Judiciary.

266. Also, memorial of the Legislature of the State of California, relative to fish management programs; to the Committee on Merchant Marine and Fisheries.

267. Also, memorial of the Legislature of the State of California, relative to California salmon and steelhead resources; to the Committee on Merchant Marine and Fisheries.

268. Also, memorial of the house of representatives of the State of Michigan, relative to water pollution; to the Committee on Public Works.

269. Also, memorial of the Legislature of the State of California, relative to the establishment of a national cemetery in California; to the Committee on Veterans' Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARRETT:

H.R. 10549. A bill for the relief of Carlos Garcia; to the Committee on the Judiciary.

By Mr. GARMATZ:

H.R. 10550. A bill to provide for the striking of medals commemorating the one hundred

and seventy-fifth anniversary of the launching of the U.S. Frigate *"Constellation"*; to the Committee on Banking and Currency.

By Mr. GRASSO:

H.R. 10551. A bill for the relief of Antonio Fortunato D'Anna, and his wife, Carmina D'Anna; to the Committee on the Judiciary.

By Mr. HANLEY:

H.R. 10552. A bill for the relief of the Rescue Mission Alliance of Syracuse; to the Committee on the Judiciary.

By Mr. HAYS:

H.R. 10553. A bill for the relief of Gaston Landry; to the Committee on the Judiciary.

By Mr. HUNGATE:

H.R. 10554. A bill to provide that a gold medal be presented to the widow of the late Louis Armstrong; to the Committee on Banking and Currency.

By Mr. KEITH:

H.R. 10555. A bill for the relief of Albert B. Smith; to the Committee on the Judiciary.

By Mr. LANDRUM:

H.R. 10556. A bill to authorize the Secretary of the Interior to sell reserved mineral interests of the United States in certain land in Georgia to Mr. Thomas A. Buiso, the record owner of the surface thereof; to the Committee on Interior and Insular Affairs.

By Mr. McCLOSKEY:

H.R. 10557. A bill for the relief of Mrs. Edith Berke; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

123. By the SPEAKER: Petition of the Ada Council of Governments, Boise, Idaho, relative to funding for the Cottonwood Dam, Idaho; to the Committee on Appropriations.

124. Also, petition of the International Good Neighbor Council, Monterey. N.L., Mexico, relative to the United States-Mexico border industrialization program; to the Committee on Foreign Affairs.

125. Also, petition of the National Society of Professional Engineers, Washington, D.C., relative to development of the resources of Alaska; to the Committee on Interior and Insular Affairs.

126. Also, petition of the State Council of Kentucky of the Junior Order of United American Mechanics, relative to drug abuse; to the Committee on Interstate and Foreign Commerce.

127. Also, petition of the State Council of West Virginia of the Junior Order of United American Mechanics, relative to the Federal Bureau of Investigation; to the Committee on the Judiciary.

128. Also, petition of Barry Dale Holland, Portsmouth, Va., relative to establishing the rights of minors; to the Committee on the Judiciary.

129. Also, petition of Edward Clarence Rose, Chicago, Ill.; relative to redress of grievances; to the Committee on the Judiciary.

130. Also, petition of the Polish Legion of American Veterans, relative to extending educational benefits to veterans of the Vietnam war; to the Committee on Veterans' Affairs.

SENATE—*Wednesday, September 8, 1971*

The Senate met at 12 o'clock noon and was called to order by the President pro tempore (Mr. ELLENDER).

PRAYER

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

Eternal Father, we thank Thee for the changing scenes of life, for summer and winter, for sunshine and rain, for work and rest, for memories of the past and for the open vistas of the future. We thank Thee especially for Thy goodness and mercy which has watched over us and brought us to this hour. Make us ever aware of Thy sustaining grace and power. Guide the Members of this body through the new challenges and fresh opportunities by the light of Thy truth. May our highest incentive be service to others. May we ever walk humbly with Thee. Help us to be prepared equally for success as well as for failure, and in all things to be faithful to our high trust.

Bless this Nation and make it a blessing to all mankind. Grant to our leaders and to all the people the spirit which strives for the more perfect order where justice prevails and love rules.

In the Redeemer's name. Amen.

MESSAGES FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of August 5, 1971, the following message from the President of the United States was received on August 10, 1971, and the message was referred to the Committee on Banking, Housing and Urban Affairs:

To the Congress of the United States:

I am transmitting herewith the Annual Report of the National Corporation for Housing Partnerships for the period July 1, 1970 to June 30, 1971.

The Partnership was created under Title IX of the Housing and Urban Development Act of 1968 as a means of increasing the participation of private investors in providing new housing. In carrying out this purpose, the Partnership has, over the past year, given preliminary or final approval to 10,000 units of housing, consisting of 46 projects in 23 States.

It is clear that the Partnership will be an important part of our efforts to deal with the housing problems of the Nation. I commend this Report to your attention.

RICHARD NIXON.

THE WHITE HOUSE, *August 9, 1971.*

Under the authority of the order of the Senate of August 5, 1971, the following message from the President of the United States was received on September 1, 1971, and the message was referred to the Committee on Post Office and Civil Service:

To the Congress of the United States:

On August 15, 1971 I announced a number of new economic initiatives to create new jobs, to hold down the cost of living, and to stabilize the dollar. In this connection, Executive Order 11615 calls for the development of policies, mechanisms and procedures to maintain economic growth without inflationary increases after the end of the 90-day freeze period which the order imposes. It is equally essential that the tax reductions which I recommended to the Congress, to provide a powerful stimulus to the economy, not be inflationary in their impact. A significant reduction in Federal expenditures is needed to provide a balance.

Since continuing emphasis will be placed on the exercise of responsible industrial and labor leadership throughout the Nation in the months to come, I must apply such fiscal restraints as will clearly signify the good faith of the Federal Government as a major employer, and to continue to set an example for the American people in our striving to achieve prosperity in peacetime. I place full reliance on the willingness of Federal employees along with their fellow Americans, to make whatever temporary sacrifices in personal gain may be needed to attain the greater good for the country as a whole.

Therefore, in consideration of the economic conditions affecting the general welfare, I hereby transmit to the Congress the following alternative plan, as authorized and required by section 5305 (c) (1) of title 5, United States Code:

> Such adjustments in the rates of pay of each Federal statutory pay system as may be required, based on the 1971 Bureau of Labor Statistics survey, shall become effective on the first day of the first applicable pay period that begins on or after July 1, 1972.

I recognize that delaying the scheduled January 1972 increase to July 1972 means that two increases will then become due within a period of approximately three months. Since I am unable to predict whether two increases in such a relatively short time span will have a damaging effect on the economy, I am not prepared to make a decision with respect to the October 1972 increase at this time. After reviewing the economic situation during the first half of 1972, I will give serious consideration to the need for an alternative plan to that scheduled increase. If I conclude that an alternative plan is necessary I will, in accordance with the aforementioned provision of law, submit such a plan to Congress before September 1, 1972. It appears highly unlikely that any such plan would involve a postponement of the October 1972 adjustments beyond January 1973.

Our Nation's public servants are entitled to a fair wage in line with the established policy of comparability with private enterprise; I regret the necessity of postponing pay increases, but our fight against the rising cost of living must take precedence. Of course, success in holding down inflation will benefit the Government worker as well as all Americans.

I urge your support of this postponement.

RICHARD NIXON.

THE WHITE HOUSE, *August 31, 1971.*