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Congressional Record

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

HOUSE OF REPRESENTATIVES—Monday, September 20, 1971

The House met at 12 o'clock noon.
The Chaplain, the Reverend Edward G. Latch, D.D., offered the following prayer:

Know ye that the Lord He is God. It is He that hath made us and not we ourselves: We are His people and the sheep of His pasture.—Psalms 122:3.

O Thou in whose presence our souls find peace and by whose spirit we are led on our way through life, at the doorway of another week, and with our Hebrew brethren at the beginning of a new year, we pause to pray that Thou wouldst make us worthier of Thy love. Incline our hearts to seek Thy wisdom, to receive Thy grace, and to obey Thy commandments.

On this day of a new beginning—the first day of the rest of our lives—may we learn to labor in Thy love and to live in harmony with Thy laws. May we not impoverish others that we may prosper nor ignore the rights of the weak that we may make ourselves strong. Turn Thou our strength to the tasks of justice, mercy, and peace, so that, in our labors for the common good, we may find the joy and satisfaction of the righteous life.

Comfort our beloved colleague in his sorrow and be to him a tower of strength. In Thy holy name we pray. Amen.

THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

RESIGNATION FROM U.S. HOUSE OF REPRESENTATIVES

The SPEAKER laid before the House the following resignation from the U.S. House of Representatives:

WASHINGTON, D.C.,
September 16, 1971.

HON. CARL ALBERT,
Speaker, House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: I beg leave to inform you that I have this day transmitted to the Governor of the State of Vermont my resignation as a Representative in the Congress of the United States from the At Large District of the State of Vermont.

Respectfully yours,

ROBERT T. STAFFORD,
Member of Congress, Vermont.

CXVII—2039—Part 25

RESIGNATION AS MEMBER OF U.S. DELEGATION TO 17TH ANNUAL SESSION, NORTH ATLANTIC ASSEMBLY

The SPEAKER laid before the House the following resignation as a member of the U.S. delegation to the 17th annual session of the North Atlantic Assembly:

WASHINGTON D.C.
September 14, 1971.

HON. CARL ALBERT,
Speaker, House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: I hereby submit my resignation as a member of the United States Delegation to the 17th Annual Session of the North Atlantic Assembly (NATO) to be held in Ottawa, Canada, from September 24 to September 29, 1971.

Sincerely,

L. C. ARENDS.

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

There was no objection.

APPOINTMENT AS MEMBER OF U.S. GROUP, NORTH ATLANTIC ASSEMBLY

The SPEAKER. Pursuant to the provisions of section 1, Public Law 689, 84th Congress, as amended, the Chair appoints as a member of the U.S. group of the North Atlantic Assembly the gentleman from Michigan, Mr. RUPPE, to fill the existing vacancy thereon.

RED CHINA AND THE U.N.

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

Mr. SIKES. Mr. Speaker, I confess that I am puzzled by the frequent shift in my Government's policies. For years I have been proud of America's support for the Republic of China and I have watched that little country demonstrate an outstanding degree of success as an exponent of the capitalistic system of government. This is the more remarkable because Taiwan has borne a substantial share of the cost of the common defense in the Pacific and Taiwan, much more than most has demonstrated a willingness to stand beside us even in battle. Now I witness the strange spectacle of the United States embracing Red China, an enemy, and our worst critic and sponsoring that nation's membership in the United Nations. Thus, we are willing to help an enemy apparently to

the point of turning our back on a friend.

I cannot think this is helpful to America's image abroad. I wonder how much reliance other nations will now place on our commitments to them.

Would it not be better to stand with Taiwan? If we are defeated in the U.N. on this matter, it would not be the first time we have been defeated for a good cause. If we do not have sufficient influence in U.N. affairs to produce a favorable decision for sound policies, would it not be just as well to leave the U.N.? For years we have known that the U.N. is of questionable value. It contributes little except aimless rhetoric toward the solution of world problems. Without our financial support—we pay 40 percent of the cost, much more than any other country—it would fail anyway. Would it really be a serious loss to the world?

BUS OR BE DAMNED

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

Mr. FLOWERS. Mr. Speaker, I have just received some sad and disappointing news on a Federal court ruling involving public schools of Pleasant Grove, Ala., a small town in Jefferson County in my congressional district. It seems to me that this particular ruling shows the ridiculous extent of the interference in affairs of local school districts and communities by an overzealous Federal judiciary and bureaucracy.

Mr. Speaker, the only persons who will suffer, of course, will be the people—all of the people—children, parents, taxpayer citizens, both black and white. In this instance, a local school district made up entirely of the city of Pleasant Grove has been under the gun of a Federal judge to bus or be held in contempt of court—to bus or be damned, if you will. What is different here, Mr. Speaker? Why should Pleasant Grove complain? Have not numerous communities across this Nation had their education disrupted, confused, and downgraded by unnecessary and foolish decisions of this sort? This is absolutely true, but the Pleasant Grove case goes even further. Because Pleasant Grove owns not one single schoolbus—it never has—and it never will say the local school board. What is more, the students to be bused by these nonexistent buses are not even citizens of Pleasant Grove nor do they

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reside in the school district, but rather live miles away. Curiously enough, they mostly live within walking distance of another public school—practically brand new—but closed by court order.

Mr. Speaker, this decision is bad, but each one seems to get worse. Surely, there must be a stopping place somewhere and a beginning of a return to emphasizing quality education in the field of education. Children and the schools should not be tools of inept social planners in a free society.

CONSENT CALENDAR

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

VILLAGE OF ORLEANS, VT.

The Clerk called the bill (S. 708) for the relief of the village of Orleans, Vt.

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

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

There was no objection.

CORRECTING DEFICIENCIES IN THE LAW RELATING TO THE CRIMES OF COUNTERFEITING AND FORGERY

The Clerk called the bill (H.R. 9222) to correct deficiencies in the law relating to the crimes of counterfeiting and forgery.

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

H.R. 9222

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 500 of title 18, United States Code, as amended by section 6(j) (5) of the Postal Reorganization Act, Public Law 91-675, is further amended to read as follows:

"§ 500. Money orders

"Whoever, with intent to defraud, falsely makes, forges, counterfeits, engraves, or prints any order in imitation of or purporting to be a money order issued by or under the direction of the Post Office Department or Postal Service; or

"Whoever forges or counterfeits the signature or initials of any person authorized to issue money orders upon or to any money order, or postal note, or blank therefor provided or issued by or under the direction of the Post Office Department or Postal Service, or post office department or corporation of any foreign country, and payable in the United States, or any material signature or endorsement thereon, or any material signature to any receipt or certificate of identification thereof; or

"Whoever falsely alters, in any material respect, any such money order or postal note; or

"Whoever, with intent to defraud, passes, utters or publishes or attempts to pass, utter or publish any such forged or altered money order or postal note, knowing any material initials, signature, stamp impression or endorsement thereon to be false, forged, or counterfeited, or any material alteration therein to have been falsely made; or

"Whoever issues any money order or postal note without having previously received or paid the full amount of money payable therefor, with the purpose of fraudulently obtaining or receiving, or fraudulently enabling any other person, either directly or indirectly, to obtain or receive from the United States or Postal Service, or any officer, employee, or agent thereof, any sum of money whatever; or

"Whoever embezzles, steals, or knowingly converts to his own use or to the use of another, or without authority converts or disposes of any blank money order form provided by or under the authority of the Post Office Department or Postal Service; or

"Whoever receives or retains any such money order form with the intent to convert it to his own use or gain or use or gain of another knowing it to have been embezzled, stolen or converted; or

"Whoever, with intent to defraud the United States, the Postal Service, or any person, transmits, presents, or causes to be transmitted or presented, any money order or postal note knowing the same—

"(1) to contain any forged or counterfeited signature, initials, or any stamped impression, or

"(2) to contain any material alteration therein unlawfully made, or

"(3) to have been unlawfully issued without previous payment of the amount required to be paid upon such issue, or

"(4) to have been stamped without lawful authority; or

"Whoever steals, or with intent to defraud or without being lawfully authorized by the Post Office Department or Postal Service, receives, possesses, disposes of or attempts to dispose of any postal money order machine or any postal money order form or any stamp, tool, or instrument used in preparing or filling out the blanks on such money order forms—

"Shall be fined not more than \$5,000 or imprisoned no more than five years, or both."

With the following committee amendments:

Page 2, line 6, strike "endorsement" and insert "indorsement".

Page 2, line 14, strike "endorsement" and insert "indorsement".

Page 3, line 25, after "Instrument" insert "specifically designed to be".

The committee amendments were agreed to.

Mr. FLOWERS. Mr. Speaker, the bill H.R. 9222 would amend section 500 of title 18, United States Code, concerning the counterfeiting and forgery of money orders by restating the existing provisions of the section and by adding language to clarify the law and to extend the scope of the section. The amendments include provisions concerning the theft or conversion of blank money order forms and the unauthorized receipt, possession, or disposition of blank money order forms. The amended section would cover the theft of money-order machines or any stamp, tool, or instrument specifically designed to be used in preparing or filling out the blanks on a money order form and also the possession or disposition of those items without the lawful authorization of the Postal Service.

H.R. 9222 was introduced in accordance with the recommendations of the Postal Service which recommends enactment of the legislation. As indicated in the communication of the Postal Service, the amendments provided for in this

bill are necessary to bring the provisions of the section up to date and to correct specific deficiencies. In particular, the United States has encountered problems seeking convictions of persons accused of stealing or fraudulently passing money orders. This is indicated in investigative reports from all sections of the United States which show that the present provisions of section 500 of title 18 do not adequately cover many of the stolen and forged money order cases.

The Postal Inspection Service faces serious problems in attempting to block traffic by professional criminals in money orders stolen in blank in post office burglaries which are thereafter forged and passed throughout the United States.

An outline of the history of the provisions of section 500 of title 18 serves to illustrate how provisions developed to meet problems in the past now require amendment to meet the current situation in law enforcement in this phase of Federal activity. The postal money order system was established on May 17, 1864, by the enactment of a law during the first session of the 38th Congress (13 Stat. 76, ch. 87). Section 12 of that act provided sanctions for counterfeiting, forging, or knowingly passing any such falsely made postal money order. However, neither the original statute nor the law as presently codified in section 500 of title 18 proscribes the theft of blank money orders as such, the unlawful receipt or possession of such orders, or the theft or possession of postal money order issuing instruments and validating equipment. In policing the postal money order system and combating the modern day post office burglar and the sophisticated fencing apparatus with which the Government is now frequently confronted in these cases, postal inspectors and U.S. attorneys are now forced, at times, to rely on other statutes to provide a prosecutive means to curb the criminal acts just described. It must be recognized that these statutes were designed with other fundamental abuses in mind. They provide a rather poor fragmented substitute for the comprehensive money order law, which would be provided by section 500 of title 18 with the amendments proposed in H.R. 9222.

At a hearing on this bill, the committee was advised that in fiscal year 1970 postal accountability in terms of cash, postal stamps, or money orders, was maintained in 43,112 post offices and postal stations in our States and territories. The witness stated that a total of 1,972 criminal assaults occurred during the year on these facilities, ranging from highly professional torch attacks on walking security vaults, to simple sneak-thief attempts at service windows. Cash and stamp stock, totaling \$3,141,813, were stolen, as were 78,868 blank postal money orders. Since each money order may be issued in the maximum sum of \$100, this represents a potential gain of nearly \$8 million to the burglars and thieves. However, the continued improvement of security features with respect to the money order system together with improved loss notification and communication procedures has made

it impossible for the criminal element to realize the maximum profit from stolen orders. Thus, while over 78,000 blank money orders were stolen in fiscal 1970, only 4,868, in the total sum of approximately \$450,000 were fraudulently cashed during the year.

Prior to 1962, postal personnel wrote the amount on each order at the time it was issued. If blank money orders were stolen, the thief or passer had but to write this amount in himself. In June 1962, however, each post office and station was supplied one or more money order machines to be used in imprinting on the order the amount for which issued. The following year, only 1,861 stolen money orders were cashed. A 13.04-percent decline from the previous year.

At the hearing on July 21, 1971, the Postal Service witness observed that the criminal element is adept at devising new techniques with which to counter protective devices. Increasingly, since 1962, post office burglars have been stealing the money order imprinting machines, as well as other validating stamps and instruments, when they burglarize post offices. Apparently due to a recognition that they face increasingly rapid dissemination of loss notification procedures by the Government, burglars do not attempt to prepare and negotiate the stolen orders themselves, to the extent that they did in years past. In order to avoid this relatively hazardous act, they sell the blank orders and the validating equipment to fences, who, in turn, may sell to other fences, and so on, until they reach a person willing to assume the risk of passing the stolen orders.

In reviewing the language of the bill, the committee felt that a clarifying amendment should be made to the new language concerning the unauthorized receipt, possession, and disposal of validating equipment. The committee concluded that the language should be clarified to express the precise intent of this aspect of the bill, that is, to cover offenses involving issuing and validating equipment specifically designed to be used in preparing or filling out money order forms. Accordingly, the committee has recommended an amendment adding the words "specifically designed to be" following the words "stamp, tool, or instrument" in line 25 of page 3 of the bill so as to accomplish this purpose. Thus, the language will include items particularly utilized and required in the issuance of postal money orders while excluding items of general office use such as pens, pencils, and typewriters.

The committee has determined that there is a clearly defined need for the amendments to section 500 of title 18 as provided in the amended bill. With these amendments, the law concerning illegal activities involving money orders will be included in one section of title 18. The revised language will also more clearly define the offenses which adversely affect the operation of the postal money order system. It is recommended that the amended bill be considered favorably.

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

time, and passed, and a motion to reconsider was laid on the table.

DESIGNATION OF SAMUEL R. MCKELVIE NATIONAL FOREST

The Clerk called the bill (H.R. 9634) to change the name of the "Nebraska National Forest," Niobrara division, to the "Samuel R. McKelvie National Forest."

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

H.R. 9634

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the date of enactment of this Act the national forest situated in the State of Nebraska, Cherry County, known and designated as the "Nebraska National Forest", Niobrara division, shall be known and designated as the "Samuel R. McKelvie National Forest", Niobrara division. All laws, regulations, and public documents and records of the United States in which such national forest is designated or referred to under the name of the "Nebraska National Forest", Niobrara division, shall be held to refer to such national forest under and by the name of the "Samuel R. McKelvie National Forest".

With the following committee amendment:

Page 1, lines 7 and 8, strike out the words "Niobrara division" and insert in lieu thereof a period.

The committee amendment as agreed to.

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

EXTENSION OF AUTHORITY FOR INSURING LOANS UNDER THE CONSOLIDATED FARMERS HOME ADMINISTRATION ACT OF 1961

The Clerk called the bill (H.R. 10538) to extend the authority for insuring loans under the Consolidated Farmers Home Administration Act of 1961.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

FACILITATING THE ENFORCEMENT OF CERTAIN SHIPPING BY THE FEDERAL MARITIME COMMISSION

The Clerk called the bill (H.R. 755) to amend the Shipping Act, 1916, and the Intercoastal Shipping Act, 1933, to convert criminal penalties to civil penalties in certain instances, and for other purposes.

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

H.R. 755

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Shipping Act, 1916 (46 U.S.C. 801 et seq.), is amended as follows:

(a) By deleting that part of the first sentence in the last paragraph of section 15,

immediately preceding the proviso, and substituting the following:

"Whoever violates any provision of this section or of section 14b shall be subject to a civil penalty of not more than \$1,000 for each day such violation continues:"

(b) By deleting the last paragraph of section 16 and substituting the following:

"Whoever violates any provision of this section other than paragraphs First and Third hereof shall be subject to a civil penalty of not more than \$5,000 for each such violation.

"Whoever violates paragraphs First and Third hereof shall be guilty of a misdemeanor punishable by a fine of not more than \$5,000 for each offense."

(c) By deleting section 18(b) (6) and substituting the following:

"(6) Whoever violates any provision of this section shall be subject to a civil penalty of not more than \$1,000 for each day such violation continues."

(d) By deleting section 32 and substituting therefor the following:

"Sec. 32. (a) That whoever violates any provision of sections 14 through 21 and section 44 of this Act, except where a different penalty is provided, shall be subject to a civil penalty not to exceed \$5,000 for each such violation.

"(b) Whoever violates any provision of any other section of this Act, except where a different penalty is provided, shall be guilty of a misdemeanor punishable by fine not to exceed \$5,000."

(e) By adding the following as a new section 45:

"Sec. 45. Civil penalties provided for violations of sections 14 through 21 and 44 of this Act may be assessed by the Federal Maritime Commission."

(f) By renumbering present section 45 to section 46.

Sec. 2. The last sentence of section 2 of the Intercoastal Shipping Act, 1933 (46 U.S.C. 844), is amended to read as follows:

"Whoever violates any provision of this section shall be subject to a civil penalty to be imposed by the Federal Maritime Commission of not more than \$1,000 for each day such violation continues."

With the following committee amendments:

On page 3, line 1, insert the word "a" after the word "by".

On page 3, line 2, strike out the quotation marks.

On page 3, after line 2, insert the following: "(c) Whoever violates any order, rule or regulation of the Federal Maritime Commission made or issued in the exercise of its powers, duties, or functions, shall be subject to a civil penalty to be assessed by the Federal Maritime Commission of not more than \$1,000 for each day such violation continues."

On page 3, line 12, delete the word "imposed" and insert the word "assessed" in lieu thereof.

The committee amendments were agreed to.

Mr. DINGELL. Mr. Speaker, the bill would convert the penalties of section 16—except for paragraphs 1 and 3—of the act from criminal penalties to civil penalties, with the money amounts of the penalties to remain unchanged. It also changes the general penalty of section 32 of the act by making all violations of sections under the jurisdiction of the Federal Maritime Commission, for which no penalty is specifically provided, civil instead of criminal. Authority would be vested in the Commission to fix the

amount of civil penalties for violations of sections subject to its jurisdiction. Penalties assessed by the Commission would be remitted or mitigated by it under appropriate circumstances pursuant to the Federal Claims Collection Act of 1966, 31 U.S.C. 951-953, and regulations promulgated thereunder. Since the bill would authorize the Commission to assess civil penalties, sections 15 and 18(b) (6) would be amended to eliminate the words "to be recovered by the United States in a civil action."

As the act now stands, civil penalties are imposed for violations of section 15, which requires the filing for approval of agreements restricting competition, and of section 18(b), which requires the filing of tariffs. However, the penalties of section 14, which prohibits deferred rebates and other unfair practices, and section 16, which prohibits false billing and undue preferences, are criminal.

H.R. 755 is designed to facilitate enforcement of certain statutes administered by the Federal Maritime Commission. It was requested by the Commission so as to permit the Commission to assess civil penalties for violations of some sections of the shipping statutes in a manner similar to the enforcement machinery used by other Federal agencies dealing with industries subject to their jurisdiction. This bill would supplant a more cumbersome present procedure in which a violator must be charged with a crime and the matter must be handled by the Department of Justice as are other Federal criminal offenses and also civil offenses.

The present system has resulted in the imposition of widely different penalties for similar offenses, depending upon the court having jurisdiction. The present bill would also eliminate the necessity of a *de novo* district court penalty suit as is presently required and would enable the Commission to relate the amount of the penalty directly to the nature and circumstances of the violation. Thus, the Commission, with its special appreciation of the consequences of certain types of offenses and with its experience covering administration of the statutes, will be able to fix the penalties in a more evenhanded and equitable way. Such a procedure should also, in many instances, reduce the total litigation expenses to both the Government and private parties while at the same time retaining the safeguards of justice through the reviewability of Commission decisions in U.S. courts of appeals.

The committee adopted one substitute amendment which would specifically provide a civil penalty of not more than \$1,000 for each day of a violation of an order, rule or regulation of the Commission. This would bring into line penalties for violations of the Commission's orders and regulations with the penalties for violation of the statute and bring into play the same procedure for their imposition and conclusion.

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

THE KENNEDY CENTER

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

Mr. RONCALIO. Mr. Speaker, with the official opening last week of the John F. Kennedy Center for the Performing Arts, the imagination of the American public has been sparked by the potential of a cultural workshop and showplace benefiting a national capital.

To keep faith with this promise, the Congress must view this achievement as not the fulfillment, but only one plateau in a continuing effort which will require our fullest understanding and support.

Unless the center receives support in the form of Federal expenditures, the apprehensions of its critics will be vindicated and the expectations of the public frustrated.

Marquis Childs, in his recent column on the center, convincingly outlines the contributions which other nations, nations less populous or prosperous, have made to the development of the arts.

If Washington is to take its rightful place among the centers of the arts, we can do no less.

I respectfully direct my colleagues to the Childs column and ask that they recognize that the congressional support for the center must take into consideration the necessity for continuing Federal expenditures:

KENNEDY CENTER NEEDS SUBSIDY (By Marquis Childs)

This capital has just been through a kulturkampf that left behind bruised egos and rancorous feelings, and yet with all the uproar there was a sense of moving into a new age. The occasion was the formal opening of the Kennedy Center for the Performing Arts with three dedicatory performances.

Both with the huge marble center and with the premier presentation, Leonard Bernstein's mass, it was not hard to find fault, and the professionals in this department were quick to rush into the breach. The miracle seemed, however, that with all the pulling and hauling from so many different directions, the center had actually come into being.

As first signed into law by President Eisenhower, in 1958, the national cultural center was to be built with voluntary contributions. This didn't work. Early in 1964, following the assassination of John F. Kennedy, his successor, Lyndon Johnson, rushed through bipartisan legislation calling for dedication of the center as a memorial to the murdered President and providing \$15.5 million in federal money to be matched by private giving.

Two years ago President Nixon got through legislation providing an additional \$7.5 million. The site on the Potomac River had been an initial contribution by Congress.

From the beginning the going has been tough. In a survival of the puritan ethic, many members of Congress have felt it was immoral to spend the taxpayers' money on the arts. If people wanted to hear opera and orchestral concerts, let them pay for it.

This makes evident the serious problem ahead for the huge \$76 million center. If it is to fulfill its function and make music and theater available, not just to a few rich opera lovers, but to a broader public, there must be a generous annual subsidy that can come only from Congress. While without such a subsidy the concert halls may be filled, the vision of a center that would encourage the

experimental, the new, and the untried will not come to life.

Every other Western nation has a long established tradition of public support for the arts. Without government subsidies such costly entertainment as opera could scarcely survive with any hope of a high standard of excellence and particularly in light of worldwide inflation. The contrast with the United States, rated the richest nation, is striking.

Austria has a state budget for music and theater equivalent to \$3 per capita. In addition, provincial governments contribute to the arts. Granted that this is in part a practical matter, the superb Vienna State opera and the Salzburg music festivals being conspicuous tourism attractions. Nevertheless it is a national tradition that makes available to all income levels the best in theater and music.

Finland, with a population of 4,700,000, has a national opera and several subsidized theatrical companies with a remarkable standard of excellence. State and local community aid to the performing arts is about \$1 per capita.

After the cloud of controversy subsides the important fact remains—the center is in being with facilities for opera and ballet long needed in this cultural desert. This is bound to mean a cross-fertilization of the arts on both the national and international level.

Among the guests coming from abroad for the opening of the center was Austria's Minister of Education and Arts Leopold Graz. With him was the new director of the Vienna State Opera, Rudolph Sarusjeger. One objective was to negotiate an appearance of the Vienna opera for the season of 1973. This has hitherto been considered all but impossible because of the union demands to pay an orchestra and singers who do not perform.

By including a variety of expenditures, many of them hardly relevant, the U.S. government in 1970 spent on the arts at the rate of 19 cents per capita. This was up from 1969, when the rate was 10 cents. The total spending figure of \$39,505,000 includes \$9,150,000 for the National Endowment for the Arts and \$15 million for the Public Broadcasting Corp.

That is a minuscule sum for an affluent people approaching the 200th year of nationhood. The Kennedy Center provides an excellent opportunity to make up for long indifference and neglect.

CHANGE OF PROGRAM

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

Mr. ARENDS. Mr. Speaker, I have requested this time in order that I might ask the distinguished majority leader if the gentleman will tell us of any change in the program anticipated for the balance of this week.

Mr. BOGGS. Mr. Speaker, will the distinguished gentleman yield?

Mr. ARENDS. I yield to the gentleman from Louisiana.

Mr. BOGGS. Mr. Speaker, in response to the inquiry of the gentleman from Illinois, the distinguished minority whip, I might inform the House that due to the untimely death of Mrs. Wiggins, Mr. WIGGINS being the author of one of the amendments to the proposed equal rights amendment, we have delayed consideration of the equal rights amendment and are taking it off the calendar for this week. We will call up H.R. 10351, the Economic Opportunity Act amendments, on Wednesday, subject to a rule being granted.

LEGISLATION DESIGNED TO BRING ABOUT REFORM IN CORRECTIONAL INSTITUTIONS

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

Mr. KASTENMEIER. Mr. Speaker, the tragedy which occurred at Attica has again pointed up the need for reform in our prisons and correctional institutions.

I want to assure the House that the subcommittee which I chair of the Committee on the Judiciary, Subcommittee No. 3, has already undertaken the difficult subject of corrections reform.

Mr. Speaker, we have already held a series of hearings on this matter. We will visit institutions throughout America in the next several months. It is our intention to report out a bill which will make some progress in the field of reform of corrections in America sometime during this Congress.

We will not, Mr. Speaker, however, be panicked by events, however tragic and however compelling they are in terms of newspaper headlines. This subcommittee will proceed in an orderly fashion, and, as I have suggested, it is our intention to report out legislation during this Congress. This is our mandate and this is our pledge to the House of Representatives.

URGENT NEED FOR ENACTMENT OF HOUSE JOINT RESOLUTION 651

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

Mr. BROYHILL of Virginia. Mr. Speaker, with the headline "Nixon Takes Backseat as Schoolbuses Roll," the Christian Science Monitor keyed the views, as reported by the press generally, of the opening of the Nation's public schools, in early September 1971. It had been feared by some that the President's August 3, 1971, statement that he was "against busing as that term is commonly used in school desegregation" would have a disrupting effect. However, except in a few isolated instances serious trouble did not materialize when and as expected.

To be sure, in Pontiac, Mich., where 10 school buses had been destroyed the week before, nine protestors were arrested on the first day and four more on the second day of busing in an attempt to achieve desegregation. In Boston, also, there was protest; and in many southern cities there was "confusion." But Gov. George C. Wallace's threat of confrontation in Montgomery, Ala., did not occur. In Jacksonville and Orlando, Fla., the busing went smoothly and in cities where antibusing demonstrations did take place and where white students boycotted classes on the first day of school a gradual increase in white enrollment could be noted in the days that followed.

This apparent widespread compliance with the edict of the Swann decision that school boards must make every

effort to achieve the greatest possible degree of actual desegregation even, if necessary, by forced busing, should be a warning signal to all lovers of liberty, whether black or white. Once the buses really start rolling, with the tremendous financial outlays that will entail, once the machinery of forcing children to attend a nonneighborhood school is put in motion, it will become harder and harder to step on the brakes.

If the vested economic as well as other interests become entrenched and the people become more and more used to such controls, the regaining of lost liberty will become more difficult. All of this makes the need for speed in the passage of House Joint Resolution 651 the more impelling. Enactment of this joint resolution, of which I am a sponsor, would be a step toward retention of what is left of the liberties of the American people.

Mr. Speaker, I insert in the RECORD at this point brief excerpts from the article in the Christian Science Monitor to which my remarks relate.

[Excerpts from Christian Science Monitor, Sept. 9, 1971, pp. 1 and 2]

NIXON TAKES BACKSEAT AS SCHOOL BUSES ROLL

(By William S. Selover)

As countless big, boxy, yellow school buses revved up this week to help carry out court-ordered desegregation of the nation's schools, the Nixon administration position "against bussing" took a distinct backseat.

The President's widely proclaimed pledge to hold federally imposed bussing "to the minimum required by law" still allows for massive amounts of bussing, in both the North and South, despite the calculated White House impression to the contrary.

While the first days of bussing in the new school year saw some rocky going, in most instances the transition has been smooth and the use of buses to achieve desegregation has been more troublefree than had been feared by administration critics.

These critics had charged that President Nixon's Aug. 3 statement that he was "against bussing as that term is commonly used in school desegregation" would have a disruptive effect when schools opened.

RELATIVE CALM

Officials here are pointing to the relative calm with which the bussing has been accepted in places where trouble had threatened.

In Jacksonville and Orlando, Fla., new bussing plans were put into effect with little trouble other than nominal confusion. This same pattern has been repeated in other Southern cities. A threatened confrontation involving Gov. George C. Wallace in Montgomery, Ala., did not materialize.

Some cities where protests and demonstrations marked the opening days of school—and where a number of white pupils boycotted classes—have seen a gradual increase of white enrollment as the school days pass. This has occurred in Savannah and Chatham County, Ga.

Pontiac, Mich., where 10 school buses were destroyed by bombs a week ago, was one of the most troubled systems. Nine protestors were arrested Tuesday for attempting to block the first day's run of desegregation buses. Four more were arrested Wednesday, but the bussing went off as scheduled.

Protests also continued in Boston over a racial balancing plan.

But in places such as Indianapolis, Ind., and Kalamazoo, Mich., large-scale bussing to

achieve racial balance was carried out peacefully.

Most school administrators who had carefully put together desegregation plans under the guidance of the Department of Health, Education, and Welfare following the April landmark desegregation decision by the United States Supreme Court took the President's Aug. 3 statements as something of a rhetorical exercise.

There was a good deal of initial consternation from school boards from around the country following the President's Aug. 3 statement. Many boards had worked most of the summer to draw up desegregation plans. But most were more impressed by the Supreme Court's April ruling in the Swann case than they were with White House pledges to oppose "bussing for bussing's sake."

DAIRYMEN'S BARGAINING ACT

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

Mr. SISK. Mr. Speaker, I introduce for appropriate reference, a bill to be known as the Dairymen's Bargaining Act.

Over the years, cooperatives have developed workable, relatively effective methods for bargaining for prices on behalf of their farmers.

In today's highly competitive economy, however, new legislation is needed to strengthen the ability of cooperatives to bargain still more effectively.

Why?

With ever-enlarging competitive organizations, cooperatives find it increasingly difficult to effectively represent their farmers in the marketing place. Economic inequities continue to occur, such as:

First. Prices for farmers are inadequate.

Second. Milk marketing costs often must be inequitably borne by the cooperatives and their farmer members, even though results accrue to the benefit of all farmers, the processors, and the consuming public.

Third. The lack of bargaining authority both for prices and related services results in reduced income to dairy farmers. This handicaps their ability to produce and maintain a good supply of quality milk. As well, it reduces farmers' ability to purchase essential equipment and services, and to pay for increasing cost of labor, taxes, and other items. As a result, there are also adverse economic effects on industries dependent upon farm purchasing power.

The proposed legislation would mitigate, or eliminate, many of these inequities and undesirable conditions. By providing more orderly and effective bargaining procedures, dairy cooperatives would be able to negotiate more effectively, first, for the terms and conditions under which milk will be supplied; and, second, for services rendered in connection with the marketing of milk.

During September 20 to October 1, the Subcommittee on Domestic Marketing and Consumer Relations of the Committee on Agriculture will hold hearings on general farm bargaining bills. The hearings will include consideration of the Dairymen's Bargaining Act.

At this time, I submit the proposed act for printing in the RECORD.

H.R. 10770

A bill to establish more orderly bargaining procedures, to enable dairy cooperatives to negotiate more effectively for terms and conditions of the sale of milk, to provide compensation for performance of services essential to the marketing of milk, to eliminate inequities in existing marketing practices, to insure an adequate regular supply of good, healthful milk to consumers, and for other purposes

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

SECTION 1. This Act may be cited as the Dairymen's Bargaining Act.

SEC. 2. Disorderly conditions in the marketing of milk, inadequate prices paid dairy farmers for milk, inadequate compensation for services performed in connection with the marketing of milk, unequal distribution of the costs of providing such services, the lack of adequate provisions concerning responsibility for the performance of such services, and the lack of adequate bargaining power of dairy farmers and dairy cooperatives, adversely affect interstate and foreign commerce, impede the free and orderly flow thereof, and interfere with the production of goods for such commerce. It is the purpose of this Act to mitigate or eliminate these conditions by providing orderly bargaining procedures whereby dairy cooperatives supplying milk to a market can negotiate effectively for the terms and conditions under which milk will be supplied and for the terms and conditions under which services will be provided in connection with the marketing of milk.

SEC. 3. For the purposes of this Act—

(a) "Commerce" means interstate and foreign commerce as covered by the Marketing Agreement Act and the interpretations and applications of that Act with regard to such commerce shall be applicable to this Act.

(b) "Board" means a National Milk Marketing Board established under the authority of this Act.

(c) "Marketing Agreement Act" means the Agricultural Marketing Agreement Act of 1937, as amended, and as the same may be further amended.

(d) "Marketing order" means a Federal milk marketing order in effect under the Marketing Agreement Act.

(e) "Cooperative" means a cooperative marketing association as defined in the applicable marketing order. It includes also a federation, or marketing agency in common, of such cooperatives.

(f) "Person" means any individual, partnership, corporation, association, cooperative or other business unit.

(g) "Certified agency" means an agency, organized by one or more cooperatives, which has been certified by the Board as the bargaining agent for an applicable marketing order for the purposes of this Act.

(h) "Producer" means a producer as defined in the applicable marketing order.

(i) "Producer milk" means milk received from producers.

(j) "Handler" means a handler as defined in the applicable marketing order.

(k) "Negotiated price" means that portion of the price, terms, and conditions of sale for milk which is over the minimum price established by the applicable marketing order for any use classification.

(l) "Department" means the United States Department of Agriculture.

(m) "Secretary" means the Secretary of Agriculture of the United States.

(n) References herein to a handler, plant, cooperative, certified agency, board, the Department, the Secretary, or any other person or entity to which this Act applies includes any officer, employee or other person

authorized to act for such respective principals in any matter under this Act.

SEC. 4. There is hereby created a National Milk Marketing Board which shall be an independent agency of the United States. The Board shall consist of twelve directors to be appointed by the President of the United States after giving consideration to the nominees selected in the following manner. One director shall be nominated by the Secretary. Seven directors shall be nominated by cooperatives qualified under the several marketing orders in effect at the time of their election. Four directors shall be nominated by handlers regulated under the several marketing orders in effect at the time of their election.

SEC. 5. The Secretary shall conduct all proceedings for nominations for directors and shall certify all such nominations to the President. Voting by cooperatives and by handlers shall be related to volume of milk regulated under applicable marketing orders. The Secretary shall divide the marketing orders into seven producer districts, giving consideration to volume of milk marketed, geography, types of operations of cooperative associations and other factors. Each such producer district shall be entitled to nominate one director. The Secretary shall divide the marketing orders into four handler districts, each of which shall be entitled to nominate one director. Such districts may be revised from time to time. All such districts shall be designated, and the method of conducting all proceedings for nominations, shall be prescribed by regulation promulgated by the Secretary.

SEC. 6. The terms of directors shall be three years, except that the Secretary shall provide, by regulation, for staggered terms. Vacancies shall not impair the authority of the remaining directors to act. Seven directors shall constitute a quorum. The Board shall elect its own officers, may employ necessary staff, may utilize the services and facilities of the Department, and shall be authorized to do all things necessary to carry out its functions under this Act. The compensation of directors shall be prescribed by the Secretary by regulation.

SEC. 7. The Board shall:

(a) Designate certified agencies pursuant to this Act;

(b) Receive, investigate, hear, and adjudicate complaints under this Act;

(c) Enforce prices and the payments of rates for services determined in accordance with bargaining agreements entered into with handlers by certified agencies under this Act;

(d) Have the cooperation of the Secretary in making available necessary information relative to milk marketing orders pertinent to investigations, hearings, or enforcement actions of the Board;

(e) Promulgate regulations to effectuate the purposes of this Act; and

(f) Do all things necessary or incidental to the performance of its functions under this Act or which are necessary to accomplish the objectives of this Act.

SEC. 8. When requested to do so by one or more cooperatives, which represent substantial amounts of producer milk supplied to handlers regulated by a marketing order, the Board shall hold a public hearing to determine whether an agency is entitled to be certified as a certified agency.

SEC. 9. The Board shall certify such agency as a certified agency if the Board finds:

(a) That such agency, through its member cooperative or cooperatives, will represent more than 50 per centum of the producers, and more than 50 per centum of the producer milk, under such marketing order;

(b) That all of the cooperatives represented in such agency will be cooperatives qualified under such marketing order;

(c) That such agency will be capable of performing, or of having performed under

its direction and as its responsibility, all of the services for producers, handlers, and the market, which it includes in its request for certification; and

(d) That such agency offers membership in the agency on a reasonable basis with proportionate representation to all cooperatives qualified under the marketing order, and will notify all qualified cooperatives of agency meetings.

Such representation shall be related to number of producers, or to volume of producer milk, or a combination thereof, as prescribed in the applicable certification. Those cooperatives which accept such offer shall become members of the agency.

The Board may, in any such certification, include conditions and limitations consistent with this Act and with the purposes and objectives of this Act. Certifications issued by the Board may be amended.

The name of the certified agency shall be related to the applicable marketing order and not to any cooperative.

SEC. 10. The certified agency shall have authority:

(a) To bargain with handlers for prices to be paid for all producer milk in excess of the minimum prices prescribed in the applicable marketing order, except prices for producer milk in the lowest use classification under the marketing order.

Prices negotiated by the certified agency shall be uniform as to all handlers to the same extent that uniform prices are required under the Marketing Agreement Act.

Prices for producer milk in any use classification, except the lowest use classification, negotiated by the certified agency with handlers receiving more than 50 per centum of the producer milk received by all handlers in any such use classification shall be binding on all handlers in the same manner and with the same force and effect as minimum prices prescribed in the marketing order.

Negotiated prices shall be made applicable on an equal basis to milk received by handlers in bulk form from sources other than producer milk. Negotiated prices shall be made applicable to milk received by handlers or otherwise entering the marketing area in packaged form from sources other than producer milk to the same extent that such packaged milk is subject to regulation under the terms of the applicable marketing order. Negotiated prices may be made applicable to producer milk which is disposed of outside of the marketing area or the negotiated agreement may exclude such milk. This Act shall not preclude any cooperative or producer from bargaining for a price above the negotiated price for any use classification.

(b) To bargain with handlers for services to be performed and the minimum rates to be paid for services related to the marketing of milk. The certified agency shall be primarily responsible for the performance of any services negotiated by it but it may have any or all of such services performed by others. The certified agency shall have no power to require any cooperative or other person to perform services, unless such cooperative or other person shall agree to do so. The negotiated agreement shall not preclude any cooperative from performing services for any handler, except that the rate charged shall not be less than the negotiated rate for similar services.

Rates for services negotiated by the certified agency shall not be discriminatory as to any handler, taking into consideration variations in service, cost, and circumstances.

Minimum rates for services relating to producer milk in any use classification, negotiated by the certified agency with handlers receiving more than 50 per centum of the producer milk received by all handlers in any such use classification shall be binding on all handlers in the same manner and with the same force and effect as the minimum price prescribed in the marketing orders.

Rates for services negotiated by the certified agency shall not be binding on milk received by handlers from sources other than producer milk, except to the extent that any handler shall agree to pay the same.

(c) To provide services for producers and to pay for such services, including payment to itself. The certified agency may not preclude any cooperative from performing services for its members.

(d) To provide services for the market generally and to pay for such services, including payment to itself. Except with respect to its bargaining operations, the certified agency shall not provide representation for any producer or any cooperative at any hearing, or proceeding where statements may be filed, if it is notified not to provide such representation. In the absence of such notice, the certified agency may represent all producers and all cooperatives.

(e) To collect from handlers all prices for milk negotiated by the bargaining agency in excess of the minimum prices provided in the marketing order and all charges for services negotiated by the certified agency in excess of any charges provided in the marketing order, except that the agency shall not collect from a handler, including a cooperative operating in its capacity as a handler, for services performed on its own behalf.

(f) To use any funds arising under this Act to pay such compensation and expenses as may be necessary to provide any of the services authorized by this Act, including compensation and expenses allowed and paid to the certified agency or to any of its members. This shall include operating costs, staff, and all other costs and expenses related to the performance of the functions of the certified agency.

Reasonable reserves and capital may be accumulated by the certified agency.

All such payments, allowances, reserves, and capital shall be reasonable, shall be subject to demonstrated cost, shall be subject to review by the Board upon the complaint of any interested party and may be limited in the certification of the agency.

(g) To pay producers, either directly, or through their respective cooperatives, or through handlers, the respective amounts due such producers out of any funds collected by the certified agency under the authority of this Act. Any cooperative may request that such payment be made through it. The amount due producers shall be the balance remaining from collections on the milk supplied by them less authorized deductions.

In the case of milk received by handlers from other than producer sources, the amounts collected, less authorized deductions, shall be paid to the sellers of such milk by the certified agency either directly or through the handlers acquiring such milk.

In no case will the certified agency bind any cooperative to any action which will interfere with any marketing contract or membership agreement between the cooperative and any of its members.

The certified agency may use the facilities of the market administrator of an order for a marketing area to collect funds, pool proceeds, and disburse funds in payment of prices and services negotiated under this Act.

Sec. 11. All decisions of the certified agency shall be supported by a vote of two-thirds or more of the votes represented through the certified agency.

Sec. 12. Each certified agency shall be adequately bonded.

Sec. 13. In the case of a cooperative which does not process milk, other than preliminary processing prior to shipment or sale to a processor as bulk milk, the producers and producer milk represented by such cooperative shall be counted in determining whether a certified agency represents more than 50 percent of the producers and more than 50 percent of the producer milk.

In the case of a cooperative which does processing other than preliminary processing, the cooperative may elect to be counted on the producer side or on the handler side under this Act. If it elects to be counted on the producer side, its processing volume shall not be counted in determining the percentage of producer milk received by all handlers. If it elects to be counted on the handler side, its producers and producer milk shall not be counted in determining the percentage of producers and producer milk. If it elects to be counted as a handler, it shall be considered a handler for bargaining purposes and shall not participate in the certified agency.

Sec. 14. The certification of a certified agency shall be terminated by the Board (1) if the Board finds that the certified agency is not operating in a manner consistent with the objectives of this Act or (2) if the certified agency requests such termination or (3) if the certified agency, through its member cooperative or cooperatives, shall cease to represent more than 50 percent of the producers, and more than 50 percent of the producer milk, under the applicable marketing order. The effective date of such termination shall be set by the Board, and equitable provisions shall be prescribed by the Board for the adjustment and settlement of any outstanding contracts and accounts.

Sec. 15. All contracts and commitments entered into under this Act shall be subject to modification or cancellation (1) by the Secretary in a proceeding for undue enhancement of prices, (2) by the Board upon termination of the certification of the certified agency, and (3) by the Board upon a determination that the contract or commitment is contrary to the purposes and objectives of this Act or is unlawful. Equitable conditions for any such modification or cancellation may be prescribed. The provisions of this section shall be deemed a part of each contract and commitment entered into under this Act.

Sec. 16. This Act shall be applicable to producer-handlers to the same extent that the Marketing Agreement Act shall be applicable to producer-handlers.

Sec. 17. It shall be lawful for a certified agency, or for any cooperative or group of cooperatives, to meet at the same time and place with one or more, or with all, handlers for the purpose of bargaining in good faith and at arms-length with such handlers; and any one or more, or all, handlers may meet at the same time and place with a certified agency, or with any cooperative or group of cooperatives, for the purpose of bargaining in good faith and at arms-length in the respective individual capacities of such handlers.

Sec. 18. All actions concerning the legality of this Act, or of any provision thereof, or of any action taken or contract or commitment entered into pursuant to this Act, and all actions and complaints arising under this Act, shall first be brought before the Board for its consideration and decision. This section shall not apply to enforcement actions brought by the Board or the certified agency or to proceedings for undue enhancement of prices.

Sec. 19. The procedures provided in the Marketing Agreement Act (7 U.S.C. Sec. 608c (15)) for actions before the Secretary shall apply under this Act to actions before the Board, except that actions before the Board under this Act may be instituted by any handler, producer, cooperative, or certified agency, directly affected under this Act, and except that appeals from decisions of the Board shall go directly to the United States Court of Appeals.

Sec. 20. All of the enforcement powers, and all of the actions and procedures, available to the Secretary under the Marketing Agreement Act are made applicable to this

Act and shall be available to the Board and to certified agencies under this Act.

Sec. 21. Pending a final decision in any enforcement action or in any action brought before the Board, including appeals, any payments being contested shall be paid.

Sec. 22. If the Secretary shall have reason to believe that the activities of any certified agency have unduly enhanced prices for milk, he shall initiate a proceeding to determine whether such activities have, in fact, unduly enhanced such prices; and, if so, he shall cause a cease and desist order to be issued against such activities as are found to be resulting in such undue enhancement of prices.

The procedures provided in section 2 of the Capper-Volstead Act (7 U.S.C. Sec. 292) shall be applicable to proceedings under this section.

Sec. 23. The Secretary may prescribe regulations relating to his responsibilities under this Act, after notice and hearing, in the same manner that regulations are prescribed under the Marketing Agreement Act. The Board may prescribe regulations relating to its responsibility under this Act, after notice and hearing, in the same manner that regulations are prescribed under the marketing Agreement Act.

Sec. 24. This Act does not amend, alter, or repeal any provision of the Marketing Agreement Act.

Sec. 25. If any of the provisions of this Act or any of the applications thereof are held invalid, the remainder of this Act and other applications shall not be affected but shall remain in full force and effect.

Sec. 26. There is hereby authorized to be appropriated such funds as may be necessary to carry out the purposes of this Act.

THE UNITED NATIONS

The SPEAKER. Under a previous order of the House the gentleman from Missouri (Mr. HUNGATE) is recognized for 1 hour.

(Mr. HUNGATE asked and was given permission to revise and extend his remarks and to include extraneous matter.)

Mr. HUNGATE. Mr. Speaker, I have requested this special order today to bring the attention of the House to the United Nations and to try to emphasize the urgent need for the Congress to participate in the development of the future role of that organization and its relationship with the United States.

The United Nations today—

As Richard N. Gardner has written—

Probably enjoys less confidence on the part of its members and the public at large than at any previous time in history. The obvious reason is its inability to deal with the central problems of war and peace in the world.

And, I would add, its failure to deal with international outlaws engaged in illicit drug traffic, skyjacking, and kidnapping. He wrote:

The decline of the United Nations is particularly notable in the United States, the country which took the leading role in its formation and provided far and away its greatest single source of support. The present American attitude toward the organization, however, is less irritation than indifference. The American people seem less interested in the United Nations than ever before—as may be verified by the empty galleries at U.N. meetings and the decline of its press coverage.

My resolution, cosponsored by 66 of my colleagues, expresses the sense of Congress that—

First. The United States should continue in its historic role of providing world leadership in working for modernization and reform of the United Nations, and toward the establishment and preservation of a civilized family of nations in accordance with the highest aspirations of mankind.

Second. The President is requested to initiate high-level studies in the executive branch of the Government to determine what changes should be made in the charter to promote a just and lasting peace through the development of the rule of law, including protection of individual rights and liberties as well as the field of war prevention. The President is further requested to report to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives before March 31, 1972, the results of such studies.

Third. The Government of the United States should support the formal calling of a conference to review the United Nations Charter in accordance with article 109 of the charter, not later than 1974.

Our aim is to encourage U.S. participation and leadership in submitting views and suggestions to the Secretary-General and to provide the opportunity for Congress to express itself on U.N. Charter review and participate in developing the U.S. position.

The basic purpose of U.S. foreign policy is achievement of a just and lasting peace and advancement of fundamental human rights and freedoms. No such peace and no such rights can exist without the development of the rule of law and of the institutions of law in the international community.

The United States, as the first nation to ratify the Charter of the United Nations, and as the nation which at the 10th U.N. General Assembly provided the leadership in obtaining an overwhelming vote favoring convening of a conference to review the U.N. Charter at an appropriate time, should continue its initiative.

With our police courts clogged and the International Court of Justice virtually unused, let us declare this an appropriate time for the reexamination and, if possible, invigoration of the machinery for the peaceful settlement of international disputes, and as a forum open to all men for the certain protection of their basic human rights.

Gen. Carlos Romulo, Foreign Minister of the Philippines, provided the leadership of the fight for charter review. General Romulo, who was a signer of the United Nations Charter, said he thinks the charter should be rewritten to cover "changed circumstances" in international politics.

When we wrote the Charter, none of us knew anything about the atom bomb—

Romulo said—

also, the Charter is designed for open aggression only. Since 1945, new kinds of aggression have appeared: aggression by propaganda, aggression by subversion. We need a better definition of aggression.

Romulo also points out that a provision in the charter suggested restudy of the document after 10 years.

On April 26 of this year, Ambassador Henry Cabot Lodge, Chairman of the President's Commission for the Observance of the 25th Anniversary of the United Nations, submitted the Commission's report to the President following their extensive study of the United Nations.

In his letter of transmittal to the President, Ambassador Lodge stated:

The aim of the Commission was to recommend measures to increase the effectiveness of the United Nations and of U.S. participation therein.

In order to obtain a better understanding of opinion at the grass roots, the Commission held public hearings in six cities.

On October 20, 1970, hearings were held in St. Louis, Mo., where James S. McDonnell served as General Chairman. Prince Souvanna Phouma of Laos spoke at a luncheon during the hearings which were conducted by Senator J. WILLIAM FULBRIGHT, and testimony was heard from the following witnesses: Thomas J. Badger, Hon. Doris Bass, Milford Bohm, Donald A. Bopp, Alan Braunschweiger, Dr. Estelle Brodman, Rev. Russell D. Carnagey, Prof. Nicholas J. Demerath, Miss Frances Fabick, W. O. Farwig, Julius Frazer, Dr. Patrick J. Gunkel, Miss Dorothy Helfrich, Hon. WILLIAM L. HUNGATE, Prof. Frank Klingberg, Dr. Leguey-Feilleux, James S. McDonnell, Mrs. W. D. McDowell, David A. Meeker, Dr. Robert P. Morgan, Rev. Earl Mulley, John Porter, Dr. Paul R. Schratz, Dr. Robert E. Shank, Mrs. Laurence Shayer, Hon. JAMES SYMINGTON, Mrs. B. L. Thompson, Hamilton Thornton, Rev. Charles N. Uveling, Roy Unnerstall, and Howard B. Woods.

Opinion on the United Nations was far from unanimous, but great benefits were derived from the free exchange of views as to the proper approach to international problems affecting us all.

The Commission's report makes many general recommendations for invigorating the United Nations and the role of the United States in the organization. The summary of recommendations includes the following:

That the United States:

Undertake bold new initiatives to revitalize the peacekeeping capabilities of the U.N.;

Announce specific steps it is willing to take or support in order to overcome crucial weaknesses in the present U.N. system;

Indicate its readiness to cooperate fully with the U.N. and other countries in developing contingents and specialized units for a U.N. peace reserve;

Support measures to make the International Court of Justice more accessible and more responsive to the needs of the states, especially the developing states;

Impress on the Court the need not merely for extensive reform of its procedures, but for a fresh look at the responsibilities and opportunities of the Court as the principal judicial organ of the U.N.; and

Encourage the establishment of regional international courts which could

serve as courts of original jurisdiction while allowing appeals to the International Court of Justice.

The American Bar Associations Journal offers the following critique of the report:

It is a keen disappointment. Perhaps because it was thought that recommendations had to command agreement by all fifty members of the commission, the result is a report of broad generalities which takes positions that seem to represent the least common denominator on all troublesome issues.

Although some of the recommendations are perhaps unexceptionable, there is no analysis of the problems of the present system or discussion of the difficulties that might be expected from the recommendations that are made. For example, in a five-page section on the international court of justice, the commission points out the striking circumstance that: "Except for a request by the security council for an advisory opinion of Nambia, the docket of the International court of justice, the principal judicial organ of the United Nations, is empty."

But what are the commission's recommendations to cure this problem fundamental to the continued viability of the court? Well, the commission says that the court should revise what are characterized as "archaic procedural rules and the practice and attitude of the court", without giving any specific examples of what is wrong. The commission also says that the court should be transformed into an advisory institution as well as a decision-making body, but there is no discussion of the question whether the consequences of such a step might not be that all the court's decisions would come to be regarded as advisory.

It is to be hoped that the President will not take the vagueness and unsatisfactory nature of this report as an excuse for inaction. There remain the hard problems of making the United Nations and the international court of justice effective. The President should request further detailed study and analysis of these problems by Federal agencies and officials, lawyers, private citizens and institutions interested in the welfare of the United Nations. Perhaps from these concerted efforts, meaningful reforms can be proposed and effected so that the United Nations can truly become, as the American public still regards it, "the last best hope of peace."

However, despite any other weaknesses in its report, the Commission recommends that the United States submit to the General Assembly a comprehensive and candid statement of the basic reforms required in its organization and procedures in order to prevent the assembly from becoming increasingly incapable of dealing with the major issues facing the world today.

The Commission also recommends that the President consider the creation of a nonpartisan citizen and congressional commission on the U.N., once in every administration to reappraise U.S. policy and participation in the U.N. to hold public hearings, and to make recommendations that stem from a national review of American opinion about the U.N.

Since the creation of the United Nations organization, the United States has recognized the one-man, one-vote principle, and we should find some corresponding principle in the United Nations, perhaps in the General Assembly.

The great powers of the world who constitute the Security Council have seen

many changes in their situation in 25 years, and may see many more in the near future.

I would offer the following points for consideration:

First. It is important that the United Nations or any world peacekeeping organization that is to be effective have its own home; whether an island or other land area which is free of the stifling effects of instant urban blight. The organization needs a place with room where they can meet in a truly neutral area over which they exercise local control and where the pressures of thousands at your elbow does not impair your judgment for the benefit of the billions on your conscience.

Second. We must establish an International Court of Justice with jurisdiction to hear cases between individuals of different nations, perhaps limited as to amounts and issues, but a people-related court. If our own Federal courts only heard questions and cases between States their docket congestion would be relieved but many real human cries for justice would go unheard.

Third. United Nations voting in at least one of its legislative bodies must bear some relation to population, not just national sovereignty and raw power. Let the United Nations establish standards and conduct international voter registration. Let United Nations delegate votes be weighted according to the registered voters the Delegates represents. This action could be taken on a voluntary basis. The English and American experience has proved that those who are really chosen by the people eventually acquire an influence outweighing those who are selected to govern with no contact or direct responsibility to the governed.

Fourth. The United Nations must be made self-sufficient, perhaps through some form of sophisticated poll tax system permitting individuals to pay to vote, either in funds or through public service to the United Nations peacekeeping force, its health team or in public works programs.

The important thing is not necessarily the position we take in these international deliberations. The important thing is that these further deliberations take place.

I urge my colleagues to join in the effort to invigorate the United Nations because it remains the best hope of mankind for peace and security, for social and economic justice. If the United Nations did not exist in this day of instant communication, I believe the peoples of the world would create such a world organization to seek and safeguard peace between nations and to protect basic human rights which should belong to every individual throughout the world.

We cannot afford to jeopardize the goal of a lasting world peace by failing to provide the tools necessary for the United Nations to be effective in working toward this goal.

I yield to my colleague, the gentleman from Florida (Mr. SIKES).

Mr. SIKES, Mr. Speaker, I congratulate my distinguished friend and colleague on his resolution calling for a

complete review of the United Nations charter and I am pleased to be listed as a cosponsor. As I have noted before, the world in which we now live is a world far different from that day long ago when, amid the ashes of the Second World War, a few nations got together in San Francisco to give birth to the United Nations. At that time, the aim of the U.N. was to avoid further bloodshed on world battlefields. It was to provide a forum whereby nations could settle their differences with words instead of weapons. Those great hopes have long since faded. If the chief objective of the United Nations is to maintain peace, it must be ranked as a massive failure.

There are many examples to demonstrate that either the U.N. is, itself, unwilling to seek peace, or that the machinery available to the organization renders it incapable of bringing about peace. I prefer, at this moment, to think that it is the machinery which is at fault, and it is for that reason that I join in this effort to bring about a complete review of the U.N. charter in the hope such a review will make this organization potent in the cause of peace.

Only in the case of Communist aggression in Korea by the North Koreans and the Red Chinese was there a positive effort to support the forces of freedom. It was a limited effort but in that conflict the United Nations stood for something other than conversation.

Obviously, something now is greatly wrong. When the Russians blockaded Berlin, the U.N. barely discussed the matter. It took the U.S. Air Force airlift to break the blockade.

When the Russians tried to install missiles in Cuba, the U.N. sat by and did nothing. It took the U.S. Navy to blockade the island and end this most serious threat to world peace.

In the Middle East the Russians have made pawns of the Arab States, armed them for war against Israel and dominated the Mediterranean. It is only the active negotiation of major world powers which has helped to keep a lid on this bubbling cauldron. The United Nations can claim little credit.

And, probably the most glaring example of impotence on the part of the U.N. is the war in Southeast Asia. To date, the U.N. has done nothing about bringing that conflict to an end. In fact, there has not even been very much talk about it in the U.N. except that the United States is denounced constantly by the Communist nations in that organization and for our efforts toward self determination by our friends.

Why is it, Mr. Speaker, that an organization dedicated to peace and to the prevention of incidents which could disrupt that peace is incapable of acting even in the most urgent matters? Obviously the machinery operating the organization doesn't function properly or it is not adequate.

I believe it is time Congress adopted a resolution calling for a complete review of the U.N. Charter.

To date, about the only effectiveness demonstrated by the U.N. has been that organizations ability to influence the foreign policy of the United States adversely to our own interests in our relationships

with Portugal, South Africa, and Rhodesia.

Another debacle is promised on the admission of Red China to the U.N. and to its Security Council, not to our advantage.

Since the U.N. was created, many nations not then in existence have come into being, some of which have learned to play the United States against the Soviet Union for their own benefit. All of this is at the expense of world stability and at an ever increasing cost to the American taxpayer who always has carried a disproportionate share of the cost of the U.N. If the U.N. is to remain in existence or if the United States is to remain a member, it is time the U.N. reflected some very needed improvements in its purposes, policies, and commitments.

A full review of the charter could bring this about.

Mr. HUNGATE, Mr. Speaker, I thank my colleague, the gentleman from Florida for his contribution. He has pointed out some of the very difficult areas which are of great concern to the people throughout this country. It is important that we do not just paste a label onto something and consider it as doing a job when it is not. I appreciate the gentleman's contribution.

Mr. Speaker, I include at this point a list of the cosponsors of this charter resolution:

COSPONSORS OF CONGRESSMAN BILL HUNGATE'S U.N. CHARTER RESOLUTION—HOUSE CONCURRENT RESOLUTION 258, 259, 322, AND 355

1. Bella S. Abzug, (D-N.Y.)
2. Brock Adams, (D-Wash.)
3. Joseph P. Addabbo, (D-N.Y.)
4. John B. Anderson, (R-Ill.)
5. Nick Begich, (D-Alaska)
6. Edward P. Boland, (D-Mass.)
7. Richard Bolling, (D-Mo.)
8. Phillip Burton, (D-Calif.)
9. Shirley Chisholm, (D-N.Y.)
10. Frank M. Clark, (D-Pa.)
11. Jorge L. Córdova, (P.R.)
12. R. Lawrence Coughlin, (R-Pa.)
13. George E. Danielson, (D-Calif.)
14. Ronald V. Dellums, (D-Calif.)
15. John D. Dingell, (D-Mich.)
16. Harold D. Donohue, (D-Mass.)
17. Robert F. Drinan, (D-Mass.)
18. Florence P. Dwyer, (R-N.J.)
19. Don Edwards, (D-Calif.)
20. John N. Erlenborn, (R-Ill.)
21. Marvin L. Esch, (R-Mich.)
22. Edwin B. Forsythe, (R-N.J.)
23. Peter H. B. Frelinghuysen, (R-N.J.)
24. Bill Frenzel, (R-Minn.)
25. James G. Fulton, (R-Pa.)
26. Edward A. Garmatz, (D-Md.)
27. Ella T. Grasso, (D-Conn.)
28. Gilbert Gude, (R-Md.)
29. Seymour Halpern, (R-N.Y.)
30. Julia Butler Hansen, (D-Wash.)
31. Michael Harrington, (D-Mass.)
32. James Harvey, (R-Mich.)
33. Ken Hechler, (D-W. Va.)
34. Frank Horton, (R-N.Y.)
35. Robert W. Kastenmeier, (D-Wis.)
36. Robert L. Leggett, (D-Calif.)
37. Paul N. McCloskey, Jr. (R-Calif.)
38. Mike McCormack, (D-Wash.)
39. Joseph M. McDade, (R-Pa.)
40. James R. Mann, (D-S.C.)
41. Spark M. Matsunaga, (D-Hawaii)
42. Wiley Mayne, (R-Iowa)
43. Abner J. Mikva, (D-Ill.)
44. Parren J. Mitchell, (D-Md.)
45. William S. Moorhead, (D-Pa.)
46. John E. Moss, (D-Calif.)

- 47. Robert Nix, (D-Pa.)
- 48. Claude Pepper, (D-Fla.)
- 49. Melvin Price, (D-Ill.)
- 50. Charles B. Rangel, (D-N.Y.)
- 51. Thomas M. Rees, (D-Calif.)
- 52. Henry S. Reuss, (D-Wis.)
- 53. Peter W. Rodino, Jr. (D-N.J.)
- 54. Robert A. Roe, (D-N.J.)
- 55. Benjamin S. Rosenthal, (D-N.Y.)
- 56. Edward R. Roybal, (D-Calif.)
- 57. Paul S. Sarbanes, (D-Md.)
- 58. James H. Scheuer, (D-N.Y.)
- 59. Fred Schwengel, (R-Iowa)
- 60. John F. Seiberling, (D-Ohio)
- 61. Robert L. F. Sikes, (D-Fla.)
- 62. James W. Symington, (D-Mo.)
- 63. Richard C. White, (D-Texas)
- 64. Lawrence G. Williams, (R-Pa.)
- 65. Lester L. Wolff, (D-N.Y.)
- 66. Gus Yatron, (D-Pa.)

Mr. WILLIAMS. Mr. Speaker, I appreciate the opportunity today of joining Congressman HUNGATE in his special order to make some observations in connection with the 25th anniversary of the United Nations and to urge a review of the Charter of the United Nations, as is contained in House Concurrent Resolution 259, which I have cosponsored with Mr. HUNGATE.

I believe this Congress, several million persons in this country, and millions of people in a number of other countries, still warmly remember the year the United Nations was formed—one quarter of a century ago. It generated a ray of hope throughout the world. Young and old alike considered it a history-making organization that would help bring peace among nations.

The United Nations has not been completely successful, and it has not been a complete failure. Unfortunately, as of today, this organization probably enjoys less confidence by its members and the public at large than at any previous time in its history. I believe you will agree with me that most member nations know that it has had many serious setbacks, but still hope the United Nations will be able to deal more successfully with problems of war and peace.

As an indication of need, if the United Nations did not exist in this day of instant communication, I believe that the people of the world would set about creating such a world organization, but it should be principally a peacekeeping organization.

The United Nations has been an expensive organization. The United States has been paying 31.5 percent of the total cost of the United Nations and this will drop to 30 percent within a few years. A more equitable formula for sharing the cost must be developed.

Although 30 percent may seem a large portion, the cost to the United States of the 1970 regular United Nations budget was less than 25 cents per person. The cost to the United States for the entire United Nations system, including all specialized agencies and voluntary programs, was \$1.57 per person.

Although this assessment is significant, it is an indication of the unity and the aspirations for international peace by the United States and many other nations of the world. I believe it is the sense of Congress that the major problems in the United Nations is not the expense to run the organization, but its failure of suf-

ficient concern on the part of the executive and legislative bodies of the United States and other member governments to put vigor into the United Nations Charter.

I am sure you will agree with me that peace is still the most significant human need that has faced us in this century.

Not sufficiently developed in the charter was the sense of community among men to achieve: First, deterrence of nations and groups from conflict; second, adequate basis for adjustment of differences; and third, encouragement of collective international decisionmaking procedures.

World conditions show strong need for undertaking charter revisions as soon as possible. House Concurrent Resolution 259 calls for a conference review, not later than 1974; there should be strong contributions for improvement from executive branches of governments; and its new purpose should put more emphasis on the peacekeeping capability of the organization.

Two significant contributions which prepare the United Nations for the potential charter review are vast development and international talent and the new concepts for international relations operations. When these huge advantages are applied to the charter, I believe that success for the United Nations is a great deal more eminent than it was when the charter was formed 25 years ago.

Mr. DRINAN. Mr. Speaker, by proposing House Concurrent Resolution 258, which calls upon our Government to support the convening of a conference to review the United Nations Charter, my distinguished colleague from Missouri, Congressman HUNGATE, summons the House to answer a far-reaching and, I firmly believe, an inescapable question: Does the United States seriously want the United Nations to survive? Upon any objective view of the seeds of calamity which are sown daily into world affairs by short-sighted nations, I do not see how our answer can be other than yes—unequivocally, yes we do want the United Nations to survive. More than that we want it and we require it to prevail.

It is difficult to imagine that we shall soon be provided with a more timely opportunity to seek Charter review than the one now at hand. Three factors account for this situation.

First, our Government has made known its support for membership in the U.N. for the People's Republic of China. This initiative means that for the first time in its history the U.N. may contemplate the prospect of universal representativeness. Until now, the total rejection of a voice in the U.N. and particularly in the Security Council for one-fifth of the world's people has made charter revision a premature, unrealistic speculation.

A second major obstacle to reform has been the war in Indochina. Almost from the founding of the U.N. itself, this corrosive, futile struggle has divided the organization and its members. It has brought discredit to the United Nations as a peacekeeping body and caused it to lose confidence in itself. Now, however, we can see some signs if not of a resolution of the underlying political conflict,

at least of an end to the fighting. The U.N. must be better prepared to hasten the beginning of peace in Southeast Asia and then to conserve it.

Finally, in this country despite and to some extent because of embitterment caused by the war in Vietnam, many Americans still retain their belief in the concept of world organization. The Lodge Commission report of July 9, 1970, recommending ways to strengthen the United Nations, reported that Americans are aware of the U.N.'s shortcomings but, in the words of the Commission's Chairman, Henry Cabot Lodge:

The overwhelming majority urged continued U.S. support for the U.N. and favored U.S. initiatives to make the U.N. more effective in maintaining peace, promoting economics and social development, and meeting the new challenges of science and technology in the 1970's.

The Lodge Commission report provides an excellent basis for further specific studies of the need for charter review. As a result of a resolution passed by the 1970 General Assembly, the Assembly will formally consider Charter review during its 1972 session.

The need to strengthen the U.N. specifically by means of charter revision, is just as compelling as the opportunity for doing so. The United Nations can document notable successes over the past quarter of a century in its primary task of peacekeeping. It has helped to limit conflicts in Iran, Greece, Kashmir, Korea, Lebanon, the Congo, the Middle East, and Cyprus. It has also fought disease and helped raise the living standards of millions of people.

On the other hand, the backlog of failures and defaults is growing ominously crowded:

The United Nations has been virtually impotent in the Vietnam war.

In the face of the tragedies in Hungary, Poland, and Czechoslovakia, the United Nations was reduced to summoning forums of lament and recrimination.

Challenged by what is undoubtedly the most poignant creation of international unreason—the millions of refugees of war in Pakistan, Biafra, Southeast Asia, the Middle East—the U.N. has distributed only enough assistance to dramatize the plight of those it has been unable to reach.

These continuing offenses to international order occur against the background of the arms race, which seem even farther from resolution than when the United Nations was established, with disarmament as one of its principal goals. This arms race, moreover, proceeds behind nuclear stockpiles which, between the United States and the U.S.S.R., amount to the equivalent in dynamite of some 20 tons of lethal force for every man, woman, and child on the earth.

The instrument by which the United Nations will either respond to the present situation of danger and opportunity or will, in failing to respond, be threatened with further inroads upon its influence at the expense of world order, is the United Nations Charter. I do not by any means underestimate the difficulties involved in any review and

amendment of this document, which is the fundamental constitution of all international organization. But I am also persuaded that certain crucial changes are feasible and mandatory for the effective continuance of the United Nations.

Although the technical intricacies of revision have been the subject of much scholarly debate, there has yet to emerge in this country a comprehensive proposal for reform, arrived at in a way that reflects the wisdom of diplomats, scholars, politicians, and concerned citizens. The Lodge report is a beginning, but a model charter revision conference, as proposed by the International Studies Association in 1966, might usefully crystallize the insights of all these sources.

Especially in these areas, revision seems urgent and appropriate. First, the voting process for General Assembly and Security Council resolutions must be revised to reflect the great changes in the composition of the United Nations. Sixty percent of the states which are now members did not belong to the organization when the charter was established. Countries representing 10 percent of the total population of the United Nations now control a majority of votes in the General Assembly; and the Security Council is immobilized and discredited by the veto. Weighted voting in the General Assembly, suspending the veto on certain substantive matters in the Security Council, or permitting a four-fifths majority of the General Assembly to overturn a Security Council veto have all been suggested as alternative solutions.

Second, existing peacekeeping procedures must be strengthened and augmented. This may require giving the General Assembly legislative authority of its own on certain questions involving major threats to international peace and security.

Third, the International Court of Justice must be vitalized. To do so, it would seem necessary, at least, that the U.N. be recognized as a legal entity entitled to appear before the Court, which it cannot now do—a comparable situation would exist if the United States were disqualified to appear before the U.S. Supreme Court.

Probably the most concise and suggestive proposal for charter review remains that of Mr. Carlos Romulo, Representative of the Philippines to the United Nations, and a former President of the General Assembly. While I do not necessarily subscribe to all of Mr. Romulo's proposals I believe they state in the clearest possible fashion a practicable foundation for change. They deserve the most serious consideration by the Congress and the Executive. Mr. Romulo presented his suggestions to a meeting of the Sixth Committee of the U.N. on November 30, 1970. The provisional record of that meeting summarizes the proposals as follows:

SUMMARY OF PROPOSALS

Turning to the various matters to which consideration should be given in a review of the Charter, he said that the wording of Articles 53 and 107 should be amended so as to remove the reference to "enemy" States.

Secondary, Article 33 dealing with pacific settlement of disputes was inadequate, in that it did no more than to recommend the solution of disputes by negotiation, inquiry, judicial settlement, and so forth, without indicating any modalities, providing any machinery or defining any specific obligations. A permanent conciliation commission should be provided for the Charter. Recourse to third parties in the case of intractable disputes should also be provided for. Further, the Charter should impose on States the obligation to accept arbitration or judicial settlement where mediation or conciliation had proved insufficient.

Thirdly, addition to the measures provided for in Chapter VII, the Charter should contain specific provisions concerning the peacekeeping operations carried by the United Nations. Formal recognition of that aspect of the Organization's activities might give a new impetus to the efforts of the Committee of Thirty-three to elaborate the principles and procedures of peace-keeping. The Charter should also provide for a United Nations observer corps.

Fourthly, if in the selection of the non-permanent members of the Security Council "due regard" should be specially paid "in the first instance to the contribution of Members of the United Nations to the maintenance of international peace and security and to the other purposes of the Organization, and also to equitable geographical distribution", those criteria were even more important in the case of the permanent members of the Council. It was now necessary to ensure that the international community benefited from the participation in the Security Council of nations with a special contribution to make. The addition of new permanent members to the Council, or the creation of a semi-permanent regional seat to be shared by the major countries in the area concerned, might be considered.

Fifthly, the Charter should be modified to suspend the use of the veto in matters involving use of armed force by the United Nations.

Sixthly, the Statute of the International Court of Justice, which constituted an integral part of the Charter, should also be subject to review; in particular the United Nations should be recognized in the Statute of a legal entity entitled to bring a case before the Court against any State which had accepted the Court's jurisdiction. Additionally, the Court should have the right to determine whether a gross violation of world law had occurred.

Seventhly, the authority of the Economic and Social Council should be increased with regard to the coordination of the Organization's constantly expanding efforts in the economic and development fields.

Eighthly, the Charter should be amended to place the Commission on Human Rights on the same level as the Economic and Social Council and the Trusteeship Council.

The U.N. needs more than charter revision, of course. It also requires the sustained support of the U.S. Government and people. These requirements are interrelated, since unless we show more confidence in the U.N. we will not be in a position to advocate the necessary reforms and, even if the reforms are secured, they will languish along with the Organization itself unless we begin to refer more of our international controversies to the U.N. and its agencies.

Unfortunately a shortsighted, grudging attitude toward national sovereignty has made our support of the U.N. erratic and inadequate. In his extraordinary encyclical, *Pacem in Terris*, Pope John XXIII spoke aptly of a type of enlight-

ened self-interest in world affairs. He said:

The public authority of the world community is not intended to limit the spheres of action of the individual political community, much less to take its place. On the contrary, its purpose is to create, on a world basis, an environment in which the public authorities of each political community, its citizens and intermediate associations, can carry out their tasks, fulfill their duties, and exercise their rights with greater security.

In the same spirit, in 1963, only a month before his death, President John F. Kennedy said:

The United Nations cannot survive as a static organization. Its obligations are increasing as well as its size. Its Charter must be changed as well as its customs. The authors of that Charter did not intend it to be forever frozen. The science of weapons and war has made us all, far more than 18 years ago, one world and one human race with one common destiny. In such a world, absolute sovereignty no longer assures of absolute security.

Recent events are extremely discouraging in what they reveal about this country's attitude toward the United Nations. I am particularly distressed at the continuing inaction on the part of the Congress and the Executive on certain matters which are fundamental to our obligations as a member of the U.N. The Senate, for example, has yet to ratify the genocide pact or the 1925 Geneva agreement prohibiting chemical and biological warfare. The Connally reservation to the jurisdiction of the International Court of Justice blatantly undermines our assertions of high regard for the principles of international organization. The failure of the executive branch to insist upon U.S. responsibility for payment of assessed dues to the International Labor Organization is an unprecedented disgrace and a very dangerous precedent in the United Nations. When the Lithuanian seaman, Simas Kudirka, was delivered up to his Soviet captors by Americans he might well have denied America's commitment to the provisions in the charter for the promotion of human rights and fundamental freedoms. Eight million Pakistani refugees could justly make the same charge.

In practically every aspect of our current national distress, it is daily becoming more apparent that our problems—either are or will soon become global problems—narcotics control, population, the environment, municipal government. Indeed, this very internationalization could afford us tremendous opportunities for imaginative work in a more responsive United Nations. In an article in the July 1970 journal of the American Academy of Political and Social Science, the chancellor of the University of Pittsburgh, Dr. Wesley W. Povar, has described this new phenomenon as "transnationalism"—new forms of international and regional organizations, new multinational corporations, and new groupings of persons that penetrate or cross national frontiers. Transnationalism could mean, to take one example, that the United States need not inevitably struggle alone with the problem of economic conversion. A strong, active United Nations could diffuse the science,

technology, and practical experience of industrial modernization in Japan, health care in northern Europe, and population programing and agricultural revolution in India in the form of multinational economic conversion.

Prof. George Wald, Harvard University's distinguished Nobel laureate in biology, has pointed out that men on earth are the custodians of life in the universe. Clearly most individuals and most governments do not now regard themselves in this light. But, as I have suggested, I think we must do so in order to survive at all. A necessary first step will be to begin the long, demanding task of reviewing and, where necessary, revising that underestimated but momentous document, the United Nations Charter, so that the U.N. may finally fulfill the pledge which it made over two decades ago to save succeeding generations from the scourge of war.

Mr. HARVEY. Mr. Speaker, when my distinguished colleague, the gentleman from Missouri (Mr. HUNGATE), invited me to join in cosponsoring House Concurrent Resolution 322 and to participate in this special order on the United Nations, I was delighted because of the special significance I place in this very important issue.

In the 25 years since its birth, the United Nations has been both a successful organization and a disappointing failure. On the positive side, it has made impressive strides to eliminate hunger and disease from the face of the globe. These humanitarian efforts, which benefits all mankind and which are often taken for granted, or even neglected, must not be overlooked in any evaluation of the U.N.'s contributions to the world order. Today, however, I would like to address my remarks toward one of the reasons for its failure as a world body—the inability of its charter to cope with the realities of the 1970's. It is in the realm of charter review that this Congress can initiate changes that might serve to correct these failings and simultaneously to rejuvenate the U.N.

I support Congressman HUNGATE's resolution which calls for the United States to initiate and to support high-level studies for the review of the U.N. Charter. I believe that the time has come for such action, because the U.N. has failed to accomplish its main objective—the maintenance of world peace. To be sure, it has served admirably as a debating society and a forum for all nations to air their grievances. We will never know how many conflicts were avoided because the General Assembly simply was there and because the Security Council spent hours discussing a particular crisis. We do know, however, about the failures: Czechoslovakia, East Pakistan, Hungary, and, of course, Vietnam. From these examples, it is obvious that the procedural mechanisms of the U.N. Charter have doomed the organization to failure when the major powers find themselves on opposite sides of a dispute.

When the United Nations Charter was drafted in 1945, approximately 50 nations signed the document. Since that time, U.N. membership has more than doubled to 127, and now, every time a new nation, regardless of size, declares its independ-

ence, one of its first official actions has been to seek admission to the United Nations. Not that I object to all nations being a part of the U.N. body—in fact, the United Nations cannot work unless all nations are members—but that under the present structure, a nation of several thousand, once admitted, has a vote equal to that of a nation many times its size. In theory this might be the ideal situation; in fact, nuclear weapons, international economies and world peace demand a more practical solution.

The so-called diluting of the General Assembly by the smaller nations has given rise to volumes of literature and numerous suggestions for charter revision. In the United States, the doctrine of "one man, one vote" has recently gained much popular support. People have often suggested that a similar concept by applied to the General Assembly of the U.N.: nations should be apportioned votes according to their population, and in this way, larger nations could regain their share of the power balance. Such a charter revision, especially with the seating of the People's Republic of China now imminent, might not be in the best interest of the United States. Instead, many people feel that voting in the General Assembly should be conducted on a formula based on financial contributions. Using such a voting system in the United Nations would mean that the United States would have more than 30 percent of the votes.

This problem of the sovereign equality of countries now facing the United Nations is, I believe, analogous to the dilemma that faced the founders of our Nation nearly 200 years ago at the Constitutional Convention. How could sovereign equality be achieved when, in fact, some States were larger and wealthier than others? One of the solutions that these men reached was, of course, our bicameral legislature. Perhaps a similar institution would work in the U.N. environment. Perhaps the solution lies somewhere in a combination of the one-man, one vote proposal and a weighted voting formula based on economic contributions. It may require all the resources and imagination of a high-level committee to develop a workable solution to the problems of charter revision. This same committee might also tackle the frustrating problems associated with major-power vetoes in the Security Council, or the inability of the United Nations to make member nations contribute their share of the operating expenses.

It is important, I believe, for the U.N. Charter to be interpreted not in a rigid manner, but rather as a document of constitutional character. As such, it should be revised or amended as warranted to reflect the changing world situation. Clearly, the United Nations of 1971, with its 127 members and the problems of the nuclear age, is not the same organization that appeared in the wake of World War II. These reasons, coupled with my earnest desire to see the United Nations regain its stature as a respected world organization, have led me to support House Concurrent Resolution 322. Only a complete and thorough review of the U.N. Charter will help it accomplish its noble

goals of international harmony and world peace.

Mr. BEGICH. Mr. Speaker, few would argue that the United Nations remains as man's greatest hope for world peace. In an age where the instruments of war far surpass the instruments of peace we must renew our efforts to strengthen those institutions which serve to perpetuate order among nations.

Since the adoption of the United Nations Charter on June 26, 1945, the possibility of another world war has diminished greatly. However, many nations of the world have not enjoyed the blessings of peace.

The fact that the United Nations serves as a forum for the discussion of world problems, serves notice to all nations that civility is not a sign of weakness and that the dignity of man is paramount to international relations.

During the 26 years that the United Nations has been in existence, the possibility of world catastrophe has been averted only because of the affirmative action of the United Nations.

One need only recount the history of the 1950's and the 1960's in order to see the profound influence the United Nations has had on the cause of peace. Besides the many humane programs, inspired, organized, supported, and carried out by the U.N., efforts to emphasize the things that unite men rather than divide men have become the trademark of this great assembly of nations.

The peacekeeping forces in Korea in 1950 and its effort to secure the freedom of prisoners of war during the Korean conflict stand as testimony of the strength of the United Nations. Certainly the ability of the U.N. to secure a ceasefire in the Middle East in 1956 adds credibility to the thought that the U.N. is man's last hope for peace.

Despite the unquestionable success of the U.N., it is appropriate, after 26 years, that the members examine the foundation on which that organization rests and in which direction it shall proceed.

It is the spirit of self-improvement and the goal of world peace that demands this critical self-examination.

The principles of the Charter of the United Nations are fundamental to the continuation and success of the world community. No one challenges the principles upon which the charter is based. These principles have withstood the test of time because they are as old as man himself. Yet, when we realize that man is always in a state of change, sometimes one of confrontation and catastrophe, we must remember that the principles framed in the U.N. Charter are the supreme laws of a world community.

To meet the ever-changing needs of the world community it is essential for us to examine the United Nations, its charter and its purpose and revitalize those areas which need to be changed. Because the United Nations convenes in New York tomorrow, I urge the U.N. membership to undergo a careful introspection and begin meaningful discussions and take appropriate actions which will aid the U.N. in securing and maintaining peace throughout the world.

Mr. KASTENMEIER. Mr. Speaker, it is with a conviction born of years of study

and thought about the United Nations and the problems of world order that I join my colleagues today in highlighting the future requirements of the United Nations and of U.S. participation therein if we are to achieve a world at peace. I am proud to be a cosponsor of the Hungate resolution on United Nations Charter Review and I commend my distinguished colleague from Missouri for his statesmanlike leadership in this all-important area.

The member states of the United Nations and their peoples—and I stress “their peoples,” for that is where true sovereignty resides—are faced with crucial and far-reaching decisions in these next very few years. U.N. Secretary-General U Thant has said that the nations have no more than 10 years in which to submerge their ancient rivalries and to start working effectively together to solve their problems of the arms race, economic development, population, and the world’s environment. After that, he believes it will be too late.

This means that we Americans and the other peoples of this small planet must find the wisdom, the creativity, and the courage to effect those measures of international cooperation which are dictated by commonsense and basic self-interest. We know that no single nation can alone save the world’s environment. We know that no single nation alone can control the population explosion. We know that no single nation can alone stop the ever more wasteful and deadly dangerous race in competing armaments. We know that no single nation alone can harmonize supply and demand to assure every child on this earth the right to life, liberty, and the pursuit of happiness.

It follows, therefore, that we must see to it that world institutions to deal with these world threats are urgently established and endowed with adequate authority and power to control these threats effectively. This will not be an easy task, but it appears to me to be an essential one if we are to meet our obligations to the generations yet unborn.

This means that we can no longer treat the United Nations as a mere convenience of U.S. foreign policy. This means that we must demonstrate our willingness to participate in the processes of the United Nations if it were a parliamentary democracy. We must be prepared to fight for what we believe is best, but we must also be prepared to go along with the preponderant majority for the greater good when we are in a minority. Our country played a major role in creating the United Nations. We had a major voice in drafting the U.N. Charter. The vast majority of the present member states were not a party to that process, yet they have readily joined the United Nations and have accepted the obligations of its charter.

Why is it that report after report finds that the United States is neither fully using the U.N. nor fully living up to the potential and obligations of the charter which we helped draft? If we have reservations about the working of the charter today which cause us to refrain from fully utilizing the machinery of the

U.N., then it is up to us to propose changes which we feel will make the U.N. more responsive and more effective. We dare not drift. The threats before us are too ominous. The time is too short. We must demonstrate the same genius of creativity and compromise as did our Founding Fathers when they found the Articles of Confederation lacking and drafted the Federal Constitution with effective governmental powers.

I sincerely hope that the President and the Secretary of State are giving the most serious attention to drafting the response of the American people to the request of the Secretary-General, as voted by the U.N. General Assembly, for the “views and suggestions on review of the Charter of the United Nations” of the United States of America and its citizens. As our resolution states, here is truly an opportunity for our country to “continue in its historic role of providing leadership in working for modernization and reform of the United Nations.”

Many have forgotten that it was our Government, under the leadership of President Dwight D. Eisenhower and then Secretary of State John Foster Dulles, that pressed so strongly in 1953-55 for an affirmative vote to hold a charter review conference. We were honoring our obligations to the many smaller states which had not been entirely happy with the charter of San Francisco but had accepted it then with the promise written into article 109 of the charter that the question of a review would automatically be considered at the 10th General Assembly, in 1955.

With U.S. leadership, the vote was affirmative in 1955 to hold a review conference at an appropriate time and under auspicious international circumstances. That was 16 years ago and the United Nations is now almost 26 years old. Is it now high time that the member states took another hard look at the processes and the machinery in terms of the needs of the 1970s and of what we now know of the areas, such as peacekeeping, disarmament, and codification of international law, in which so little—so woefully little progress has been made? I say it is.

Mr. MATSUNAGA. Mr. Speaker, when the United Nations General Assembly convenes its 26th annual session tomorrow in New York City, it must come to grips almost immediately with the question of the representation of China. How many Chinas the U.N. will have in its membership next year—if any—is a subject of considerable conjecture. But there should be little doubt that the machinery set forth in the United Nations Charter a quarter century ago has become ill suited for dealing with such complex problems of today.

My good friend, the distinguished gentleman from Missouri (Mr. HUNGATE), is to be congratulated for arranging this forum where these internationally significant problems, and possible solutions, can be explored.

The achievements of the United Nations over the past 25 years offer greater hope for international cooperation than ever before in the history of man. But the increasingly serious defects in its ability to keep the peace and promote worldwide economic and social progress

must be corrected if the organization is to cope with the greater challenges the future holds.

Mr. Speaker, time is slipping away from us. The charter, drawn up decades ago for a United Nations of 51 signatories, has become outdated.

The need for review is obvious. The charter is the product of a time and a set of global circumstances which have passed into history. Twenty-five years of change—political change, social change, technological change—have dramatically transformed the nations of the world and their relationships, one to another. The great increase in the membership of the U.N.—from 51 to 127 member countries—has had a profound effect on the operations of the United Nations and an unavoidable influence on the nature of its actions.

Steps must be taken to maintain the United Nations’ effectiveness as a deliberative body.

Some way of easing the burdens of U.N. membership on very small states must be explored.

The peacekeeping, and peacemaking capabilities of the U.N. must be revitalized.

The concept of U.N. Charter review is not a new one. In fact, article 109 of the charter provides for the convening of a General Conference of U.N. members for such a review. This question was fully discussed during the 1970 U.N. General Assembly session. The Assembly resolution which was adopted on December 11, 1970, calls on the members of the U.N. to provide the Secretary-General with their views and suggestions on the review of the charter so that the Secretary-General may report back to the Assembly during its 27th session in 1972.

Nor is there any lack of precedent for the proposed review. The charter has already been amended to enlarge the Security Council and the Economic and Social Council. At the very least, the time has come for members of the U.N. to reexamine the charter.

A first step in this direction has been taken in the United States. The President’s Commission for the Observance of the 25th Anniversary of the United Nations, chaired by former Ambassador Henry Cabot Lodge, spent several months studying the United Nations—its operation, apparatus, and functions. While all of the 96 recommendations by the Lodge Commission do not require charter revision, they do provide a valuable checklist of the tasks the United Nations must be capable of handling. Other governments have equally helpful suggestions, which, taken together, should lead to a careful study of the charter and its appropriateness for today’s world. Only such a review can determine whether the U.N. structure will be viable enough to accomplish its goals effectively and perform the important functions set out in the commission’s report.

In June of this year, two distinguished Members of the other body, Senators CLAIBORNE PELL and JACOB JAVITS, endorsed charter review in their report on the 25th session of the General Assembly, saying:

We strongly recommend that the United States give its full support to a review and reform of the United Nations Charter.

As the first nation to ratify the United Nations Charter, and as the nation that 15 years ago successfully urged the General Assembly to approve the convening of a conference to review the charter at an appropriate time, the United States must continue its leadership role, particularly in this area. Furthermore, the Congress should play an active role in formulating this country's attitudes and actions concerning charter review, a project that can be highly influential in maintaining peace and order in the world.

The best available vehicle for expressing congressional support is the concurrent resolution, of which I am a sponsor, authored by the gentleman from Missouri (Mr. HUNGATE). I trust that the visibility provided the issue by this special order today will lead to an early approval of the resolution.

Mr. HORTON. Mr. Speaker, I am pleased to join with my distinguished colleagues in focusing attention on the United Nations Charter review resolution. With the U.N. General Assembly convening tomorrow, it is an appropriate time for a meaningful discussion of the United Nations.

At the 10th U.N. General Assembly, the United States provided the leadership in obtaining an overwhelming vote calling for the convening of a conference to review the U.N. Charter. It is now incumbent upon the United States to continue its initiative and provide world leadership in modernizing and reforming the United Nations. The U.N. Charter review resolution is designed to insure that we do.

Mr. Speaker, it greatly disturbs me that all too frequently the United Nations is judged against the standards we would have expected a world government to meet. It is a tragic error to do so because the U.N. Charter was not drafted as a constitution for world government. It lacked both sovereignty over nation-states and power to attain that sovereignty.

The United Nations, it can be said, has done what the power of politics of a bipolar world in the late 1940's and 1950's would allow it to do. In the 1960's and at present, with the emergence of a world with four axes of power, it will be even more difficult to carve out a constructive role for the United Nations in world politics. The rapid rise of regionalism and the proliferation of even more nation states means that there is a splintering of world interests. For better or for worse, world events will not be as easy to control in the current era as when Washington and Moscow had a tight hand on all the reigns of power and could use their control to orchestrate the U.N.'s response to crises.

In addition to the splintering of world interests, the structure of the U.N. threatens to make it an unlikely body to be given a key role in international political decisionmaking by powerful nations. There are now 127 members of the U.N., with each having an equal vote in the General Assembly whether they represent 100,000 people or 200,000,000.

As long as the voting power of member nations remains an unrealistic reflection of our world today, the U.N. is unlikely to play a determining role in major decisions of world affairs.

The structural limitations of the U.N. have profoundly limited the body's peacekeeping abilities in most of the world's crises since 1945. Nevertheless, those accomplishments which the U.N. has to its credit indicate to me that there is great potential for strengthening its role.

As we meet here, a state of war is continuing in Vietnam, and trouble spots in other areas of the world give us cause for constant uneasiness. Yet, the U.N. has contained conflicts in Korea, the Congo, Cyprus, and in the Middle East for 20 years. One rarely hears of the role the U.N. played in peaceful settlements such as the mediation between the Netherlands and Indonesia over West Iran and between Spain and Equatorial Guinea.

It is my belief that arrangements must be made to have standby peacekeeping forces and machinery properly trained in the U.N. approach for emergency situations. Such visionary steps have been taken by the Governments of Canada, Sweden, Norway, and others. Several years ago, I joined with other Members of the House in sponsoring what we called the First Brigade proposal. This called for a standby force for international relief, including a 1,000-man American brigade. It would be supplemented by logistic and support troops to aid combat units supplied by smaller nations. Units from the great powers would be limited to giving support and logistic help to earmarked units from other nations which would perform the peacekeeping duties.

However, we must not limit our actions to putting out fires. We must prevent conflicts from taking place. As part of this, I am pleased that the United States supports regular, informal meetings of the Security Council to assess the world's situation; greater use of the U.N.'s capability in factfinding, conciliation, and arbitration. In addition, we should encourage flexible use of the good offices of the Secretary-General. It is in this field of peaceful settlement of disputes that the world faces its greatest challenge and its most promising opportunities.

The United States, however, still resorts to bilateral diplomacy and action more often than multilateral forums. Two of our distinguished colleagues, Representatives FASCELL and WHALLEY, have stated it this way:

We have extolled the virtues of international cooperation and paid our assessments while withholding from the United Nations the full measure of political support which the organization needed in order to become an effective instrument of peace and progress in the world community. We have supported the organization's right to express opinions on world problems but have not insisted that such declarations reflect a sense of responsibility, and have been guided by them only when it suited our purpose.

If more nations are to make the United Nations a cornerstone of their dealings with other nations, this will occur only if small bits of national sovereignty are slowly ceded to structures which are broader in scope than nation-states. This

process, if it occurs at all, will be extremely slow. It will not take place suddenly with nation after nation turning over the reins of their power to international command.

Mr. Speaker, to many in the world, particularly the young people of every nation, world union and world government are dreams which surround the goal of permanent world peace. I believe that the future holds greater world unity, with greater emphasis on worldwide political and economic structures. It is my hope that the United Nations can play a key part in the development of these structures and I believe that it can do so if we come to grips with its political and organizational limitations at the present moment.

The U.N. Charter review resolution will provide the Congress with an opportunity to participate in developing the U.S. position on reform of the charter. I urge each of my colleagues to support the resolution so that we may fulfill our responsibilities to the international community.

GENERAL LEAVE

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject of my special order.

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

There was no objection.

A COMPREHENSIVE WATER QUALITY PROGRAM FOR THE SEVENTIES

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

Mr. HARSHA. Mr. Speaker, America is the world's most dynamic society. Through dedication and determination, inventiveness and drive, we have ridden the tide of individual initiative to produce general plenty. The bountiful harvest of our agriculture and industry has succeeded in raising the American standard of living higher than any other country in the history of the world.

Until comparatively recently, our primary emphasis and aim as a Nation and a people has been on developing our natural resources and productive facilities to the maximum. We have been concerned only in a minor way with the impact on the environment that such development produced. Part of the reason for this has been that we were too busy building to worry about the consequences of our building. But it is also fair to suggest that, until comparatively recently, at least, we had neither the know-how nor the wherewithal to effectively come to grips with the environmental problems we were creating.

But in recent years, a change has occurred. On the one hand, a new awareness of the impact of pollution has begun to permeate our land. On the other, increasing affluence and advancing technology has finally provided us with the

means for coping with the fallout that growth and progress inevitably produce.

It was not until the 80th Congress in 1948 that the Congress began to address itself directly to the pollution problem. In that year, the first water pollution legislation was enacted into law. A succession of related measures followed whose aim was to strengthen and enlarge our pollution abatement efforts.

But our actions to date in this field have been less than successful. While progress has been made, we have yet to fully recognize the magnitude of the problem or the steps which must be taken to end it. As a result, pollution, like a cancer, continues to grow and overspread our land.

Now, once again, the Congress is grappling with water pollution abatement legislation. The Committee on Public Works, of which I am ranking minority member, has over 150 bills dealing with the subject under consideration. Several of them were introduced by me, including four sponsored by the administration. But a realistic assessment convinces me that our sights are still set too low. The proposals before us still fall short of what we have a responsibility to do and what we must do if we are serious about cleaning up our waters.

Accordingly, I propose to my colleagues and to the American people that the Nation commit itself to a broadly based, soundly conceived, comprehensive water quality control program—implementation of which would be fully underway by the year of our bicentennial celebration, and which would contain all the ingredients necessary to achieve our water quality objectives.

Such a program must be rationally conceived and realistically implemented. It must be calculated to make the wisest use of available talent and technology. It must recognize that the goals we set cannot be achieved overnight but that they must be achieved if we are to survive and prosper as a people and as a nation.

First priority of such a program should be environmental maintenance and protection to prevent further degradation of our precious water resources. Once stabilization has been achieved, our energies can be applied to reversing the effects of despoliation which has already occurred in order that we may one day return our waters to the highest level of use commensurate with national needs.

The program I envision would proceed on three fronts.

First, it would seek to abate municipal pollution by requiring the funding and construction of treatment facilities tailored to the needs of all communities of the Nation, large and small.

Second, it would attack industrial pollution by requiring business, through a realistic permit program, incentives and competitive equalizers, to abate the pollution generated by their operations.

Third, it would accelerate a watershed development program designed to harness our total national water resource by minimizing and, where possible, eliminating agricultural runoff, silting, and other sources of pollution.

The multifaceted effort I envision would be a Federal-State-community

partnership enterprise. The goals we set would be national in scope but standards and enforcement would take into account local problems and conditions. All waters—navigable and unnavigable, coastal and ground, interstate and intrastate—and land uses affecting them, would be embraced within it.

To minimize duplication and delays on the Federal level, the present splintered administration would be ended. Authority and responsibility would be consolidated in a single governmental agency.

In order to achieve our objectives, the kind of genius and talent which enabled us to get to the moon in the sixties would be put to work solving environmental problems in the seventies. As with space research, full Federal funding for promising avenues and approaches would be provided.

A massive construction program should be funded. In this regard, I believe the Federal Government should commit itself to providing at least 65 percent of the cost of construction of municipal waste treatment facilities and watershed development projects, with bonuses of up to 75 percent for States and local communities which meet incentive criteria.

Insofar as industrial pollution is concerned, the Nation's manufacturers should, in due course, be required to eliminate all sources of pollution from their operations. To minimize hardships and dislocations and to encourage early compliance, industry should be protected from the competition of imports from countries which do not require comparable investments in water pollution abatement. Such protection, in my judgment, should be patterned after the import surcharges recently imposed by President Nixon to improve the Nation's trade balances. Clearly, neither American industry nor labor should be disadvantaged or asked to carry the full burden of achieving national abatement goals. That would be both unfair and unwise. At a later date, I will spell out the details of the tax incentives and competitive equalizers I have in mind.

To finance the program I have outlined, I would recommend that the Congress authorize a continuing appropriation of \$4 billion annually through this decade. Three billion dollars of this sum would be available for the construction of municipal waste treatment facilities. This level of funding would allow for the acceleration of the present construction program while, at the same time, providing for reimbursement to those jurisdictions which have advanced funds for treatment facilities at an early date. In addition, \$500 million would be allocated for planning, research, and demonstration, and \$500 million would be used for watershed development and other related projects.

In framing such legislation, the Congress should proceed with all deliberate speed. The kind of across-the-board authorizations, funding procedures, guidelines, and criteria needed to attack the pollution problem in this country at all levels has already been too long in the making.

We were able to muster the technology, resources, initiative, and dedication in

the sixties to put a man on the moon. It is now time for us to muster an effort of similar magnitude and priority to clean up our waters here on earth.

If we are to succeed, commitment of all of our citizens—from the highest officials of Government to the man on the street—is essential. But I have no doubt that the goal of assuring clean water in all America, for all Americans, is a goal that all of us can subscribe to.

THE SHARPSTOWN FOLLIES—XXXVI

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

Mr. GONZALEZ. Mr. Speaker, one of the surprising and disappointing things about the Sharpstown affair is how little interest has developed about it here in Washington. Even though newspapers as diverse as the New York Times and Los Angeles Times have commented on the scandal and felt compelled to call upon Assistant Attorney General Wilson to resign, and even though Time, Newsweek and now Life magazines, as numerous individual newspapers, have confirmed my contention that Mr. Wilson is unfit to serve there is still little official notice of the situation.

A month ago I wrote the President about this matter, for the charges I have raised are serious. To date I have received one polite brushoff letter from a White House functionary, telling me that the matter would be brought to the President's attention whenever that became possible. It never has become possible, I suppose, since I have never heard anything further.

A month ago, I also wrote the Attorney General and asked him to review this whole matter. You would think that the Attorney General might be interested in preserving the integrity of his own department, but I have not received so much as a letter of acknowledgment from him.

Just prior to the summer recess, I wrote the distinguished chairman of the Committee on Judiciary, and asked him to look into the matter. I received a note from a staff assistant telling me that the chairman was out of the country, but that the matter would be brought to his attention. I have heard nothing further.

I have raised substantial questions about Mr. Wilson, and my claims have been corroborated by countless reporters and other investigators. There has been a national disturbance over the scandal. And yet no one seems moved to take any official action. I wonder what it is that has created this peculiar immunity for Mr. Wilson. I have seen a scandal and called it what it is. Others have seen the scandal and called it what it is. There is a public responsibility facing those who have control over this matter. It is certainly not pleasant to grapple with scandal, but neither is it responsible to ignore it.

Mr. Speaker, I include in the RECORD at this point my letters to the President and to the Attorney General. I ask for a reply from them—not for myself, but for the

public, which has a right to know how they stand on the question of Mr. Wilson's fitness to serve. The letters follow:

WASHINGTON, D.C.
August 20, 1971.

RICHARD M. NIXON,
President,
The White House.

DEAR MR. PRESIDENT: When you assumed office you pledged an "open Administration" and the promise was welcomed by all of us.

In recent months and weeks I have raised a number of serious questions concerning the conduct of the Department of Justice in a major scandal in Texas. In connection with this I have raised serious questions concerning the role of the Assistant Attorney General for the Criminal Division, Mr. Will Wilson, in that scandal. None of my statements has been seriously challenged and I know of no facts that would refute the charges I have made.

Yet the Department of Justice has neither investigated nor offered any serious comment. I believe that the whole integrity of the Department is open to question in this matter, and feel that it is a matter of the utmost importance that you and the Attorney General take steps to fully investigate the fitness of Mr. Wilson, and to assure that the Department fully prosecutes all those involved in the Texas scandal, including Mr. Wilson if necessary.

The importance of this matter is immense. The public has much reason to feel that a good part of the Texas government has been corrupted. Thorough and impartial action by the Federal government would do much to restore confidence. Yet as detailed in the attached copy of a letter I am sending today to the Attorney General, and in statements that I have made on the subject, to date the public has been given no reason to believe that the Department of Justice is doing its duty.

I hope that you will consider this matter with care, and take such action as is necessary to assure the integrity of the Department of Justice, and insure that complete justice is done.

Sincerely,

HENRY B. GONZALEZ,
Member of Congress.

WASHINGTON, D.C.,
August 20, 1971.

MR. JOHN N. MITCHELL,
Attorney General of the United States,
Department of Justice,
Washington, D.C.

DEAR MR. ATTORNEY GENERAL: I am sure that you agree with me that if there is to be law and order in this country there must exist full public confidence in the administration of justice, and in those who enforce the law.

Late last year public revelation was made of an immense scandal in Texas, involving very large scale fraud, manipulation of stocks, looting of companies and banks and corruption of State government officials. The Department of Justice has played a curious role in this case, and I cannot help but think that your Department has undermined its own effectiveness and contributed to public mistrust and disrespect for the Department of Justice.

In the first place, the Assistant Attorney General for the Criminal Division, Mr. Will Wilson, played a central role in the aforementioned scandal. As is detailed in the attached series of statements I have made on this matter, it is clear that Mr. Wilson helped create the paper empire of Mr. Frank Sharp, and that he had knowledge of and participated in a large number of deals that had questionable legality or outright illegality.

In the second place, Mr. Wilson's superiors and subordinates arranged to have Mr.

Sharp himself granted complete immunity from any meaningful prosecution. I believe that this was done so that Mr. Wilson's role in Sharp's dealings would be obscured in the public mind, and conveniently forgotten. Whatever the motivation of Messrs. Kleindeinst and Farris, it is plain to all who have eyes that one of the greatest criminals in the history of Texas or the country was given immunity not because it was necessary or in the public interest, but because it suited the political convenience of the Department of Justice.

In the third place, the Department of Justice has promoted in this case the most flagrant kind of unequal justice. The same Department and prosecutors that obtained a three year prison sentence for a chicken thief allowed a fantastic deal to be struck with one of the greatest thieves of all time, so that the latter will never serve a day in jail and will never even have to answer to his crimes before a jury. And the same Department that obtained a five year maximum sentence for a banker who entered \$17,000 falsely on his bank's books somehow could obtain only an eighteen month suspended sentence for Mr. Sharp, though he made a false entry on his books in excess of \$500,000. The public cannot reconcile such disparities, and neither can the Department of Justice.

As regards the role of Mr. Wilson in all this scandal, the Department of Justice has not so much as bothered to comment, let alone investigate. As evidence has accumulated, Mr. Wilson has issued desultory denials on two occasions, but after that has been reported variously to be on vacation in Mexico, in Hawaii, or simply unavailable for comment.

Serious questions have been raised regarding Mr. Wilson's fitness. I submit that any Administration that hopes to obtain renewed respect for law must begin by assuring itself and the public of the integrity and unimpeachable character of its own officials. Yet nothing has been done regarding Mr. Wilson; the Department of Justice is maintaining a wall of silence around him.

It is alleged by columnists and others that the entire handling of this case has been based primarily on political considerations rather than on any intention to see that full justice is done. From what I have seen I cannot dispute this view. If indeed this is what has been done I see no reason to believe that you either have respect for the law nor to hope that public confidence can be maintained in your Department.

We all have only one interest in this case, and that is to see that full justice is done. There is no reason in any case to seek political gain, for that can only subvert the law itself. The public has a right to expect, and the law demands, that every malefactor be brought to justice, and that every case be prosecuted with a firm and even hand. Clearly this has not been done in the Sharp case.

I believe that you have a duty to protect the integrity of your own Department. At the minimum this can only be done if you demonstrate in some way that you fully intend to see that justice is done in the matter of Frank Sharp and that you fully investigate the role of Will Wilson in the creation and operation of Sharp's immense and shameful schemes.

Sincerely,

HENRY B. GONZALEZ,
Member of Congress.

PERU

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

MR. SIKES. Mr. Speaker, I speak today as a longstanding friend of Latin America and as a constant advocate of closer relations between the nations of the Western Hemisphere. There are few things which are more important to our long future and security than the security and well-being of the Western Hemisphere. My interest extends to all the nations of the hemisphere and I applaud those Americans who have persevered to improve mutual understanding between nations.

Today, I speak especially as a friend of Peru. This traditional and historic friend of the United States—a fact which we tend to overlook in moments of stress—needs our support and help. Devastated by a shattering earthquake a little over a year ago, Peru is faced with enormous problems of reconstruction that will continue for a long time to come. Peru has many friends in the United States. Just citing one example, the city of Pensacola, Fla., in my district, has for some years maintained a people-to-people program with Chimbote, Peru, one of the towns destroyed by the earthquake. This friendship permeates every sector of our national life, including the Congress. We appreciate demonstrations of that friendship and I am convinced that Peru will not seek to alienate those nations which show a readiness to assist in the monumental task which confronts that nation.

America can help Peru and the time is opportune. This, however, cannot be a one-way street.

Today Peru stands at the crossroads. The choice of which road she will take is Peru's. One road leads to an infusion of new foreign interest in Peru, both private and public, with programs of assistance and cooperation that will bring employment to unemployed Peruvians and the economic and social progress which is the goal of all patriotic Peruvians. The other road leads to a withdrawal of U.S. investor interest in Peru and a serious diminution of U.S. cooperative programs for our sister republic.

I appeal to Peru to take the first road I have described, because we want to see a strong Peru, a healthy Peru, a Peru on the march for economic and social progress.

There are, however, certain obstacles which only Peru herself can remove. They are not huge obstacles, but the results of their nonremoval loom large, indeed. There are minor differences between our governments. There are claims by American business enterprises for property expropriated or for funds withheld from companies for work performed. These should be settled without delay. The amounts involved for the American business enterprises in settlement are very small when compared with what can be involved for Peru's future if the claims are settled.

Again, I wish to remind our Peruvian friends that I speak as a friend. This is no time for pretty-sounding phrases and jolly compliments. That would be much easier, but that course would lead nowhere. So I say to the Peruvian leader-

ship: Let the friends of Peru go to work and help you. Do not place obstacles in your path and in our path toward that goal. Help to bring about a solution to those problems which hold our nations apart, and let us get on with the job of mutual cooperation and mutual effort for a better and more secure Peru, and a better hemisphere for all of us.

DOMESTIC INTERNATIONAL SALES CORPORATION: A NEW TAX LOOP-HOLE

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

Mr. VANIK. Mr. Speaker, among the legislative proposals in the President's economic program, the DISC proposal stands out as the most likely candidate for elimination. It appears to have been "tossed into the pot" to provide a special "extra" tax break to a few special interests.

While I commend the President's efforts to stimulate foreign trade, I do not believe that it is wise to simultaneously use up all of the stimulants in the medicine chest. In one single effort the President seeks to stimulate U.S. exports:

First, by "floating" the dollar, a trade advantage upward of 10 percent;

Second, by a 10-percent tax on foreign imports, an additional trading advantage of 10 percent;

Third, a 10-percent investment tax credit applicable only to domestic production; and

Fourth, by creating a tax advantage to exporters through the establishment of DISC.

Any one of these ingredients is capable of vigorously stimulating exports. The application of all four constitutes strong medicine which will result in retaliatory trade action.

Of these efforts to stimulate foreign trade, DISC is the most objectionable, since it has the potential of becoming a billion-dollar tax loophole for a special segment of the American economy—our largest corporate exporters.

Harvard Law School Professor Stanley S. Surrey, Assistant Treasury Secretary for Tax Policy during the Kennedy and Johnson administrations, has prepared an excellent article on this subject which appeared in yesterday's newspapers. The article is as follows:

[From the Washington Post, Sept. 19, 1971]
DISC: A BILLION-DOLLAR TAX LOOPHOLE HIDDEN IN NEW ECONOMIC POLICY

(By Stanley S. Surrey)

The President's speeches on the New Economic Policy do not mention the "DISC" proposal, and so it receives almost no notice in the daily press discussions.

This silence cloaks the efforts of the Treasury Department once again to slide the DISC proposal into the tax law. Last year the attempt was made as part of the Trade Bill, when the fierce legislative battle waged over import restrictions permitted the DISC proposal to pass through the House, almost unnoticed and unseen and certainly not understood. Fortunately, the Senate Finance Committee then viewed the proposal with suspicion and it died at the end of the session.

There is good reason to keep the DISC proposal out of the spotlight. The proposal opens up a billion-dollar loophole in the income tax, through permitting U.S. exporters—especially our largest corporations—to escape that tax.

It would be a cruel irony to have the first significant technical income tax legislation to pass the Congress after the 1969 Tax Reform Act—the kind of legislation that only technicians and experts can follow—open up one of the largest tax escapes ever legislated by the Congress. Yet we find the Treasury Department being the moving force behind this attempt.

A DISC—Domestic International Sales Corporation—would be a new, type of corporation conjured forth by this change in the tax law designed to "defer" the income tax on the "export profits" received by a domestic corporation engaged solely in the export trade. The quotation marks are used because the words they enclose turn out, as is so often the case in tax legislation, to have a significance far beyond their normal usage.

American businesses manufacturing goods that are sold abroad would be expected to organize DISCs—which need be only paper subsidiaries—through which their present exports would be channeled. The profits of a DISC from its export sales would not be subjected to income tax if the profits are used in export activities of the DISC or loaned to the parent-manufacturer corporation for "export-related activities"—again the significant quotation marks. This is the way the Treasury describes the proposal.

But under the terms of the actual legislation, it turns out that "deferral" would in practice become exemption; that "export profits" would very often include manufacturing profits; that "export-related activities" of the parent-manufacturer become activities having nothing to do with exports, extending even to investment for manufacture abroad; and that the references in title and description to "domestic" export subsidiaries cloak in practice an inducement to form foreign subsidiaries and, moreover, to form them in tax-haven countries, thus bringing back a pattern of abuse against which Congress legislated in 1962.

These are aspects that the Treasury does not talk about when it urges the proposal. For example:

1—The Treasury stresses in urging DISC that only a deferral of tax is involved, in terms that imply deferral is really not much—the tax is not paid now but must be paid a bit later on. Indeed, "deferral" for most Congressmen is a word that lulls them into believing very little is being away. But the Treasury and corporate controllers know better. Thus, a high Treasury official, in talking recently to a professional group on aspects of accounting, said:

"I need not tell this group that tax deferral is the name of the game. A tax deferred one, two, or several years is simply a lower amount of tax on those who achieve such deferral—a burden that must be assumed by all other taxpayers."

For a profitable company, the present value of 15 years deferral—at the least the period the Treasury and business have in mind under DISC; indeed the deferral for many will be indefinite—is just about worth the amount of the tax itself, which makes deferral the equivalent of exemption. The reason is that the deferred tax-money that a company keeps over such a period (in effect an interest-free loan for that period) can be put to work earning additional money. In a typical case, the real cost to a profitable company for each \$100 in deferred taxes would only be \$18 to \$20.

2—The Treasury stresses that domestic subsidiaries will be used and that this is helpful to unsophisticated businesses. But the tax experts who study the technical details know that the arrangement which gives

the greatest tax windfall under the proposal is to combine DISC with a foreign tax haven subsidiary—a Swiss or Panamanian company. In 1962 the Congress rightly legislated against tax haven abuses. Now in 1971 under the cloak of a few technical words in the DISC proposal, the Treasury is sweeping away that legislation and directly legalizing and encouraging the widespread use of these tax havens.

3—The Treasury stresses that the profits of a DISC, freed from taxes, will be used to promote export activities. But the tax experts who study the technical details know that these tax-free funds can be used for activities that have nothing to do with exports. Thus, the funds can be used by large manufacturing companies, who are presently exporters, for purely domestic activities where the favored companies are able to compete with tax-free DISC money against companies not so favored. They can be used even to build manufacturing plants abroad—and thus reduce the export trade of the United States. The DISC money is simply made available to the companies and the Treasury will ask no questions on how it is so used.

The purpose claimed for this proposed tax-favored treatment of our exporters—exempting an entire activity from the income tax—is that it will stimulate our export trade and thereby help our balance of payments. But the revenue loss in the billions occurs even if not a single dollar of new exports occurs. Moreover, no one—not even the Treasury—has offered any public documentation and serious economic study of just how and to what extent and for what goods this windfall to exporters will increase our exports. On the contrary, most economists believe just the opposite, that the change will have only a slight effect on our exports out of all proportion to the revenue loss involved. No other country, even among those most incentive-minded, has adopted such a sweeping tax escape from its income tax.

When the questions are asked why is our tax system so unfair, why are there such gross escapes for some from the tax burdens borne by others, why do we have so much difficulty in focusing our scarce funds on pressing needs, the DISC proposal is a sharp and bitter answer.

Some corporations are of course pushing for the legislation, as are some law firms which see profits for them in reorganizing the business structures of their clients to fit DISC into the corporate organization charts. But to their credit, many a business concern and its executives, as well as their tax advisers, know the proposal is wrong—wrong for them because it means a windfall received which will not materially affect their level of exports and wrong for the country in terms of our national priorities. But it comes hard not to offer support when the Treasury pushes for their backing of the proposal.

In fact, I suspect almost everyone concerned knows DISC to be a bad tax provision. Surely the House Ways and Means Committee which initiated the tax reform legislation in 1969 should know better. One can believe that it does know better—after all, a dissenting report filed last year by some committee members explained in detail how the proposal was seriously wrong and had no place in our tax system. One suspects also that the Treasury tax experts know better. Nevertheless, the proposal has found a place in the New Economic Policy of the President.

One suspects a cultural lag. Last year, pushed by Commerce, the Treasury came up with the DISC proposal to show it was trying to "do something" about exports. This year in August, however, the Treasury moved directly, to get at the crux of our trade imbalance—the unfairness to our trade that resulted from the relationship of our dollar to foreign currencies—and is now seeking a realignment of those currencies. It is also us-

ing a temporary device—the 10% surcharge on imports—to emphasize the need for currency adjustments and other trade related changes such as removal of unfair restrictive practices in other countries.

But the DISC proposal, which will not really help our exports and instead will create a large tax escape, was left around from the earlier blueprints. It is now being quietly carried along as a windfall to business, even though we have a new set of blueprints really designed to do the job that must be done to improve our trade position.

The DISC proposal should simply be dropped as a bad idea—a major loophole if viewed as a tax provision; utterly in conflict with our national priorities if viewed as an expenditure device; ineffective and now supplanted by meaningful, direct steps if viewed as a trade measure.

If Professor Surrey is correct, and I believe he is, the DISC proposal should be stricken from the President's proposals as a Treasury saving for other stimulative purposes. In the alternative, the tax saving for foreign exports should be based on the increment in export sales, over and above established base periods.

LEAVE OF ABSENCE

Mr. WIGGINS (at the request of Mr. ARENDS), for today, on account of death in family.

Mr. ESHELEMAN (at the request of Mr. ARENDS), for today and balance of the week, on account of medically ordered recuperation.

Mr. EDWARDS of Louisiana, effective September 8, without pay, on account of the campaign for Governor of the State of Louisiana.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. HARSHA (at the request of Mr. FISH), for 15 minutes, today.

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

Mr. GONZALEZ for 10 minutes, today.

Mr. BURLISON, of Missouri, for 60 minutes, on October 6.

EXTENSION OF REMARKS

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

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

Mr. CRANE in five instances.

Mr. BAKER in two instances.

Mr. DERWINSKI in four instances.

Mr. BRAY in two instances.

Mr. DUNCAN.

Mr. STEIGER of Wisconsin in two instances.

Mr. RAILSBACK.

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

Mr. NATCHER in two instances.

Mr. BOLAND in two instances.

Mr. DRINAN.

Mr. GONZALEZ in two instances.

Mr. MOSS in five instances.

Mr. BEGICH in five instances.

Mr. HARRINGTON.

Mr. ALEXANDER in six instances.

Mr. HAGAN in three instances.

Mr. SYMINGTON.

Mr. CELLER.

Mr. BRASCO.

Mr. RONCALIO in three instances.

Mr. RARICK in three instances.

Mr. RODINO in three instances.

Mr. BEVILL.

Mr. DORN.

ENROLLED BILL SIGNED

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 234. An act to amend title 18, United States Code, to prohibit the establishment of detention camps, and for other purposes.

ADJOURNMENT

Mr. MATHIS of Georgia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 33 minutes p.m.), the House adjourned until tomorrow, Tuesday, September 21, 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:

1146. A letter from the Secretary of the Army and the Secretary of Agriculture, transmitting notice of the intention of the Departments of the Army and Agriculture to interchange jurisdiction of civil works and national forest lands at Cave Run Dam and Reservoir, Ky., pursuant to 16 U.S.C. 505; to the Committee on Agriculture.

1147. A letter from the Chairman, Washington Metropolitan Area Transit Authority, transmitting a request for action to allow the District of Columbia to meet its contractual obligation to the Transit Authority; to the Committee on Appropriations.

1148. A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting a report of Department of Defense procurement from small and other business firms for fiscal year 1971, pursuant to section 10(d) of the Small Business Act; to the Committee on Banking and Currency.

1149. A letter from the Secretary of Health, Education, and Welfare, transmitting a request for a postponement of the due date for submission of a 5-year plan for the extension of family planning services and population research; to the Committee on Interstate and Foreign Commerce.

1150. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved according certain beneficiaries third and sixth preference classification, pursuant to section 204 (d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. ASPINALL (for himself, Mr. PERKINS, Mr. GAYDOS, Mr. GRAY, and Mr. PRICE of Illinois):

H.R. 10758. A bill to provide for cooperation between the Secretary of the Interior and the States with respect to the regulation of surface mining operations, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BURKE of Florida:

H.R. 10759. A bill to establish the Everglades-Big Cypress National Recreation Area in the State of Florida, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 10760. A bill to provide for the appointment of additional U.S. district judges; to the Committee on the Judiciary.

H.R. 10761. A bill to restrict travel in violation of area restrictions; to the Committee on the Judiciary.

By Mr. HAMILTON:

H.R. 10762. A bill to amend the act requiring evidence of certain financial responsibility and establishing minimum standards for certain passenger vessels in order to exempt certain vessels operating on inland rivers; to the Committee on Merchant Marine and Fisheries.

By Mr. LONG of Louisiana:

H.R. 10763. A bill to provide for the election of circuit and district judges under the provisions of the article of amendment to the Constitution proposed by House Joint Resolution 436 of the 92d Congress; to the Committee on the Judiciary.

By Mr. MACDONALD of Massachusetts:

H.R. 10764. A bill to incorporate Pop Warner Little Scholars, Inc.; to the Committee on the Judiciary.

By Mr. MATHIS of Georgia:

H.R. 10765. A bill to repeal the manufacturers excise tax on farm trucks; to the Committee on Ways and Means.

By Mr. MILLER of California:

H.R. 10766. A bill to amend the act of March 3, 1901 (31 Stat. 1449), as amended, to make improvements in fiscal and administrative practices for more effective conduct of certain functions of the National Bureau of Standards; to the Committee on Science and Astronautics.

By Mr. MOORHEAD:

H.R. 10767. A bill to amend the Internal Revenue Code of 1954 to extend the head of household benefits to unmarried widows and widowers, and individuals who have never been married or who have been separated or divorced for 1 year or more, who maintain their own households; to the Committee on Ways and Means.

By Mr. OBEY:

H.R. 10768. A bill to amend the Federal Water Pollution Control Act, as amended; to the Committee on Public Works.

By Mr. REUSS:

H.R. 10769. A bill to amend section 103(c) of the Internal Revenue Code of 1954 to provide that no exemption or exception from the industrial development bond provisions shall be available for obligations any portion of the proceeds of which may be used to assist or induce the relocation of any business establishment from one area to another; to the Committee on Ways and Means.

By Mr. SISK (for himself, Mr. QUIN, and Mr. MEEDS):

H.R. 10770. A bill to establish more orderly bargaining procedures, to enable dairy cooperatives to negotiate more effectively for terms and conditions of the sale of milk, to provide compensation for performance of services essential to the marketing of milk,

to eliminate inequities in existing marketing practices, to insure an adequate regular supply of good, healthful milk to consumers, and for other purposes; to the Committee on Agriculture.

By Mr. STEIGER of Wisconsin:

H.R. 10771. A bill to provide for equitable military compensation; to the Committee on Armed Services.

By Mr. BURKE of Florida:

H.J. Res. 878. Joint resolution to redesignate the area in the State of Florida known as Cape Kennedy as Cape Canaveral; to the Committee on Science and Astronautics.

By Mr. RARICK:

H.J. Res. 879. Joint resolution authorizing the President to proclaim the first day of January of each year as "Appreciate America Day"; to the Committee on the Judiciary.

H.J. Res. 880. Joint resolution proposing an amendment to the Constitution of the United States redefining the advice and consent of the Senate, for purposes of the President's treaty-making power, so that two-thirds of the full Senate and House of Representatives must concur; to the Committee on the Judiciary.

By Mr. BURKE of Florida:

H. Con. Res. 404. Concurrent resolution expressing the sense of Congress that the United States should sell Israel aircraft necessary of Israel's defense; to the Committee on Foreign Affairs.

H. Res. 603. Resolution to express the sense

of the House with respect to peace in the Middle East; to the Committee on Foreign Affairs.

H. Res. 604. Resolution to amend the Rules of the House of Representatives to create a standing committee to be known as the Committee on the Environment; to the Committee on Rules.

By Mr. CHARLES H. WILSON:

H. Res. 605. Resolution establishing the Select Committee on Privacy, Human Values, and Democratic Institutions; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

270. By the SPEAKER: Memorial of the House of Representatives of the Commonwealth of Massachusetts, relative to establishment and preservation of the Thaddeus Kosciuszko Home National Historic Site in Philadelphia; to the Committee on Interior and Insular Affairs.

271. Also, memorial of the Legislature of the Territory of Guam, relative to a constitutional amendment to permit the people of Guam to vote in presidential elections; to the Committee on the Judiciary.

272. Also, memorial of the House of Representatives of the Commonwealth of Massachusetts, relative to reimbursing States for

the cost of relief afforded certain migrant recipients; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FLOOD:

H.R. 10772. A bill for the relief of Patricia Anee Rowe; to the Committee on the Judiciary.

By Mr. PETTIS:

H.R. 10773. A bill for the relief of Alfred Coleman; to the Committee on Interior and Insular Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

133. By the SPEAKER: Petition of the Executive Board, Third Marine Division Association, relative to designation of the first week in May of each year as "One Nation Under God Week"; to the Committee on the Judiciary.

134. Also, petition of Louis Teplitzky, Bronx, N.Y., relative to redress of grievances; to the Committee on the Judiciary.

SENATE—Monday, September 20, 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, as we undertake the tasks of a new week we thank Thee for the renewed energy gained by rest and the spiritual renewal received from Sabbath worship. Help us through each moment of this day, that we waste none of its hours, soil none of its moments, neglect none of its opportunities, fall in none of its duties. May nothing take away our joy, nothing ruffle our peace, nothing make us bitter, resentful, cynical or sinful. As we address ourselves to the complex problems of this troubled age, may all who serve in the Government be given a wisdom beyond themselves. Bring us to the evening time undefeated by any temptation, at peace with ourselves, at peace with our fellow men, and at peace with Thee.

In Thy holy name, we pray. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, September 17, 1971, be dispensed with.

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

WAIVER OF THE CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the

legislative calendar, under rule VIII, be dispensed with.

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

COMMITTEE MEETINGS DURING SENATE SESSION

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

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

TODAY'S U.S. ARMY

Mr. MANSFIELD. Mr. President, last Monday, I had printed in the RECORD the first three in a series of articles, carried in the Washington Post, covering today's military, written by Haynes Johnson, George C. Wilson, Peter Jay, and Peter Osnos. Today I would like to bring this up to date and ask unanimous consent that the remaining articles in this series be printed in full in the RECORD at the conclusion of my remarks.

The PRESIDENT pro tempore. Without objection, it is so ordered. (See exhibit 1.)

Mr. MANSFIELD. Mr. President, the nine-part series portrays exceptionally well, I believe, the anguish and diminishing lack of pride experienced within the Army today. The tragedy of Vietnam has played no small role for the degradation of spirit which is observed. It will continue unless and until responsible people and institutions insist on a definite end. Only then will the tragedy of Vietnam and the effect of its spirit be removed. This must and will be done, in

the interest not only of the Army but also of the whole Defense Establishment.

Mr. President, I am delighted that, insofar as the Army is concerned, Mr. Kenneth BeLieu, now Under Secretary of the Army, will play a significant and important part in the rehabilitation process which is bound to get underway and which will be in the best interests and security of this Nation.

May I say, in an attempt to bring about this rehabilitation, that the Senate, I am sure unanimously—and Congress as a whole—is prepared to do its part to bring about a restoration of pride, dignity, and a spirit of service in the cause of our country. It will be a most difficult job, it will take great dedication but it must be done, it will be done, and it will succeed.

EXHIBIT 1

WAR CASUALTIES: LEADERSHIP, MORALE

(By Peter A. Jay and Peter Osnos)

SAIGON.—The general is tall, outgoing and immaculate, his green fatigues pressed and starched to paradeground crispness. He has been a U.S. Army officer for more than 30 years, and now from the vantage point of Vietnam he believes that the Army may be caught in an impossible situation.

For a military organization to function properly, the general said, "you've got to have one of two things, iron discipline or perfect leadership. You've just got to have one of the two, and at the moment we don't have either."

Because it is next to impossible simply to impose discipline on young troops conscripted from a permissive and democratic society, he said, "we're going to have to develop it through other means, and the only other means is better leadership."

"To get that kind of leaders you've got to have the government behind you, and the people thinking it's a great job and an honor