I insert text of Mr. Connelly's article into the RECORD:

EX-ARISTA EMPLOYES TO GET AID—U.S. CONCEDES IMPORTS HURT

(By Bill Connelly)

WASHINGTON.—The U.S. Tariff Commission ruled yesterday that former employes of Arista Mills Co. in Winston-Salem are eligible for government assistance provided to workers who lose jobs because of U.S. foreign trade agreements.

The Labor Department now must decide what type of assistance will be provided and which former Arista workers are entitled to benefits. Arista closed about a year ago, eliminating some 350 jobs.

Rep. Wilmer Mizell of the 5th District was informed of the Tariff Commission decision, the first in which a textile firm's employes have been granted aid under the Trade Expansion Act of 1962.

Mizell said the decision indicates official government recognition that textile imports from Asian countries are "directly responsible for the loss of textile jobs in the United States."

U.S. RULING

In another ruling last November, the Tariff Commission held that the owners of Arista Mills were eligible for government aid under the 1962 law. In January, three former Arista workers filed a petition to gain the same right for employes.

The commission ruled yesterday, in effect, that concessions granted in U.S. trade agreements led to an influx of directly competitive textile imports that was largely responsible for putting Arista employes out of work.

Arista Mills produced cotton and man-made fabrics used for work shirts and sports shirts. The Tariff Commission said the company had a monthly average of 350 employes during 1969, its last full year of operation.

THREE FORMS

Under the Trade Expansion Act of 1962, government assistance for the employes can take three forms: (1) job retraining; (2) relocation; (3) a cash supplement to the worker's unemployment benefits.

It will be up to the Labor Department to determine which benefits are available to specific employes. A department spokesman told Mizell's office that an investigation would begin in two to three weeks.

According to the Labor Department, an employe must have worked at Arista for 26 weeks during the year before the plant closed and must have earned at least $15 a week to be eligible now for government aid. Other eligibility rules will be spelled out after the department's inquiry.

The Tariff Commission's ruling in the Arista case could pave the way for similar decisions regarding textile companies that contend they were put out of business—or seriously damaged—by import competition.

HOUSE OF REPRESENTATIVES—*Monday, March 22, 1971*

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

Ye shall proclaim liberty throughout all the land unto all the inhabitants thereof.—Leviticus 25: 10.

"Lord shelter the prisoners of war in Southeast Asia. Open the hearts and minds of their captors that they may be restored to their homes and loved ones. Each has carried the burden of battle. Each has discharged an obligation to his country. Each has been subjected to hazard, pain, and imprisonment beyond the lot of the soldier.

"O Lord, these gallant men who bear so great a burden must not be forsaken. God of justice to whom we pray, Thy compassion we beseech: Lift their burden, give them strength and strike the shackles that deny them freedom." Amen. An American Legion prayer for our prisoners of war.

THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Leonard, one of his secretaries, who also informed the House that on March 19, 1971, the President approved and signed a joint resolution of the House of the following title:

H.J. Res. 16. Joint resolution to authorize the President to designate the period beginning March 21, 1971, as "National Week of Concern for Prisoners of War/Missing in Action."

MESSAGE FROM THE SENATE

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

S. 1117. An act to provide for regulation of public exposure to sonic booms, and for other purposes; and

S. 1181. An act to remove certain limitations on the granting of relief to owners of lost or stolen bearer securities of the United States, and for other purposes.

The message also announced that the Vice President, pursuant to Public Law 86–42, appointed Mr. WILLIAMS, Mr. HARTKE, Mr. METCALF, Mr. HOLLINGS, Mr. SCOTT, Mr. JORDAN of Idaho, and Mr. MILLER to attend the Interparliamentary Union Meeting to be held at Caracas, Venezuela, April 8 to 18, 1971.

The message also announced that the Vice President, pursuant to Public Law 80–816, appointed Mr. HOLLINGS, Mr. CHILES, Mr. BOGGS, and Mr. SAXBE as members of the Board of Visitors to the U.S. Naval Academy.

The message also announced that the Vice President, pursuant to Public Law 84–372, appointed Mr. MATHIAS and Mr. HATFIELD as members of the Franklin Delano Roosevelt Memorial Commission.

ADDITIONAL LEGISLATIVE PROGRAM

Mr. O'NEILL. Mr. Speaker, I wish to serve notice that the gentleman from Texas (Mr. PATMAN) will ask unanimous consent tomorrow to bring the joint resolution (S.J. Res. 55) to provide a temporary extension of certain provisions of law relating to interest rates and cost-of-living stabilization.

PUBLIC LAND LAW REVIEW COMMISSION RECOMMENDATIONS AND THEIR IMPLEMENATION

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

Mr. ASPINALL. Mr. Speaker, we have been waiting a long time—some may say too long—to bring public land policy into the 20th century. But it is not easy to unravel the complex web that constitutes the chaotic legal jungle of public land laws that grew up since the inception of the Union.

As you know, the Public Land Law Review Commission was established in 1964 and went to work in August of 1965; it completed its work and presented its report to the President and the Congress on June 23, 1970. Thereafter we had an educational period during which the report and its recommendation were debated throughout the country.

It was our purpose to initiate legislation at the beginning of this Congress and start the long road toward revision of the public land laws in a logical manner so that we would avoid pitfalls of the past. In pursuance of that purpose I wrote to the President on January 5, 1971, urging that we embark on a cooperative effort, and asking that he designate an individual to represent the administration in working with us toward our mutual goal of avoiding those past pitfalls and assuring that, as legislation is scheduled, we would have an administration position presented so that we could move forward expeditiously.

At the same time it was my conviction that the Commission recommendation to merge the Forest Service with the Department of the Interior should be the first order of business in the logical consideration of the restructuring of our land management policies, practices, and procedures.

The second piece of legislation that I believed must be considered, and it probably can be accomplished simultaneously with consideration of organizational changes, may be categorized as foundation legislation. It would constitute a statute or a series of statutes setting forth basic policy for the use of the public lands, setting forth the goals and objectives for such use—matters that are unfortunately absent today and that have caused public land management to drift—without any direction from the policy making body: Congress.

It is now over 2 months since I wrote to the President and, although I have

courteous acknowledgments of my letter, I have had no definitive reply. While we have withheld introduction of legislation, in deference to the request to the President, I feel that a reasonable time has now elapsed and the time will soon come when we should proceed with the introduction of legislation, secure in the knowledge that we tried, in advance, to establish a cooperative spirit and cooperative means of action.

We were heartened when the President proposed, as part of his larger Government reorganization program, that the Forest Service be merged with the Department of the Interior into a Department of Natural Resources, as had been recommended previously by the Public Land Law Review Commission. Here, again, however, while we have similarly waited a reasonable time to receive from the President the specifics of his proposal, it may be beneficial to have before the Government Operations Committee legislation dealing solely with the Commission's recommendation which has been gaining support from many quarters.

My statement today, Mr. Speaker, is made mainly in response to the many inquiries that we are receiving as to what I, as former Chairman of the Public Land Law Review Commission, propose to do about implementing the Commission's recommendations or, more accurately, moving to obtain a meaningful revision of the public land laws. There is no question but that the time is fast approaching; we cannot and do not intend to say "let us hold off indefinitely." We have merely been trying to establish a cordial workable relationship between the legislative and executive branches which is the key, in the final analysis, to constructive legislative action. We no longer can or will say that legislation proposing changes in policy must await study of the Commission's report; but we will just as vigorously insist that we proceed in a logical sequential manner in order to provide an integrated comprehensive fabric of policy and law that will truly be in the public interest and be understood by those affected.

Let me, therefore, reassure my colleagues, as well as the American people, who own the great public lands that comprise one-third of the Nation's land, that we are ready; that shortly we will act by introducing legislation; that thereafter we expect the chairman of the Public Lands Subcommittee to schedule hearings; and, that we look forward to perfecting the legislation as a result of the hearings in which we hope that all concerned will participate. Further, for our part, the House Committee on Interior and Insular Affairs, which I have the privilege and honor to chair, has retained as its speical counsel on public lands the former Director of the Public Land Law Review Commission, Milton Pearl. Members who are desirous of cooperating with us in this important endeavor are urged to contact Mr. Pearl at the committee office so that we may all work together in securing legislation that is truly in the public interest.

At the annual meeting of the Mining, Metallurgical, and Petroleum Engineers I spelled out generally, but in a little more detail than my remarks on the floor today, where we have been and where we are going in regard to the revision of the public land laws. For this reason, Mr. Speaker, I suggest that my interested colleagues read the remarks that I made on that occasion and, under permission granted previously, I include those remarks as part of this statement:

POSSIBLE IMPACT OF THE PUBLIC LAND LAW REVIEW COMMISSION REPORT

(Remarks by Hon. WAYNE N. ASPINALL)

Last June a report was presented to the President and to the Congress by the Public Land Law Review Commission of which I had the privilege to be the Chairman. Those of you who are not from the West may not realize the amount of land owned by the Federal government. Many of you may not have been concerned with the fact that this Commission had carried out a 5-year review at a cost of approximately $7 million.

Reflecting the vastness of the acreage owned by the United States, the Commission's report is titled, "One Third of the Nation's Land", for that is how much land our Federal government owns. Approximately one-half of the Federal acreage is in Alaska. Although about 90% of the area that is not in Alaska is concentrated in the eleven most Western states, each of us has a vital interest in how all of the public lands are utilized.

The public lands are varied in all respects, including the terrain, the diversity of climatic conditions in which they are located, and, like other lands, the values that they possess both on the surface and beneath the surface.

A comprehensive review of the policies and laws applicable to these lands became necessary when we found ourselves with an extensive body of laws and regulations, some of which conflict with each other and many of which are obsolete. The review and report that have been made contain recommendations, recommendations that need separate action by either the administrators or the Congress. Our estimate is that approximately 80% will need legislation to become effective. To accomplish this successfully, we will need a coordinated cooperative effort between the Executive and Legislative branches. I have asked the President to designate someone to work with us toward that end.

The chaotic condition of public land policy, laws, and regulations today can and will be avoided for the future if we proceed to revise the public land laws in an orderly manner based on a logical sequence in which we move from fundamental foundation elements to specific aspects of management and, in some instances, disposition of a limited part of the public lands. We have the opportunity now to do something that this country never could do before, and I have faith that we will take advantage of it and pass laws necessary to provide the legal framework for the use of the public lands in the public interest.

This does not mean that I expect to have all of the recommendations of the Public Land Law Review Commission adopted by the Congress. In presenting the report to the President, I stated, "We do not ask unanimity, but we do believe that the Commission's report and recommendations are a good starting point in an effort that must be undertaken and a task that must be accomplished."

Discussing the report in its entirety in a short period is very difficult. I think that the Public Land Law Review Commission acted so as to satisfy the concept that any review of the public land laws must fulfill the requirement that all the laws and policies be examined together. Accordingly, the report has a oneness to it—all recommendations are related to each other and the report must be treated as a whole.

The difficulty arises in seeking to fulfill this need when dealing with approximately 400 recommendations. At the outset, the Commission proposes a Program For The Future containing 18 basic underlying principles suggested as being applicable to all public land use; in the chapters of the report that follow, there are 137 numbered major recommendations and 250 subsidiary recommendations all designed to carry out the fundamentals set forth in the program for the future.

In order to fulfill my assignment this morning and provide you with some views as to the possible impact of the recommendations made by the Commission, it will obviously be necessary to focus on broad subject areas. Inasmuch as other speakers on the program today will address themselves specifically to the recommendations dealing with minerals, it will not be necessary to go into detail concerning these, which are of primary interest to this group.

It is, in my opinion, safe to say that there will be many changes made concerning the management and disposition of the public lands. The first recommendation made by the Public Land Law Review Commission, in sketching the program for the future, is to the effect that the statutory policy or large-scale disposal of public lands should be revised and that disposals in the future should be selective, based on determination that the lands involved would achieve maximum benefit for the general public in non-Federal ownership. Some who may have sought to obtain public lands in the last 10 years may say that this would not constitute much of a change. The basic and important change will lie in the fact that both policy—which is the prerogative of the Congress to establish—and practice will be the same. A person should be able to pursue a course of action with a fair idea of the outcome, while at the same time being assured that the policy can not be changed by administrative action overnight.

This leads us to a second significant modification, part of which has already been instituted by the Department of the Interior by administrative action. We have a right to expect that the procedures that govern the use of public lands will, on their face, be fair and equitable to all and that this fairness will be carried out in practice. When government or any segment of government loses the confidence of the people, all involved suffer: we continue to use our energies to quibble instead of focusing on matters of substance. It is unfortunate, but we found in testimony and materials submitted to the Commission that a large percentage of those who work with the public land management agencies had lost confidence in those agencies.

In order to reassure the American people and to restore confidence in the agencies of government involved, there are numerous recommendations throughout the report of the Public Land Law Review Commission designed to achieve that objective. Prodded by the findings of the study prepared as part of the research program, the Department of the Interior has already instituted new procedures relating to cases on appeal within the Department. You can expect the Congress to enact legislation designed to streamline the administrative procedures involving proposed uses or conflicts over uses of public land.

All of us are aware of the recent emergence of environmental quality as an issue to be dealt with in each of our endeavors. Many of us have been concerned with the environ-

ment for many years; the need to protect the environment of the public lands was brought into the research program carried out under the direction of the staff long before the subject became so popular. We can, therefore, anticipate congressional approval of most, if not all, of the recommendations made by the Public Land Law Review Commission regarding the enhancement or at least the maintenance of the environment on and around the public lands.

Maintenance of a quality environment is one of the underlying principles and, in addition, the Commission's report presents numerous detailed recommendations applicable to every type of use and some applicable to specific uses only. In all, following the underlying principle, there are 51 recommendations dealing with the environment.

Although, as I indicated a moment ago, another speaker will discuss in detail proposals for change in the mining law, I would like to examine this subject from the viewpoint of a Member of Congress and the Chairman of the Committee that will consider such legislation in the House of Representatives. One of the toughest, if not in fact the most difficult, of questions to come before the Public Land Law Review Commission concerned itself with the mining law. Virtually everyone agrees that the mining law of 1872 which, generally speaking, covers the search for and the discovery, development, and production of hard rock minerals, needs some change.

The advocates of change range over the entire spectrum of what might be accomplished. There are those who would amend the law solely for the purpose of avoiding the application of judicial and administrative rulings interpreting or implementing the basic law. There are others who would make major or minor changes in the law; and then there are those who advocate outright repeal of the mining law and its replacement by a mineral leasing system.

The only thing that I can tell you with any certainty today concerning the mining law is that legislation on this subject will undoubtedly be one of the most vigorously debated and contested legislative actions. From the outset of the work in the Public Land Law Review Commission, it was our objective to achieve a consensus among 19 people representing various and divergent backgrounds, philosophies, and constituencies. It was part of this endeavor that lead us to recommend the enactment of a mining law that in the opinion of the majority of the Commission will, if enacted, correct the defects in the existing law and remove the opportunity for the unscrupulous to abuse the law by utilizing it for purposes unrelated to mining. It seems to me, personally, that critics of the existing law should be satisfied with a substitute that would accomplish these purposes, without insisting that the minerals involved be brought under a leasing system. One difficulty we have is that all too frequently some particular term or slogan replaces substance and, if that happens in this instance, we may find some people on both sides objecting to compromise legislation. I appeal to all concerned not to let this happen; and rather for them to examine the legislation on the merits as to the objectives sought.

An important factor in this context involves examination of our objectives. The Public Land Law Review Commission, based on data submitted to it, came to the conclusion that there would be a significant increase in our population, and also in our economy, between now and the year 2000, which period of time we established as our foreseeable future. We then recommended that the public lands must contribute a share of the increased demand that will result thereby. In addition, we have a general belief that there is a need for the development of additional domestic sources of supply of minerals. Our recommendations are based on these premises, and I have confidence that, after the issue has been debated, the Congress will support the general principle involved.

In assessing the defects in the existing public land laws, we found the greatest difficulties are traceable to the absence of effective guidelines to plan future public land use. The first ingredient of any system of planning the use of public lands must be the establishment of goals and objectives for the use of those lands. Then, in the planning process, everyone concerned should be brought in before the managing agency makes any tentative or preliminary decisions. Accordingly, it is my plan to introduce this type of legislation as the initial step in the construction of a firm body of public land law. Once we can reach agreement and embody in statute law our goals and objectives for the use of public lands, together with a procedure for planning, we will have a foundation on which we can build and set forth the procedures to be applicable to specific uses.

Another difficulty that we found was the fact that there are no statutory guidelines for the establishment of priorities among the several uses authorized under multiple use laws. We have made only a beginning toward the end of choosing among multiple uses; but the fact is that we have made a start and we trust that all of you will give it consideration. Realistically, therefore, I anticipate that we can and will, during this Congress, enact legislation to establish goals and objectives as well as planning procedures concerning public lands, but that a greater period will be required to permit formulation of legislation governing the priorities of various uses.

Before we start considering any legislation, it would be good to determine, if feasible, whether the recommendation to merge the Forest Service with the Department of the Interior can and will be carried out. This recommendation was made by the Public Law Review Commission and more recently was incorporated in a series of recommendations for government reorganization made by the President. We cannot and will not delay indefinitely. But we will wait a reasonable period because many problems will be solved and others will never arise if the merger recommendation is removed as an issue in connection with general public land legislation.

Last week the Committee on Interior and Insular Affairs of the House of Representatives completed its organization. Tomorrow, as Chairman of that Committee, I will meet with all the Subcommittee Chairman in order to draw up our plans for this session of Congress. The public lands of the United States represent a valuable asset, and I assure you that we will give a high priority to the consideration of legislation to revise the public land laws of the United States.

PRESIDENT NIXON IS TAKING AMERICAN FORCES OUT OF VIETNAM AND DOING SO IN A RESPONSIBLE ORDERLY WAY

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

Mr. MYERS. Mr. Speaker, President Nixon is taking the American forces out of Vietnam and is doing so in a responsible orderly way. This has been accomplished without prejudicing the ability of the non-Communist South Vietnamese to resist aggression from the North, and without destroying the credibility of American commitments throughout the world.

In the first months of his administration he announced the Vietnamization program, under which we are turning our combat responsibility over to the Vietnamese and withdrawing our troops in accordance with three criteria:

Progress toward peace in Paris;

The level of enemy activity on the ground in Indochina; and

The capability of the South Vietnamese to handle the enemy threat.

There has been no progress in Paris. The levels of enemy activity in Cambodia and Laos have necessitated extensive U.S.-supported military operations in these areas. Yet it has been possible, because of the progress made by the Vietnamese Armed Forces with our training and support, to reduce our troop levels in Vietnam by over 200,000 men by January 1. That troop level will have been reduced by over 265,000 men by May 1. This withdrawal will proceed at least the same rate after that. It is the President's goal to take all our men out, but we will not do so as long as the North Vietnamese hold Americans prisoner. Our men in captivity will not be forgotten.

INDOCHINA WITHDRAWAL

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

Mr. KUYKENDALL. Mr. Speaker, the rhetoric surrounding current events in Laos obscures the tremendous progress that has been made in dealing with the difficult situation in Indochina over the past 2 years. Let me recall that the U.S. troop level, which was nearly 550,000 in early 1969, will fall below 284,000 by May 1 of this year. Two years ago American casualties were over 270 per week. They dropped to a weekly average of 80 in 1970, and have been substantially less than that for the first months of 1971 despite the intensified military operations in Laos. The additional cost of Vietnam was approximately $22 billion 2 years ago. It is less than half of that today.

Yet the security in Vietnam is vastly superior today to what it was 2 years ago. The Vietnamese Armed Forces have shown that with our air support they can successfully undertake major operations against seasoned troops of the enemy on ground familiar to the latter. At the same time the Vietnamese militia has assumed much of the burden of pacification within the country. Vietnam is moving toward countrywide elections for the national assembly and the Presidency even as the war continues. Price rises, which were running 30 percent per year have been held to 4 percent in the last 8 months.

This progress has been made possible largely by the efforts of the South Vietnamese. We expect this progress to continue even as we withdraw our forces. But we must not jeopardize this progress by mindless or precipitate withdrawal. To do so would be to betray the vast majority of South Vietnamese, Lao, and Cambodians who are not Communist. It would also be to betray our faith with ourselves.

THE SKEPTICS AND THE HOUSE VOTE ON SST

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

Mr. KUYKENDALL. Mr. Speaker, last Thursday, the U.S. House of Representatives responding to pressure from the doubters, the skeptics, and the fearmongers, regretfully acted against continued development of the SST.

The actual substance of the SST vote was not as important as what it means to America. Because with deep regret I must state that I feel it is the first step down the road toward achieving a second class America.

I would like to recall that every single committee on both sides of the Congress that has heard SST testimony for 8 years has voted overwhelmingly in favor of it. Yet, the deluge of opinions, half truths, fabrications, and deliberate lies has been so great that for the first time in my public life I have seen the Congress vote against the overwhelming opinion of 8 years accumulated testimony.

There are those who would run this country who demand that millions of homes be built and yet no trees be cut down. There are those who would demand that we have health throughout the world and yet would immediately create hundreds and thousands of deaths by malaria by banning the export of DDT. There are those who demand low food prices on highly nutritious food and yet scream to the heavens about farming methods that have allowed the American people to eat more and better food more cheaply then any in the world. There are those who want warmth and comfort and yet scream when the coal is mined that produces this warmth or when oil is produced for the same purpose.

I think the time has come when the American people must decide if the skeptics are going to run this country. I think it is time for the mass media to decide whether they are going to be the conveyors of doubt to such an extent that no optimist, no dreamer can possibly do anything new for his country because there is always more doubt than there is proof.

Just remember, if the skeptics had had their way and the media had been capable of communicating those doubts we would never have built and developed the railroad system across this country; we would have had no electrical system since Thomas Edison himself said the alternating current would never work and certainly the fearmongers would never have allowed Abraham Lincoln to bring the Civil War to a successful conclusion.

The question now is, Who's in charge here?

THE CASE AGAINST AN ALL-VOLUNTEER ARMY

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

Mr. WAMPLER. Mr. Speaker, on February 21, 1971, there appeared on the editorial page of the Washington Post, a column by Joseph A. Califano, Jr., entitled "A Poor Man's Army: The Case Against an All-Volunteer Army." This is a very thought-provoking editorial which, in my opinion, deserves the careful scrutiny of every Member of Congress.

Mr. Califano, now a Washington attorney, was special assistant to the Secretary of Defense, Deputy Secretary of Defense, and special assistant to President Johnson.

The article follows:

A POOR MAN'S ARMY: THE CASE AGAINST AN ALL-VOLUNTEER ARMY

(By Joseph A. Califano Jr.)

The decision to wage war is usually the most serious that any national leader makes during his public career. True as this has been throughout history, in the age of nuclear weapons any such decision is fraught with catastrophic undertones. It is thus important that every reasonable inhibition be placed on those who have the power to make the decisions of war and peace. There should be no cheap and easy way to decide to go to war in the 1970's.

The greatest inhibition on the decision of a democratically elected leader to wage war is the need to have the people's support. It took Roosevelt years of persuasion and the Japanese sneak attack at Pearl Harbor to bring the nation to a point where they were willing to wage war in the South Pacific, North Africa and Europe. Truman's decision to fight in Korea was one he had to make with the knowledge that as the war progressed, it would likely be unpopular and costly to the political fortunes of a party that depended upon the support of the American people in order to retain control of the White House.

The concept of a volunteer army—paid at a rate just high enough to attract those at the lower economic levels of our society and ending a draft which exposes every economic and social level to possible military service—lifts from the President the most potent inhibition on a decision to wage war. It is likely to produce a poor man's army fighting for decisions made by affluent leaders. It is unlikely that many of the senators, congressmen, presidents, cabinet officials and national security advisers who, in the first instance make the decision to wage war, will have sons who will choose a military career because it pays more. The economic incentives put forth by proponents of the volunteer army proposal are unlikely to attract many, if any, middle and upper class Americans with higher paying, less dangerous career alternatives.

It is remarkable to me that so many doves on both sides of the aisle have joined in support of President Nixon's proposal for a volunteer army. Indeed, some wish to put it into effect even faster than the President suggests. The broad base of support against the Vietnam war has come from those college students and their middle and upper-middle class American parents who are personally affected by the cold fact that the draft is color blind as far as economic and social status are concerned. These Americans simply will not permit their sons to die waging a war in which they do not believe.

Moreover, any President or national leader must constantly reassess his position today on the Vietnam war and any future adventures in armed conflict to make certain he can continue to make his case to the American people. He must have some hope that they will be with him, as President Lyndon Johnson used to say, on the landing as well as on the take-off.

This is the critical defect in the proposal for the volunteer army: It could make it too cheap and easy for national leaders to make the initial decision to wage war. It is from that initial decision of one or a few men that it is so difficult for subsequent leaders and an entire nation to retreat, as we have seen through the administrations of four presidents who have struggled with the problem of Southeast Asia.

Much of the attitude of supporters of the voluntary army is similar to the thinking that has degraded the original concept of foreign aid. Our AID programs were begun as an act of magnificent humanity after World War II, when former enemies were accorded dignified treatment as human beings and given the assistance to rebuild their societies, preserve their national integrity and live in human decency. Piece by piece and chip by chip, foreign aid finally reached the point epitomized by Senate Minority Leader Hugh Scott's statement late last year in support of President Nixon's $255 million request for aid to Cambodia: "The choice here is between dollars and blood." Put another way, we can buy a war that others will fight for us; in Scott's case, the Cambodians. In short, let's make it *their* blood and *our* money.

It is largely this attitude which has permitted the Russians to be so adventurous since the end of World War II with few internal repercussions. The Chinese and North Koreans fought, with Russian financing, in the early 1950's. The North Vietnamese fight with Russian and Chinese aid in Southeast Asia. The Egyptians and Arabs fight with Russians arms in the Middle East. The Soviets in effect buy mercenary "volunteer" armies of citizens of other countries, just as our AID program has often been used to buy foreign mercenaries for us.

There are other problems with the volunteer army, not the least of which are the enormous financial costs and the dangers to a society of harboring 2 or 3 million men dependent solely for their livelihood on the most powerful military establishment in the history of mankind.

According to the report of the President's Commission on an All-Volunteer Force, chaired by former Defense Secretary Thomas Gates, to attract a volunteer force of 2 million men, the nation would have to pay $1.5 billion per year in addition to what it is now paying. To support a volunteer force of 2.5 million men, the nation would have to pay $2.1 billion per year in additional pay and allowances. To add an additional 500,000 men and support a volunteer force of 3 million men, the taxpayers would have to put up an additional $4.6 billion per year. That 20 per cent increase in manpower from 2.5 to 3 million men requires a staggering 100 per cent plus increase in the cost to the nation, from $2.1 billion to $4.6 billion each year.

In an age of urgent domestic needs, I would prefer to spend that $4.6 billion (or the lesser amounts) on any number of needs at home—improving the delivery of medical services, housing, job training, anti-pollution efforts, education.

There also should be some concern in any democratic society at putting 2 or 3 million men throughout the most productive years of their lives in professional military careers. Several military officials have expressed precisely that concern to me. At the policy-making level, civilian control of the military is no easier than civilian control of the civilian bureaucracy or mayoral control of a local police force. As powerful and well connected as the military establishment is in the business community and in the Congress, there is at least the continuing check of a turnover in both the officer and enlisted corps of scores of thousands of men who enter and leave the military each year and make their careers in a variety of civilian professions. To take an extreme but actual case, what would the chances have been of exposing the Mylai massacre if the only

Americans present had been soldiers who were totally dependent on the Army for their career and their retirement?

This is not meant as a commentary *a la* Eisenhower on the military-industrial complex. For the dangers of parochialism and stagnation from having the same people in the same jobs too long are apparent throughout our society: in the steel industry, the seniority system in the Congress, some labor unions and even on automobile assembly lines. Moreover, the learning process goes both ways. If any good can be said to come out of war, it is from the survivors (in and out of the military) whose experience tempers their willingness to wage war again and makes them reluctant to permit their sons to wage war. Finally, there is more truth than most people would like to admit in the affirmative aspects of discipline and training that a military organization provides not only for many enlisted men, for a significant number of relatively affluent college graduates from middle America.

The arguments propounded for an all-volunteer army are not convincing to me. True, as the Gates Commission points out, we have had volunteer armies for the greater part of our history except during major wars and since 1948. But those volunteer forces were substantially smaller than they are today. The power and logistic capability of Presidents to station them in any part of the world and intervene in any war is markedly greater today. And hydrogen bombs were not an integral part of the military establishment before World War II.

True, as Senator Goldwater contends, it is increasingly difficult to make deferment determinations in conscientious objectors cases since the Supreme Court decision last June. But judgments concerning a man's intent are made every day in the courts of our land and there is nothing so special about judging the sincerity of a man's intention in the context of the draft.

True, as so many liberal supporters of the volunteer army argue, this proposal would relieve the burden of military service from young men who prefer not to have their careers interrupted by even a few years service in the military. But I, for one, do not wish to lift from the President and the Congress the substantial irritant and inhibition of young men who do not want to be drafted to fight in a war unless they are convinced the cause is just. Most presidents are both lions and foxes and their decisions to make war, while founded in conscience for the good of the nation, are not taken without significant measures of shrewd calculations.

What are we to say of a society that can no longer inspire its young men to fight for its national security policies? Not simply (I hope) that it's fortunate that we have enough money to buy mercenary volunteers.

The very concept of a highly paid volunteer army reflects the continuing erosion of the will to sacrifice, particularly on the part of our affluent citizens. The prosperity of the 1960's certainly must increase our concern with the impact of affluence on the fiber of our society. Along with its vast benefits, the economic prosperity of the 60's brought self-centered cries of more and better and a greater reluctance on the part of the affluent to sacrifice for public purposes and the needs of our disadvantaged citizens. The wealthy have been able to leave the center city or to live there in such protected cacoons that they are immune to the dangers of crime and the human indignities of congestion and filth. The more affluent are able to hire the talent to avoid payment of fair shares of income taxes; indeed, many pay no taxes at all. To say to them that now we will lift from you any concern that your sons might have to fight a war is further to pander to the more selfish, baser instincts of their human nature.

What is of profound concern is that so many of our leaders eagerly support any move to ease the burdens of the affluent and make it easier politically to engage in military adventures abroad at a time when the nation desperately needs a real measure of sacrifice at home and the strictest kind of inhibitions on further military adventures in far-off lands.

THE CONFLICT IN INDOCHINA

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

Mr. SCHERLE. Mr. Speaker, the President has worked harder than anyone else to bring the conflict in Indochina to an end through a negotiated settlement. Ambassador Lodge, his former Vice Presidential running mate, assumed leadership of the American delegation at the Paris talks the day after the President's inauguration. As early as May 1969 the President put forward a comprehensive plan for peace, including withdrawal of all outside forces, internationally supervised cease-fires, free elections, and release of prisoners of war. He took a number of concrete measures, including a change in orders given to U.S. combat troops, reduction of B–52 strikes, and withdrawal of U.S. forces to deescalate the violence in Vietnam and help bring about a settlement.

The President pursued the quest for peace in subsequent months, seeking through a variety of public and private channels to engage Hanoi in serious negotiations, offering to talk without preconditions, and promising to be flexible in any negotiations that might eventuate. In October 1970 the President took a new step for peace by offering a standstill cease-fire throughout Indochina, a political settlement in Vietnam reflecting the existing balance of forces there, and immediate release of prisoners of war.

The other side's answer to these efforts has been to demand that we withdraw our forces unilaterally and throw out the constitutionally elected government of Vietnam as we go. There is no justification for such action in international law. There is no justification for such action in the relative Communist weakness on the ground. There is no justification for such action in terms of the credibility of the American commitment throughout the world.

RUSSIAN SUBMARINE BASE

(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, the Russians undoubtedly consider the Government and people of the United States to be extremely naive. They have constructed a submarine base at Cienfuegos in Cuba. They know, of course, that we have photographs of it. When the story broke in the press that the Soviets were building a base in that country, our Government lodged strong protest with the Russians. Later it was reported to the American people that the Russians had assured us they were not building a base for offensive purposes. Apparently, we have swallowed this and we are now unconcerned about the whole thing. Or so it would seem to the Russians.

The fact is Russian submarines have penetrated the southeastern perimeter of the United States with the help of the supply facility at Cienfuegos. Barracks and naval support installations—even recreational facilities—have been completed there. At the least, they are capable of basing submarine tenders and barges with which to resupply Soviet submarines at sea.

No longer is it necessary for Russian submarines to make the long trip back home to Russian or satellite bases to resupply. They can now remain on station in the Caribbean for indefinite periods, confident they have only to call Cienfuegos for their needs to be delivered at sea.

This Russian capability poses a threat to the security of the United States. With it, Soviet submarines can more readily carry on their surveillance of our naval activity operating from Key West and Mayport, the Atlantic Missile Test Range at Cape Kennedy, and the U.S. air traffic over the Caribbean and the Panama Canal. In time of war, the threat would be doubly serious because of greater effectiveness of Russian submarine operations in the Caribbean and gulf areas.

The story of the expanding and modern Soviet fleet is known to us all. More and more, Russian merchant vessels are plying the waters around Latin America. It is just a matter of time before Soviet naval vessels will be steaming into these same ports on courtesy calls. All of this is part of a very general buildup of Soviet naval power throughout the world.

We must face the facts, Mr. Speaker. There is a significant Russian naval presence in the Caribbean. White House assurances regarding "understandings" and "agreements" will not change that. Cienfuegos should be all the proof needed.

MEDICAL CARE

(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, a very close personal friend of many years, a doctor, has been a successful practitioner for 36 years. His name is Dr. D. M. Adams. His father was a physician before him. Interestingly enough, his son and brother also are physicians. They have made great contributions during a period which now is extending into three generations. I have long respected Dr. Adam's judgment and valued his counsel. He has written me a most interesting letter regarding his own ideas and conclusions about medical care after 36 years of practice. I have asked his permission to have this reprinted in the CONGRESSIONAL RECORD for I think it is most interesting and that it offers very useful suggestions. It follows:

DANIEL M. ADAMS, M.D.
Panama City, Fla., February 25, 1971.
Congressman BOB SIKES,
House of Representatives, Washington, D.C.

DEAR BOB: I told you that I would try to give you some of my ideas and conclusions about medical care after 36 years of practice. As you may know, my father was a pioneer physician here who built the first hospital in 1924 which I operated, along with my practice from 1934 until we closed it in 1967. Both my brother, Powell, and I (born here) are physicians and my only son (born here) is a physician (ENT at Ochsner's). I have had post graduate study at Tulane (a years teaching fellowship in the Department of Internal Medicine in 1952–1953), since which time I have limited my practice to internal medicine. Prior to that I had spent a month at Harvard immediately after the war, in obstetrics, and a week at NYU in electrocardiography. I spent a week at Vanderbilt in 1968, two weeks at the U. of Fla. in 1969, and one month in Internal Medicine at Harvard in 1970.

Of course, I was in the Army about five years, 42 months with amphibious infantry in the Pacific; after 11 mos. at the Station Hospital in Camp Shelby. All in all, a long and varied background.

From 1924 to 1967 we operated the hospital with no subsidy or help, except a non-profit charter, surrendered when Bay Memorial was opened about 1950. To my knowledge no one was ever turned away from here (or Lisenby's), because of inability to pay, or because of race, color or creed. We took care of all the charity when that made up most of what we had. FERA paid the doctor $25.00 for pre and post natal care and delivery, but I let that go to the hospital and delivered those free in the hospital. I recall the 50 cent office fee days.

In the mid 30s I had correspondence with Julius Rosenwald about the need for hospitalization for all and ways to try to work out some prepayment. Until Insurance came in after the war, most hospitals in medium sized communities were built and operated by doctors who took care of everybody. The advent of Hill-Burton hospitals saw the decline of proprietary hospitals, which those on public staffs saw fit to deride, and the skyrocketing cost of hospital care. Doctors are generally not appointed to the Board of Trustees of the Hill-Burton financed hospitals, but are receiving much of the blame for the skyrocketing costs. Most of those graduated in the past 25 years know little or nothing about running hospitals, or costs.

We were taught the old "sliding fee schedule" when I was in medical school, which implied that the doctor, turning away no one, charged the wealthy larger fees for the same thing he did free for the poor, and for the great middle class fees were charged according to ability to pay, with few objections to being overcharged. Doctors and patients were much closer then, perhaps, in general.

By the time I began practice the sliding fee schedule was on its way out because of the Great Depression, and the fact that the middle class was temporarily practically wiped out, leaving only the rich and the poor. Thanks to our great government, its wise, and devoted servants, the middle class now makes up all but the smaller percentage of each extreme.

One must reminisce and philosophize always, We live by our philosophical principles as well as by the inflexible rules of life. There is constant change and will always be, though in some ways some principles and some things never change. So we must adapt ourselves to the changes as best we can, philosophically in some ways, and realistically in some ways. I need not remind you of the changes in population, communications, transportation, and industrialization you and I have seen in our life times, not to mention those affecting the whole world and mankind, threatening the existence of life.

We have shunned the word "Socialism" in our country while socializing our society as rapidly as we practically can, yet still trying to hold on to capitalism in all its forms, despite the changes it, too, has undergone. As long as we can have a republic and a representative democracy of the type we have, we should be able to meet the necessities for socioeconomic changes freely, boldly and without being hypocritical about it. If our government remains a representative republic, and we continue to try to be as democratic as possible, why should we be afraid of a strong centralized government, which is what we have been necessarily evoluting toward all the time, because of population increase and material changes? We can not reasonably go backwards. There must be controls, but these can be democratic and as variable as indications point. Quality of life, with equal distribution of the necessities, equal opportunity, reasonable freedoms, shared fellowship, and responsibility shared also, according to ability, with every able bodied person contributing something no matter how little to the common good, with the common goal not the calf of gold, Baal or Molech, but God's own laws to love thy neighbor as thyself, and to have No Other God but God; this is what is ideal for our country, and mankind.

Law and order should be rigidly enforced while we experiment and try to learn the cause and prevention of crime and violence. A society which can countenance killing of thousands of the unborn at a whim, must be realistic enough to enforce the death penalty to the criminals of violence who will not, and can not, live without threat to society.

Now, I believe our country should be as one family, and that the laws of the family—and not the jungle—should prevail. Every one given citizenship, or born in this country, should be entitled to the security of it, and be expected to contribute to its needs in the best way he can. Security surely means food, clothing, decent shelter, medical care, and a sense of being a part. Medical care should not be a commodity but one of the necessities of life to which every citizen is equally entitled, as he is equally expected to contribute to the good of the society.

First, there is enough of everything if it is properly used. It is said that perhaps 60% of the people who see doctors get to see them because of conditions or complaints which could be as well cared for by a well trained conscientious nurse, or paramedical person. Of the latter, tens of thousands have received basic and special training through Armed Services. The emergency rooms of hospitals are filled at almost all hours by patients whom the doctor is expected to see. Except in real emergencies, severe pain or injury, or serious illness, most patients can be seen and treated, or screened, by trained nursing or paramedical groups. The hospital board of trustees should be 50% of doctors and these people, 50% of the consumers or laymen (for lack of a better word). The distributions of doctors should be partly a responsibility of the medical organizations, with facilities and remuneration a governmental responsibility where indicated. The doctor could choose public or private service. (Practice)

Hospital care should be nationalized, funds for building, supply, and maintenance channeled as in the Armed Services. All people should pay into the government proportionate insurance costs, with employers, or the government making up the rest.

Doctors should be paid and treated like all other highly and expensively trained people. The means used to pay and furnish fringe benefits such as in places like Ochsner's Clinic could be used, or like in the Armed services. I think that to treat them as in the Socialist countries, or Communist countries, however, is going to result in the same standards of medical inefficiency and service they have there.

People should be encouraged to stay away from hospitals, except for needed care or tests that can be done nowhere else. They should be encouraged to use "Clinics" or doctors offices where all tests except a very few can be much cheaper gotten; and educated to know first aid and treatment for minor ills. Those who go to hospitals emergency rooms for minor conditions at night, on holidays, etc., should be fined by a board, or have to pay the full cost exclusive of insurance.

As to prevention, laws should enforce every preventive measure possible against disease and injury. This could save 50,000 lives, and a million serious injuries annually where the automobile alone is concerned, and countless others of illness or violence where alcohol is to blame. The prevention and treatment of drug and alcohol abuse requires the mutual cooperation between law and medicine. In my opinion drug pushers should be treated as capital offenders, and subject to life imprisonment or the death penalty.

I think that the matter of National medical care is big enough to separate a Department of Health from HEW, and saddle it with recommendations for prevention, and also with National health care. If such a department had a bureau of standards, a section for procurement such as the Armed Services, for the generally used common materials such as sheets, blankets, beds, aspirin, etc., the commonly used equipment and drugs, there should be a possibility of great savings. All hospital personnel could be protected by Civil service standards if desired, and doctors could be given the opportunity of joining the National Health Service, or stay in private practice.

Germany had National health care in about 1890, and produced more outstanding men in medicine and surgery than any other country until after World War II. They were coming back until Hitler came into power with his mad fantasies and murderous actions.

This is surely enough for the time being. My intent is to show I have the close background and experience for my ideas and conclusions. I have given hospital care more thought, and more time, than most living physicians. I think the cost of hospitalization, which has skyrocketed so, could actually be cut in ⅔ or ½. If doctors can be given a choice of National Service Practice, with security and all the fringe benefits as highly trained and skilled personnel retirement like officers of the government (or officials of proper echelon), I think the average cost of doctor's fees can decline along with the cost of living, inflation, etc. There is a lot to this, but if the principles are sound and basic, and the administration or treatment is honest, fair, and equitable, we can take a real step forward to a better life for all, rather than into a mess, eventually two steps backwards.

With best regards.

Sincerely yours,

DANIEL M. ADAMS, M.D.

STRENGTHENING THE NATION'S FORESTRY PROGRAMS

(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, last Monday, March 15, I introduced for myself and others three bills which are intended to strengthen legislation affecting the Nation's forestry programs. Forestry programs have not been updated to meet present-day demands. It is felt that the

most pressing immediate objectives are spelled out in these new measures which are being reintroduced today in order to include the names of additional cosponsors. The total number of cosponsors to date is 57 and joining me in the introduction of some or all of these bills today are the following Members of the House:

Mr. STAGGERS, Mr. BLATNIK, Mr. ABERNETHY, Mr. ULLMAN, Mr. PRYOR, Mr. BARING, Mr. WILLIAMS, Mr. HUNGATE, Mr. MCCLURE, Mr. MONTGOMERY, Mr. MCCORMACK, and Mr. HAMMERSCHMIDT.

SPRING RAINS ARE NO JOY TO THE STRIP MINING REGIONS

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

Mr. HECHLER of West Virginia. Mr. Speaker, today is the first full day of spring.

The spring rains bring joy to many people as they bring to life roots which have been sleeping during the winter months.

But the spring rains bring fear and apprehension to those people who live in areas where strip mining has occurred. Strip mining has literally scalped the topsoil from the surface, ripped open hillsides, cut ugly gullies, and polluted clear streams with acid mine drainage.

I hope that my colleagues will join in supporting legislation which will outlaw this assault on our environment, and this insult to the God-given soil, hills, forests and streams. Sixty Members from 22 States are cosponsoring this legislation. The strippers are racing against the clock to expand and extend their depradations, because they know that sooner or later a Federal law will be passed. I hope that more of my colleagues will join in support of the legislation which I have introduced to ban the strip mining of coal and provide assistance for the reclamation of lands previously stripped.

A few years ago, a madman slashed the beautiful painting of the Framing of the Constitution which hangs at the head of the main stairway to the gallery. West Virginia's Secretary of State John D. Rockefeller IV has very aptly termed strip mining "like a knife slashing through a painting."

Let us stop the devastation of our land and enact legislation to ban the strip mining of coal.

I include the following:

[From the Washington Evening Star, Mar. 20, 1971]

STRIP MINING ON TRAIL

Hardly ever does a westbound jet leave here on a clear day that some passenger doesn't ask, after a few minutes in the air. "What's happened down there?" What has happened is that broad stretches of the West Virginia and Kentucky hills have been devastated—stripped bare as if by a giant hand with a hundred fingers that has left an ugly artistry of furrows, revolting even from a height of six miles. This is the legacy of strip mining, which has forced people in some poor regions to choose between jobs and the preservation of a verdant environment.

At last they are deciding for the environment, and the strip-mining companies are nervous. An astonishing thing happened in West Virginia the other day; the state Senate voted to prohibit all stripping in 36 of the state's 55 counties for a year, and to restrict these operations in the 19 other counties. Public revulsion at the spreading desolation seems about to counterbalance the long-dominant power of the mining interests. In the forefront of the campaign to ban strip mining is John D. Rockefeller IV, West Virginia's Democratic secretary of state and a leading contender for governor in 1972. He says that surface mining is ruining the state, "like a knife slash through a painting," and he deserves considerable credit for the Senate's action. The legislation was watered down in the state House of Representatives, and the breakthrough Rockefeller seeks will not come this spring, but change is in the wind.

Meanwhile, here in Washington, Representative Ken Hechler of West Virginia is convinced that only federal action can bring a satisfactory solution. He has a potent argument: If West Virginia should freeze out the strip miners, they would merely move over into other states and continue their depredations. The only remedy, as he sees it, is a uniform standard applying nationwide. To achieve that, he has introduced a bill with the sharpest teeth imaginable, and has been joined in its sponsorship by 47 House members from 17 states.

This measure would phase out all strip mining in the country within six months after its enactment, and authorize 90 percent federal matching assistance to states for reclamation of land already despoiled.

The Nixon administration also recommends legislation on strip mining; it would allow the states two years to submit control proposals, and establish no definite time after that for federal intervention if state action is disappointing. Hechler claims this would be a "toothless law" that would accelerate the devastation. He says the strip miners, with the giant machines they now use, "will be hell-bent for gouging out the hills in those two years." It isn't hard to visualize such a race to get all the shallow coal before the final whistle is blown.

More than two million acres already have been laid waste, and it is time for Congress to call a halt and start repairing the damage. Hechler is showing the way.

[From the Washington Post, Mar. 18, 1971]

THE STRIP MINE PROBLEM

"Our class has been reading and discussing the problem of strip mining," wrote a sixth grader from Colerain, Ohio to Rep. Ken Hechler last month. "I think is like a wildfire destroying the forests and land in the United States. Since we live in eastern Ohio, we know how it is spreading and leaving scars on the surface of the earth. We hope Congress does not feed this fire." The words are only those of a child, and only one of thousands of pleas received daily on Capitol Hill. Yet, in the last few years, public worry and outrage over strip mining have been twin clouds in a gathering storm. The West Virginia Secretary of State, John D. Rockefeller IV, recently stood behind a bill that would abolish surface mining "completely and forever." Three large conservation groups have filed suit against the Tennessee Valley Authority, the country's largest user of stripped coal. In West Virginia's largest strip mine county—Boone—a poll among residents, according to Business Week magazine showed 10 to 1 against the practice. Representative Hechler has introduced a bill, with 35 co-sponsors from 16 states, that would federally outlaw stripping.

All this concern is well placed, and it is to be hoped more citizens and institutions will add their voice. Yet, however sad and disgusting the devastation is (nearly two million acres to date), dealing with the total realities of strip mining—political, economic, cultural and legal—is a major complexity. This is not unique; no environmental problem exists in a vacuum, solvable with the simplicity of one approach. Regarding stripping, for example, the nation needs coal for its electricity but it also needs beautiful land for its soul. Mining areas can use jobs for its citizens, but it can also use jobs for workers in the tourist industry—provided something is left of the land to tour.

With the bulldozers and shovels continuing the gouging daily, it is clear that this Congress must produce legislation either to stop the practice or to require land-reclamation programs that really do reclaim the land. Aside from Representative Hechler's bill—a strong one—several others have been offered, including the administration's, Senator Nelson's, Senator Jackson's, Representative Saylor's, and one soon from Representative Dingell. The Senate Interior Committee is preparing for hearings.

Until now, the technology of destruction has had an almost open throttle in supplying coal by strip mining. Some small reclamation projects by the Appalachian Regional Commission and a few companies have been operating; but usually, the land is left for dead once the coal companies move on. Aside from the barren land, a Buerau of Mines official estimates that some 5,700 miles of Appalachian streams have been contaminated by mine acids. Instant solutions are of course impossible, but no reason exists for not having solutions two or three years from now. No reason, except if Congress chooses to "feed this fire" instead of putting it out.

[From the Washington Star, Mar. 21, 1971]

RIPPING OFF MOUNTAINTOPS IN COAL-RICH APPALACHIA

(By Peter Bernstein)

WHITESBURG, KY.—The mountain collapsed on Bert Caudill's place in Johnny Collins Hollow one night last December.

Tons of earth and rock excavated by a strip miner's coal shovel suddenly let go on a ridge above the house. An angry mass of uprooted trees, boulders and mud swept down the slope, barely missing the house.

"It came a-roarin' down the hill with a sound I ain't ever heard before," recalls Ruby Caudill. "I tell you I was plumb scared."

Caudill was in a hospital at the time suffering from a bout with black lung, which he had contracted from breathing coal dust in underground mines for 30 years.

HIS DREAM

Today, the stripping is still going on and more mudslides threaten the three-room Caudill home. But they are still living in it.

"I know it ain't safe," Caudill says as he surveys his wrecked property, a 30-acre plot where he had managed over the last seven years to fulfill his dream of owning a small farm with some cows, chickens and a few hogs. "It's so that I can't sleep at night worrying over my home. But what can we do? We can't just walk off and leave the place. Where would we go if we did?"

The plight of the Caudills is not unique. Countless poor families are being driven from their homes by strip miners whose mechanized claws are devouring the land in this coal-rich region of the Cumberland Mountains and turning it into dunes of lifeless soil.

The carnage has been going on since World War II in the hilltops and hollows of Appalachia. But it has intensified since 1970, when a nationwide fuel shortage shot the price of coal from $6 to as high as $14 a ton.

Hundred of small mine operators and

heavy equipment owners in quest of quick profits went after the deposits easiest to mine near the surface. They merely had to rip away the covering layer of soil and rock to get to the veins of coal.

In Ketucky alone, the number of strip mine operators nearly tripled in 1970, from 111 the year before to almost 300. One of them from neighboring Virginia obtained a permit from Kentucky mining authorities to strip the ridge overlooking the Caudill home.

Work began almost at once, despite Caudill's plea to revoke the operator's permit. Soon there were explosions. Large boulders came crashing down the ridge. Coal mine acid began contaminating the hollow's water supply. There was no stopping the damage, so Caudill sold his livestock and hoped for the best.

After the December mudslide, Caudill sued the stripper for $15,000. But so far he hasn't been able to collect or put an end to the digging on the ridge.

Once confined to the Daniel Boone country of Kentucky and West Virginia, stripping for coal now extends into 26 states, from Alabama to Washington in the far Northwest. Its ugly scars are visible in every region of the country.

It has become a multi-billion dollar business. Some 35 percent of the estimated 600 millions tons of coal mined last year in the United States were gotten this way.

Strip mining—and the damage it is doing to the land—has been hidden from the view of the American public to some extent by the big coal companies, coal-burning utilities and industries and by land profiteers, labor unions and officials at all levels of government.

FEW SEE IT

The blackout extends to virtually all surface mining for such other minerals as iron and copper, gold clay, phosphate and sand and gravel in every state. The mining is done mostly in remote areas on a piecemeal basis. Few people see it.

And this accounts, in turn, for the fact that even though surface mining has been big business for 50 years, there still are no federal regulations for stripping on privately owned land.

Moreover, fewer than half the states have laws requiring strip miners to repair the damage they do to the earth.

The U.S. Bureau of Mines still depends on an outdated 1965 survey for information about the extent of stripping, even though strip-mine operations have doubled in some states.

In states with reclamation laws, enforcement is often carried out by untrained inspectors who got their jobs through political patronage.

But from the tragic experiences of people like the Caudills, a nationwide movement to regulate all strip mining is starting to take shape.

In West Virginia, the state legislature has imposed a two-year prohibition on strip mining in 22 of the state's 55 counties where such mining has not begun.

And in eastern Kentucky and Tennessee, the hopes of mountain people have been buoyed by a court suit filed recently by four leading conservation groups against the Tennessee Valley Authority.

The TVA, which purchases more than a third of the stripped coal in eastern Kentucky and is the biggest coal user in the country, would be enjoined from buying coal under a $78 million contract signed last fall. The purpose of the suit, essentially, is to stop strip mining, since the TVA is a federal agency, and its purchase policies are certain to influence other coal users.

President Nixon has proposed legislation that would require all states to reclaim the ravaged land.

In a recent message to Congress, the President said mining operations had "scarred millions of acres of land" and that problems such as landslides, acid mine drainage, and destruction of aesthetic values would worsen unless mining is controlled.

His proposed Mined Area Protection Act would authorize the Bureau of Mines to set guidelines for state reclamation programs.

However, a growing number of lawmakers believe the stripping problem requires strict federal control, and that the matter no longer can be left to the states.

So far 39 congressmen have cosponsored a bill introduced by Rep. Ken. Hechler, D-W.Va., that would stop the stripping of coal altogether and place federal regulations on the surface mining of other minerals.

Pitted against them, however, are such powerful organizations as the United Mine Workers of America and the National Coal Association. A lobbying group representing most strip-mine operators. Both groups oppose any outright ban on strip mining.

Yet even they concede the time has come for Congress to move into strip-mining regulation. The question—and the difference of opinion—centers on just how far Congress should move.

Few Congressmen will ever visit the hills and hollows where the Caudills live, but among those who have are men whose views about strip mining are changing.

For example, Sen. Howard H. Baker, R-Tenn., has a personal financial stake in strip mining. Baker is business manager of the 44,000-acre Payne-Baker Estate in Scott County, Tenn., under which there is a substantial bed of coad already being stripped.

Baker temporarily suspended all stripping on the estate earlier this year. He says "the very best efforts at reclamation are just barely good enough," and that strip mining should be prohibited on most steep slopes.

There are some people who would disagree with Baker, but they are mostly multi-millionaires like Richard Kelly, a resident of Hazard, Ky., who is founder of the biggest stripping company in eastern Kentucky.

Says Kelly: "The good Lord put that coal there to be mined. He left it up to the genius of mankind to develop the technology to get it out. And strip mining is the best way yet."

The stripper who devasted Bert Caudill's property—and shattered his dreams—said almost the same thing. He told Caudill after the landslide occurred that he was not to blame.

The landslide, he said, was an act of God.

[From Environmental Action, Mar. 6, 1971]

IN CONGRESS: CONSERVATION VERSUS KING COAL

(By Peter Harnik)

Giant gouging machines are ruthlessly ravaging our precious hillsides, soil and forests, polluting our streams with acid mine drainage, and making vast areas start to look like the surface of the moon. Because the strip mining of coal has caused the most irreparable damage to our environment, this bill is designed to phase out the strip mining of coal within six months of the enactment of the bill . . ."

With these words, Representative Ken Hechler of West Virginia's fourth district introduced H.R. 4556, "a bill to provide for the control of surface and underground coal mining operations which adversely affect the quality of our environment." Hechler is not the first man to try to regulate the coal industry—his bill was preceded by at least half-a-dozen others this year alone—but he has taken the strongest stand and emerged as the radical in what looks to be one of the major upcoming legislative battles of the 92nd Congress.

The battle, moreover, is going to be an extremely interesting one. Involved in the outcome are miners, mine operators, power companies, steel companies, conservationists, land speculators and even the consumer who worries about his electric bills. Along with Hechler, some others have a stake in the battle, including President Nixon, Senators Gaylord Nelson, D-Wis., and Henry Jackson, D-Wash., and Representatives Lloyd Meeds, D-Wash., and John Saylor, R-Pa. And, as the battle shapes up, others are likely to jump on the various bandwagons.

Coal in the 1970s is a volatile subject, and its regulation by Congress is not something which the industry—or the worker—is going to take lightly. There are simply too many ramifications to such an action, and a great deal of money stands to be gained or lost.

Representative Hechler is not the only man to stand up and declare that humanity has suffered enough at the hands of the ruthless mining establishment. He is merely the latest of a long string of eloquent Appalachians who have tried—and, on the whole, failed—to counteract the "march of progress" which has left an 11-state region ever poorer, more exploited and more psychologically damaged over the decades.

Hechler—who has, in fact, adopted West Virginia as his own and is not a native Appalachian—may have a larger constituency than he realizes. More and more Americans are finding that coal is not restricted to the far-off mountainous areas of West Virginia and Kentucky, but is also in their home state—and often under their own properties. Significant coal or lignite deposits are known to be in every state of the union except New York, New Jersey, Maine, Massachusetts, Connecticut, Vermont, New Hampshire, Delaware, South Carolina, Florida, Minnesota, Wisconsin and Hawaii.

Unbelievably huge deposits of coal lie under Indiana, Illinois, Kansas, Missouri, Iowa, Oklahoma, Texas, Utah and Colorado, not to mention the "more traditional" Appalachian states. Vast areas of Illinois and Indiana have already been strip mined and acreage is being rapidly bought up. One indication of the reality of the widespread concern is the fact that H.R. 4556 was cosponsored by 33 representatives.

Public fury, long contained by the American "work and progress" ethic, is slowly being brought to bear on miners in general and strippers in particular. Homeowners are afraid of having to move out in a hurry if their neighbors sell their properties to the miners. The ones that hold out are left with huge coal refuse banks, mammoth earth movers and trucks, coal fires and air pollution, acid mine drainage and water pollution.

Besides the environmental insults, there are plenty of other outrages associated with mining. According to a housewife in Ohio, the former farm and unmarked Quaker graveyard of two of President Nixon's ancestors, William Milhous, Sr., and Jr., are threatened with being destroyed by miners. In West Virginia it is not uncommon to hear of houses, schools and churches being crushed by boulders placed haphazardly or carelessly on a cliff's edge by miners.

Destruction, callousness, financial considerations, gruesome stories and misery have commonly been bywords of mining. Why, then, after over a century of neglect is the subject of mining restrictions coming up in the halls of Congress, in the legislatures of several state capitals and—most important, in the minds of millions of people?

The answer, simply, is that mining regulation is an idea "whose time has come." More accurately, the current swelling of sentiment for regulation—or prohibition—is the result of a protracted struggle between conservationists and the nation's mining interests.

It has long been clear that "all power pol-

lutes," and it has also been obvious that coal mining for the generation of electricity wreaks havoc upon the environment. Throughout the 1950s and 60s, however, conservationists did not complain too loudly about mining for three reasons: coal production was erratic and relatively low during the period; no one had any plans for what to do with the hundreds of thousands of coal miners in the event of coal legislation; and it appeared that nuclear power plants were on the verge of being successfully built, thus removing the reliance on coal.

In actual fact, though, none of these trends emerged. Major stumbling blocks slowed the development and deployment of atomic power plants. Electrical demand soared and coal production increased. And, because of automation and new methods, employment shrank, prices went up and pressure to expand the industry increased in the late 1960s.

In the closing months of 1969, Congress dealt coal men a well-deserved blow by forcing them, for the first time, to honestly provide for the safety and health of their workers. Dangerous and weak underground mines were to be strengthened or shut down. Proper ventilation apparatus was to be installed to decrease the disease-causing coal dust. Certain types of explosives were prohibited. Fines were high. Inspectors were zealous and convictions were numerous.

At the same time, the Northeast's power shortage occurred, raising the price of coal from the usual average of $5.00 per ton to unheard-of rates of $10.00 or $12.00 per ton. The combination of stringent underground safety precautions and high prices lured many unscrupulous, non-miner businessmen into strip mining.

Strip mining is not very difficult. Even in those states with the strictest regulations, one needs only a mining plan (for which an engineer is hired for two weeks), a permit, a deed to the land (or its mineral wealth), a small amount of money to post bond (assuring, theoretically, the reclamation and restoration of the land), a bulldozer and a truck. The average strip mine operator employs less than five men, has no fears of explosions, cave-ins or floods, has no overhead expenses (like electricity), and stands to make a good deal of money.

What remains after the strip miner has cleared out, however, is not so easy to predict. It can range from a delightful lake in a reforested park to (and more often) a dismal, stinking swamp of sulfurous water stagnating amid sheer walls of coal, residue and stone. Or, a mine refuse bank might ignite and burn slowly and tortously for years, polluting the air. Or, what used to be the top and sides of a majestic forested hill will lie at the bottom of a rock- and coal-strewn valley, surrounded by its bare-faced, eroding valley walls.

The scenarios vary widely, but the outcome is usually the same—the coal men make huge profits, the environment suffers and the residents of the area are either driven out or devastated.

As an alternative to stripping, underground mining has obvious appeal. The underground mine, theoretically, needs only entrance, has virtually no effect upon vegetation or topsoil, is refilled after the operation with refuse or crushed stone, and is then sealed.

Actually, of course, few or no environmental safeguards exist. In real life, underground mines cause almost as much damage as surface mines—in terms of the pollution of the water table, major underground fires, and subsidence of surface lands. Millions of acres have subsided nationwide, causing pipes, roads and sewers to break, houses to collapse, villages to be rearranged. In Pennsylvania, particularly, mine fires have smoldered for decades, heating the ground, polluting the air, and killing vegetation.

Until fairly recently, the coal industry was less than enthusiastic about the rapid growth of strip mining. Stripped coal is generally inferior to deep mined coal, and underground miners resented the resultant lowering of the price. Furthermore, the average surface miner could nearly double his underground counterpart's production rate of 18 tons of coal a day, and coal men were apprehensive that strippers would lower even further the public image of the industry.

At the same time, the union, the United Mine Workers of America (UMWA), was quite pleased with the expansion of strip mining. Above ground miners, after all, are not as subject to rock slides, explosions, black lung disease, cave-ins, flooding and coal haulage accidents as are underground miners.

Slowly, however, the two groups began to reverse their stands. As stripping grew—it now represents about 36 percent of the mining industry—it became unrealistic for the National Coal Association to reject strippers from the ranks. Now coal men accept all forms of coal production as legitimate, including auguring—or the removal of inaccessible coal by using mammoth drills—a method which accounts for less than four percent of the industry.

The UMWA, on the other hand, began to get somewhat disenchanted with strip mining. Although the accident rate at a surface mine is about half that of the underground mine, the stringent enforcement of the 1969 Coal Mine Health and Safety Act, it is hoped, will lower the death and disability rate at underground facilities. The main drawback of stripping, in the eyes of UMWA, is that it reduces employment possibilities, since fewer men are required at each surface mine.

At present, the industry is gearing up for a fight on the strip and underground mining issues, both in Washington and in several of the state capitals. Its position is clear—coal is necessary, the public demands electricity, surface mining accounts for over one-third of the production, strip mined areas are reclaimable. The UMWA is, as usual, somewhat ambiguous as to where it stands. The Union is concerned about the 20,000 members who work in strip mines (90,000 others do not), and it has attacked the Hechler bill as "so much grandstanding." It has also attacked the Nixon administration for the weakness of its approach. The United Mine Workers president, Tony Boyle, continues to call for strict regulations of strip mining, although he apparently envisions much of the clean-up and reclamation costs being borne by the federal government.

While awaiting Congressional action on mining, the National Coal Association, the UMWA and environmentalists are focusing on some of the current activities in Appalachia. In particular, they are watching Tennessee, West Virginia, and Kentucky.

All Appalachian states have laws concerning surface mining. Most of them, including the so-called "strict" ones, are relatively or totally ineffective at preventing or even minimizing environmental damage. Kentucky, reputed to have the best mining regulation laws in the country, has been the outstanding example of a state which has not been able to control the problem through legislation. Last year, in desperation, several counties in the state took steps to ban stripping under public nuisance statutes, but the actions were overruled by the Attorney General of the state.

Kentucky's legislature, which is largely dominated by coal money, meets for two months every two years. Last year, environmentalists were badly prepared, and found little support in their efforts to ban stripping in the mountainous eastern part of the state. Next year, according to Tom Ramsey of the Pike County Citizens Association, they plan to be better equipped and prepared. "I think we are seeing," Ramsey told *Environmental Action*, "a level of seriousness that hasn't existed before. The question we have to face now is whether the small organizations around here will forget their petty differences and work together for some meaningful advances."

In Tennessee, the Tennessee Citizens for Wilderness Planning (TCWP) is trying to get some changes in that state's surface mining laws during this year's legislative session. The TCWP has submitted legislation which would stiffen the rate structure for acreage and permits, and add a "reclamation fee" of 10 cents per ton of coal mined. The proposals require a minimum bond of $1000 per permit and abolish a provision that those with sufficient assets need not put down any bond to assure reclamation.

TCWP wants also to ban mining on certain lands where reclamation is unfeasible on pollution inevitable. The group would also eliminate a rather remarkable provision that presently permits mining of an area for 10 day before actually obtaining a permit. Other sections detail the procedure which would be required for proper reclamation.

The position that the Tennessee group has taken is not a particularly radical one. In contrast with its original hopes, the group has even backed off on some of its proposals. In Tennessee, however, the laws have served only the mine operators thus far, and it is politically unrealistic to assume that the situation can be changed in one fell swoop.

The one-fell-swoop approach, however, is being tried in a spectacular way in West Virginia—and by none other than Secretary of State John D. Rockefeller IV. Rockefeller, to the amazement of many, has announced that he is seeking nothing less than a total ban on strip mining in the state.

The prospects for such a ban—which has been likened to a prohibition of banking in New York—are slim, but the possibility is there. West Virginians are a bit further down the road than most Americans—as their land has been leveled around them, their consciousness has been raised. Although mining is very important to the state's economy, only a tiny fraction of the labor force is employed on surface facilities. A Rockefeller aide noted that the campaign has picked up support over the past four weeks. One occurrence on which Rockefeller is basing some of his enthusiasm is a proposed 1961 legislative amendment, which would have efffectively banned stripping in the state. It was defeated by only one vote.

Many environmentalists, however, are skeptical of a ban's chances. They fear the unemployment argument and the power of the coal lobby in Charleston. Tom Bethell of *Appalachia Information* pointed out to *Environmental Action* that the highly popular black lung bill was nearly defeated by the coal industry and passed only nine minutes before the West Virginia legislative session ended in 1969.

Instead of facing the Rockefeller-backed bill head on, the strip miners are using another piece of legislation as a screen. This bill would give the voters in each county the right to decide whether they want to ban strip mining in that county. Seemingly democratic, the bill actually is just what the strippers want, since it stipulates that 25 percent of a county's voters must call for the referendum for it to occur. All observers agree that, because of the terrain, the number of tiny hamlets and isolated houses, and the voter apathy, the figure is unattainable—especially since each signature would be challenged by the coal men and would have to be verified.

Of the six bills already introduced in Congress or announced publicly, three have been referred to the House Interior Committee, two to the Senate Interior Committee and one—the Administration's—has not been submitted yet. Two of the bills—Jackson's and Saylor's—are identical.

The legisltaive history of strip mining bills is quite extraordinary. The Saylor bill, the Surface Mining Reclamation Act of 1971 (H.R 60), which is actually the least stringent of those introduced, has been submitted to the House continuously for almost a decade. And, although Saylor is and has been the ranking Republican on the Interior Committee, the bill has never been brought up or discussed. In fact, Saylor introduced a bill into the 86th Congress (1959), which would have authorized a study of the effects of strip mining and a report. It was ignored.

The two Senators who have mining legislation pending have also submitted their bills a number of times. Again, because of the philosophical bent of the members of the Interior Committee—Western, pro-mining, pro-land utilization—the bills were buried.

This year, however, with environmental pressures at a maximum, the committee will have to act. And with an energy crisis looming, the committee will have to make some difficult, carefully thought out decisions. Moreover, the days of faltering, path-breaking bills are over. The Interior Committees will be faced with the likes of the Hechler bill and the more moderate—but still tough—Meeds bill.

At present, it looks as if the Administration bill will be accepted as a starting base, with environmentalists and coal interests tugging in opposite directions. Hechler has shown surprising early support with 33 cosponsors as well as widespread acclaim among conservationists. The Meeds bill (H.R. 3299), which has been given little publicity as yet, may come on as a strong, but fair compromise. Its major virtues over the Nixon bill are a far more stringent penalty scale (up to $10,000), a recognition that the states have done an extremely poor job of regulating coal thus far, and a section outlining a reclamation schedule for "orphan mines," or those to which no one lays claim once they have been mined. The Nixon bill also confidently assumes that the states will shape up in their enforcement at the Administration's urging. One of the bill's drawbacks is that it refers only to coal mines, whereas the Administration's covers all minerals.

This marks only the very beginning of the battle for environmental and humanitarian justice for Appalachia and other regions which have been devastated by the mining industry. The groundwork for the battle has been laid by those groups who have worked for the miner's health and safety, and by those who have worked to publicize the need for environmental sanity in the immediate future. These forces are now ready, it appears, to challenge the notion of "King Coal" and the claimed "right" of the miners to gouge and destroy where they please.

[From Louisville Courier-Journal & Times]

STRIP-MINE CONTROL IS UP TO CONGRESS

(By Ward Sinclair)

WASHINGTON—Federal control over strip-mining of coal, until now something of an unnoticed and unwanted child of the ecological movement, will be up for adoption soon in Congress.

After more than two years' delay and after substantial weakining changes, the Nixon administration's answer to the regulation of surface mining and reclamation of despoiled land will be introduced this week.

At about the same time, Rep. Ken Hechler, D-W. Va., intends to introduce a much more radical proposition—a total ban on the stripping of coal and stiff regulation of the surface mining of other minerals.

Already awaiting consideration is a bill introduced last month by Sen. Gaylord Nelson, D-Wis., the father-confessor of the ecology-movement, whose proposal fits somewhere between the Nixon approach and the Hechler approach.

Congressional sources believe other surface-mining regulation proposals will eventually be introduced this year, with hearings in the House and Senate a probability.

Nelson's bill was introduced last year but no hearings were held. In 1968 the Senate held hearings on proposed legislation, but it died in committee. No House hearings were held.

President Nixon, Rep. Hechler and Sen. Nelson all agree that the time has come for Congress to move into the subject of strip-mine regulation. The question—and the difference of opinion—centers on just how far into the subject Congress should move.

* * * environmental message on Feb. * * * urged congressional action. The administration, in its strip-mine proposal that will go in this week, says "This legislation is long overdue. The longer it is put off, the larger the ultimate cost will be."

Sen. Nelson, who has proposed controls for four years, calls effective environmental control and supervision of strip-mining practices "an urgent national necessity."

Hechler's view is that reclamation of stripped land cannot be done effectively. "I've not seen it done effectively and that's why I'm taking such an extreme position," he said.

Hechler said he feels public concern runs high over the ravages of surface mining, which chews up about 150,000 acres every year and leaves them in varying states of disarray.

"Public demand is much greater than the demand in Congress," Hechler remarked. "The newer members, however, are interested in this kind of legislation—I'll know better next week just how interested they are."

"How far do I think I will get with this proposal?" he said in response to a question. "You plant the flag halfway up the hill this year and you keep trying until you get it to the top."

Whether his own proposal gets very far or not, Hechler feels the administration legislation falls way short of what the public should expect. "I don't think it will work," he said. "They are horsing around with state plans . . . the states have failed to enforce the laws that already are on the books."

MORTON NOTED 2 PROBLEMS

Although advertised as a stringent approach to the strip-mine problem, a review of the administration plan suggests that it will be less than satisfactory to the Nelsons, the Hechlers and rank-and-file conservationists.

Interior Secretary Rogers C. B. Morton, in a message sent to Congress last week, said surface and underground mining present two distinct problems: 1. Minimizing the environmental impact of preesnt and future mining and 2, healing the wounds inflicted by past mining practices.

The administration bill, while it covers both surface and underground operations, is directed only to the first point. It makes no effort to attempt to restore the disturbed lands left behind from the past, or to rectify continuing environmental problems they cause.

"The proposed bill recognized that the initial responsibility for developing and enforcing regulations should rest with the states," Morton said.

But he said that the effort must be standardized nationally "so that industry will be placed on an equal footing in every state."

However, the wording of the administration bill is sure to raise some red flags on Capitol Hill. But frequent use of terms such as "may" and "can" instead of "shall" and by a vagueness about timing and reclamation requirements, questions likely will be raised about the administration's sense of urgency about its proposals.

For example, the states are given two years after the enactment of the law to submit to the interior secretary their proposals for governing mining operations.. It provides no assurance that the states will take action. If a state fails to act, the law would then direct the secretary to "promptly issue environmental regulations for mining operations" in that state. But it puts no time limit on the secretary.

GUIDELINES NOT BINDING

State programs, according to the proposal, are to be based on guidelines issued by the secretary. But the guidelines "shall attempt to assure that state regulations provide the operator of a mining operation sufficient flexibility to choose the most economically efficient means of meeting the requirements."

Guidelines, critics are likely to point out, are not binding. Regulations issued by the Secretary would be binding. But the bill does not address itself to that issue.

Moreover, this approach resurrects the economic-feasibility philosophy that some in Congress felt was adequately banished by the air-pollution control act passed last year. Air-pollution critics argued that the economic test left the door to inaction wide open.

Under the Nixon proposal, states would have the authority to prohibit mining in areas where adequate reclamation is not possible. On the other hand, it does not spell out the meaning of the term "adequate."

Another issue not dealt with in the proposal is the effect of one state's regulation on another state. For example, the acid mine drainage that pollutes the Ohio River in West Virginia has an effect on Kentuckians who use the river downstream.

Still another gap in the Nixon proposal shows up in its proposed Title III—environmental controls on mining operations on federal lands. The proposal does not require controls on the use of federal land, but rather "permits" federal officials to establish controls.

Rep. Hechler said his legislation will totally ban the stripping of coal several months after enactment and will require surface miners of other minerals to submit reclamation plans for their operations.

In areas where reclamation is not possible, the Hechler bill would prohibit mining. Each state would be given a short period of time in which to put forth its own regulations for controlling surface mining, with the federal government moving in if a state did not do the job.

Under Hechler's plan, the law would be administered not by Interior, but by the new Environmental Protection Agency. Within six months after passage, EPA would be required to publish regulations—not guidelines—for environmental controls on surface mining and for "orphan" coal mine lands.

CALLED 'PHONY ARGUMENT'

Hechler said part of his purpose in proposing a complete ban on stripping of coal—which amounts to about a fifth of total U.S. production—is to lend support to a stripping ban now being debated in the West Virginia legislature.

"But I still feel that while West Virginia may lead the way on this, surface mining is a national problem," he said. "Other states should not have to suffer the problem even if West Virginia does take a tough stance on stripping."

The Huntington Democrat described the economic argument being used against the West Virginia ban proposal—that it will put thousands out of work—as a "phony argument."

"We have to open more deep mines underground," he said. "I'm prepared to bite the bullet on this one. With adequate enforcement of the Coal Mine Health and Safety Act (for underground miners), we wouldn't have to face the argument about strip-mining being safer or more economically feasible."

The Gaylord Nelson approach—going further than the administration bill, but not as far as Hechler's—would ban surface mining in areas where reclamation is not feasible.

It would provide for federal standards for reclamation, allowing the states to conduct their own programs but also calling for federal intervention if they fail to do so.

Nelson's bill—as is the case with Hechler's—is aimed at restoring previously mined land, providing grants to states and federal aid to individual land owners for reclamation work.

HOUSE BILL WOULD FORBID ALL STRIP-MINING IN UNITED STATES

(By Ward Sinclair)

WASHINGTON.—Thirty House members, including some Republicans and Democrats from coal states, introduced a bill yesterday that would totally ban the strip-mining of coal, which accounts for more than a third of the nation's supply.

Most observers give the legislation next to no chance of becoming law, but it could very well stimulate a spirited debate in Congress over the environmental damage wrought by stripping and the need for some sort of federal reclamation standards.

Several other less stringent proposals, including a Nixon administration bill that was two years in preparation, already have been sent to Congress. Hearings are likely in the Senate and House.

The architect of the strip-mine ban, Rep. Ken Hechler, D-W. Va., said he thought the fact that he was able to sign up 20 co-sponsors in less than a day indicated a growing concern in the House over problems caused by surface mining.

Hechler acknowledged that his proposal—if adopted—could have a severe impact economically and socially across the nation, but he said the "ruthless rape of the environment" must be stopped.

Strip-mined coal last year reached a new high, accounting for about 35 per cent of all U.S. production. The percentage in Kentucky was even higher—50 million of the state's 120 million-ton production in 1970 came from strip and auger operations.

Hechler and one of his co-sponsors, Rep. John Seiberling, a Democrat from coal-producing Ohio, met with the press yesterday to discuss the proposed law in detail.

Hechler said the environmental impact of stripping—stream pollution, and disturbance, soil erosion, landslides and the destruction of scenic values—is becoming so great that the entire system must be sharply harnessed.

"Because the strip-mining of coal has caused the most irreparable damage to our environment, this bill is designed to phase out the stripmining of coal within six months of enactment," Hechler said.

SAYS DAMAGES ARE RISING

He charged that the administration bill "does not go far enough," and is so vague and casual that "we are inviting the same old artful dodging and delay which characterized attempt to control air pollution during the 1960s."

Hechler said strip-mine damages "are steadily rising"; noting that 10 years ago only 29 per cent of the nation's coal came from surface mines. The percentage has gone up six points during the decade and is expected to increase in the future as the demand for coal intensifies.

"The damages are getting worse each time the gouging machines get bigger and deadlier," Hechler said.

The West Virginian said he favors a total ban on coal stripping for several reasons. First, he said, his own state is now considering such a ban. If enacted there, strict laws would drive strippers to other states.

"I don't want to see any state suffer economically just because it has the courage to enact stiff and effective regulations to save the environment," he said.

Hechler's second point was that strip miners' promises of adequate reclamation "simply have not been fulfilled." Existing state reclamation requirements have not been adequate to get the job done either, he added.

Seiberling, a freshman congressman from Akron, said he had come to the same conclusion.

"Even if there is the will and intent to restore the land, it is impossible in most cases. Drainage patterns are changed, rock and soil are disturbed in a way that cannot be restored. To me, strip-mining is destroying America in the most literal sense," he added.

Seiberling said "The Romans created a desert and called it peace. We create a desert and call it progress."

Hechler rejected the argument that a ban on the stripping of coal would cause economic havoc, putting thousands out of work and cutting coal supplies. Such an argument he said, "comes with ill grace from the giant coal industry which presided without blinking an eye over the loss of some 300,000 jobs when the mines were mechanized and the railroads were dieselized."

PUBLIC CALLED "SLEEPING GIANT"

The solution to the coal-supply problem that a stripping ban might cause, he continued, will be the opening of more underground mines. Hechler admitted that this could cause other problems, but he said they would be minimized if the federal government forcefully administered the Coal Mine Health and Safety Act of 1969.

"The despoilers realize that they are merely buying time, until the sleeping giant of an outraged public opinion forces them to cease their decapitation of the hills," Hechler said.

"That is why it is so important to move swiftly, surely, forcefully and decisively to stop the strip mining of coal before it is too late," he added.

The Hechler bill would put administration of the law under the Environmental Protection Agency, rather than the Interior Department, as the administration proposes. In addition to the stripping ban, it would rigidly control any underground coal mining in national forest areas.

COSPONSORS OF BILL LISTED

The bill provides for citizen suits to assist enforcement and it would give 90 per cent federal aid to states to acquire and reclaim lands which EPA deems worth reclaiming for parks or recreation. States would have one year in which to set up regulations for reclaiming disturbed land at active and future underground coal mines.

The co-sponsors of the bill are:

Hechler and Seiberling; Jonathan Bingham, D-N.Y.; Phillip Burton, D-Calif.; John D. Dingell, D-Mich.; John G. Dow, D-N.Y.; Bob Eckhardt, D-Texas; William D. Ford, D-Mich.; Cornelius E. Gallagher, D-N.J.; Seymour Halpern, R-N.Y.; Michael J. Harrington, D-Mass.; William D. Hathaway, D-Maine; Augustine F. Hawkins, D-Calif.; Henry Helstoski, D-N.J.; Robert L. Leggett, D-Calif.; Patsy Mink, D-Hawaii; Clarence D. Long, D-Md.; Parren J. Mitchell, D-Md.; F. Bradford Morse, R-Mass.; John E. Moss, D-Calif.; Otis G. Pike, D-N.Y.; Ogden R. Reid, R-N.Y.; J. Edward Roush, D-Ind.; C. W Sandman Jr., R-N.J.; P. S. Sarbanes, D-Md; Guy Vander Jagt, R-Mich.; Charles A. Vanik, D-Ohio; Lawrence G. Williams, R-Pa.; Henry B. Gonzalez, D-Texas, and Abner J. Mikva, D-Ill.

GATHERING STORM: FEDERAL STRIP MINING CURBS STIR HOT RESPONSE, PRO AND CON

(By Ward Sinclair)

WASHINGTON.—The testimonials are beginning to come in, not just from coal states, but from everywhere.

A man in Anchorage, Alaska, wrote to say he's "100 percent in favor" of a ban on strip-mining of coal. From California came the thought that stripping should never have been permitted to begin with.

State reclamation laws don't work, wrote a woman who lives amid strip mines in Pennsylvania. "Not in my generation, nor my son's will the land be what it once was, she said.

A 35-mile-wide belt of "good, fertile soil" is being devastated by strip miners in southeastern Illinois, complained a farmer whose property is in the path of the shovels.

An eloquent letter from a man at Boonville, Ind., in the southwest corner of the state, told about moonscapes being created by the strippers, who leave "a foul odor over the land."

"Only national legislation will ever protect the American people from having his land systematically destroyed and it will relieve state and local officials from saying no to the conglomerates who are buying up coal companies," the Hoosier wrote.

And so it goes. Most of the mail that West Virginia Rep. Ken Hechler is receiving these days is in a similar vein—mostly in favor of his bill that would completely ban strip-mining of coal in the United States.

Realistically, Hechler isn't expecting his proposal to go racing through Congress—strip mining has not yet become that much of a bogey-man to most people. But his bill, co-sponsored by more than 30 House members, already has spurred debate.

Five strip-mine regulation bills have been introduced in Congress and a sixth, from Michigan Rep. John Dingell, a favorite of the conservationists, is expected to go into the hopper soon. Still more may come later on.

The Senate Interior Committee has placed surface mining legislation on its list of major things to do this year. Committee staffers expect hearings to be held within the next few months.

Although other bills went in first, the major opening shot was fired last week when the Nixon administration's surface-mining proposals were introduced by request in the Senate by Sen. Robert Byrd, D-W. Va., with Kentucky Sen. John Sherman Cooper as a co-sponsor.

The administration bill, two full years in the making and introduced despite considerable internal opposition at the Interior Department, appears to be the least stringent of the five bills so far proposed.

NO IMMEDIATE HEARINGS

"The prospects for getting some kind of legislation look better, now that the administration bill is in," commented Jerry T. Verkler, staff director for the Senate committee. "Prospects look better, but of course it's too early to know what will result in the way of legislation."

Even though hearings may be some months away, there already are signs that the opponents of strip-mining legislation read a good deal of significance into the slowly-building sentiment for federal legislation.

Just last week, for example, the National Coal Association (NCA) representing most of the country's largest coal producers, put out a cautious statement accepting, for the first time, federal regulation.

Although NCA president Carl T. Bagge did not outline what would be precisely acceptable to the association, he did indicate what NCA does not want.

Any federal regulations, he said, must recognize difference in topography, climate and land-use objectives among the various states. And state officials must be allowed flexibility to set up programs tailored for their own problems.

Critics such as Hechler, Sen. Gaylord Nelson and United Mine Workers (UMW) president W. A. (Tony) Boyle argue that state controls, such as they are, have not produced satisfactory results.

Conservationists in Kentucky and West Virginia, for example, charge that their states' strip-mine control laws—said to be among the toughest in the country—have failed, not because they are not tough, but because enforcement has not been forceful.

Bagge said that the federal role could be one of "leadership" in research, training of personnel and coordination of state programs.

The NCA president, a former head of the Federal Power Commission, raised another specter that enjoys a currency among those who caution a go-slow approach to the federal regulation.

He noted that more than one third of the nation's coal, which is being consumed in ever increasing amounts, comes from strip mines. Coal generates well over half of the country's electricity.

MUCH KENTUCKY STRIPPING

Strip-mining accounts for closer to 42 per cent of Kentucky's coal production. In 1970, some 120 million tons of coal were mined—50 million of it either stripped or augered.

"With sound reclamation laws our critical need for coal can be met and at the same time the lands disturbed can be reclaimed for productive use in harmony with our environment," Bagge said.

The NCA official called proposals to ban all stripping "simply unrealistic," not only because over 35 per cent of U.S. coal comes from strip mines, but because "it reflects a lack of knowledge with respect to land-use improvements possible through reclamation."

UMW president Boyle echoes Bagge's view on the crucial role of coal in the American economy and, like the NCA, the coal-workers union is proposing no specific legislation.

CALLS FOR UNIFORMITY

But the UMW opposes the Nixon administration bill because its fails to include federal reclamation standards and because it would, in Boyle's words, "create state competition at the expense of the environment."

Any bill, the UMW leader said, must incorporate federal standards to be applied uniformly in all states and it must include a fund to help restore abandoned lands, already denuded by strip-miners.

The Hechler bill—calling for a strip-mining ban—gave Boyle an opportunity to hammer at his long-time antagonist from West Virginia. He called Hechler's bill "so much political grandstanding," noting that most of the co-sponsors are "big-city congressmen without direct knowledge of the problems or its solutions."

"We are appalled at an approach which would cost the nation badly needed jobs and essential electric power," Boyle said. "There are some 129 billion tons of strippable coal in the U.S. and both economic electric power and mine workers jobs are dependent upon its extraction."

Best estimates are that approximately 25,000 men are employed in the surface mining of coal. Perhaps half are UMW members.

But the UMW has more than just a passing interest in strip mining. The union's welfare and retirement fund is supported by a 40-cent royalty on every ton mined by union men. One man in a strip mine procedure digs many more tons of coal per day than one man in an underground mine. The fund obviously benefits more from a unionized stripping operation.

Last week, however, at a meeting of about 300 dissident members of the UMW here, Hechler asked for a show of hands of men who support his total ban on stripping. About half of them—all union men—promptly raised their hands.

Hechler's answer to the job-threat charge is that it "comes from ill grace from the giant coal industry which presided without blinking an eye over the loss of some 300,000 jobs when the mines were mechanized and the railroads dieselized."

THROWS DOWN GAUNTLET

"Thousands of middle-aged and elderly miners and their wives and families, deserted by the UMW and their heartless and mismanaged welfare and retirement fund, were left to eke out an existence on the scar-torn land of Appalachia," he added.

Hechler's position is that more underground coal mines will have to be opened to provide sufficient coal for the country. "I'm ready to bite the bullet on this," he said, acknowledging that he has been one of the severest critics of safety conditions in underground mines.

"The despoilers realize that they were merely buying time, until the sleeping giant of an outraged public opinion forces them to cease their decapitation of the hills," he said.

Meanwhile, the stripping goes on. By 1980, the Department of Interior says, some 5 million acres of land will have been torn up—much of it beyond repair.

FIVE BILLS FOR SURFACT-MINE CONTROL

This is a resume of five bills introduced in Congress so far which would establish federal regulations on the strip mining of coal and other materials:

Nixon Bill—Applies to all surface-mined minerals, giving the states two years in which to submit plans or regulations for environmental controls. Federal controls take effect—although the bill sets no time limit—if a state fails to meet its two-year deadline. States could ban mining where "adequate" reclamation is impossible, but it does not define the term "adequate." The bill does not cover reclamation of previously mined lands. It permits, but does not require, controls of mining on federal and Indian lands. Sponsored by the administration.

Saylor Bill—Similar to the Nixon bill, allowing states two years in which to set up regulatory programs. If states fail to do so within that time, the interior secretary would issue federal regulations for the states. It also provides a fund to pay up to 50 per cent of state costs in a regulatory program. Sponsored by Rep. John Saylor, R-Pa.

Nelson Bill—Regulates present and future stripping through a federal-state program which would set standards, enact laws, provide financial aid, acquire mined lands and promote recreations, flood control and water pollution control. Allows the interior secretary to ban stripping in areas where terrain makes adequate reclamation impossible. Provides federal grants to states and individuals to restore abandoned lands. Sponsored by Sen. Gaylord Nelson, D-Wis.

Jackson Bill—The same bill that was introduced by the Johnson administration in 1968, this sets up a state-federal program covering all surface-mined lands, including federal and Indian lands. To forestall federal intervention a state must submit its plans within two years. Federal regulation is permitted if a state fails to adequately enforce its plan. Up to 50 per cent federal grants would be available to states. The bill does not call for a ban on stripping in areas where reclamation is unfeasible, nor does it apply to abandoned lands. Sponsored by Sen. Henry Jackson, D-Wash.

Hechler Bill—The most controversial of the batch, this calls for an outright ban on the stripping of coal six months after enactment. No other mineral is affected. It gives states one year to submit environmental control plans for underground mines. It provides up to 90 per cent federal aid for reclaiming abandoned lands and, unlike other bills, provides for class-action suits by citizens to force compliance. Bill applies to all federal and Indian lands and, also unlike other proposals, it puts administration in the hands of the environmental protection agency, rather than the Interior Department. Sponsored by Rep. Ken Hechler, D-W. Va.

KEE SUPPORTS CONSTITUTIONAL AMENDMENT ON THE 18-YEAR-OLD VOTE

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

Mr. KEE. Mr. Speaker, it is with a deep sense of gratitude that I speak to my colleagues today—gratitude to those young citizens who have shown the role they have played in my lifetime equalled the role played by the 18-year-olds centuries ago. For this reason I urge my colleagues to approve tomorrow a constitutional amendment lowering the voting age to 18 in State and local elections.

The constitutional amendment is made necessary by the decision of the Supreme Court of the United States which ruled that the 18-year-olds could vote in Federal elections. To have a dual system of voting is not only confusing, but misleading. We owe the 11 million citizens who will be benefited by this resolution an equal opportunity to vote in State and local contests.

Mr. Speaker, the U.S. Senate has already passed this constitutional amendment unanimously. Therefore, we must act swiftly to insure that State legislatures will have sufficient time to ratify it before the 1972 elections.

I might also add that I have introduced similar resolutions in the last two Congresses giving these young people the constitutional right to vote.

I am going to support this constitutional amendment not because it will save the taxpayers money, not because the two-track system would be difficult to administer, but because I believe it is right. Not only for the 18-year-olds, but for our Nation as a whole. There are times in our history when it is encumbent to remember the teachings of our Founding Fathers—times to make our Democracy live. We will have this opportunity tomorrow. I urge the passage of this amendment.

PIPELINE DESERVES PUBLIC DEBATE

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

Mr. OBEY. Mr. Speaker, I am joining with Congressmen JOHN SAYLOR,

JOHN DINGELL, and others today in the introduction of a bill which would prohibit the issuance of any permit for the construction of the trans-Alaskan pipeline until that construction is authorized by the Congress.

I do so because in the last few months there has been evidence to suggest that various Government agencies have withheld information with regard to the environmental dangers posed by the construction of this pipeline through Alaska's interior.

Under ordinary circumstances it would be the orderly procedure for a decision on projects such as this to be handled by agencies of the administration. But enough question has been raised about the openness and frankness of the agencies involved in the trans-Alaskan pipeline decision that a different yardstick should be applied in this case.

There is apparently no choice but that this decision receive the full attention of, and the debate of, the people's elected Representatives in the Congress.

NEEDED: ECONOMIC GUIDANCE

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

Mr. MONAGAN. Mr. Speaker, apparently the President is leaving it to Congress to take the lead in restoring national economic stability.

To date the administration's economic policies have been characterized by indecisiveness and lack of direction. While 5.5 million unemployed and persistent inflationary pressures are pushing the Nation's financial officers toward an expansionary monetary policy, the executive branch refuses to implement a policy to provide the necessary resistance to further inflationary increases in prices and wages which will follow the monetary increase. The President's suspension of the Davis-Bacon Act, although providing some indication that the administration is moving to an incomes policy, was an after-the-fact exercise in price-wage pressure and constituted discrimination against a single industry.

What is needed is a method of applying price and wage restraints on a nondiscriminatory basis to industries and unions whose price-wage actions have a major significant impact upon the national economy.

I have introduced legislation to create an Emergency Guidance Board to set and administer a system of voluntary price-wage guidelines for certain concentrated industries and large labor organizations. My proposal is being cosponsored by Messrs. MCFALL, DONOHUE, BOLAND, BURKE, SIKES, HECHLER, of West Virginia, MIKVA, HARRINGTON, LEGGETT, and SISK. Under the terms of my bill, the Board would be composed of five members appointed by the President, subject to Senate confirmation, and would represent business, labor, and consumers. The Board would be empowered to monitor adherence to its published guidelines by requiring industries and labor organizations to file economic justifications with the Board indicating how a price increase or wage settlement complies with or departs from the price and wage guidelines. The Board could publish economic justifications filed with it, negotiate with corporations where the guidelines appeared likely to be breached, hold hearings, subpena witnesses and records, and announce findings and recommendations with respect to inflationary departures from its published guidelines. The life of the Board would be limited to 18 months, except that its life could be extended by a concurrent resolution of Congress for an additional 18 months.

An editorial in the March 18 issue of the New York Times presents an excellent discussion of the administration's confused economic policies and points up the need for an ordered and rational incomes policy to be administered by a price-wage board similar to my own proposal. I am inserting the editorial in the RECORD for the benefit of my colleagues:

DISORDERED ECONOMIC POLICY

The decline in industrial production last month and the slowdown of gains in income and construction make it increasingly improbable that the Nixon Administration will see its forecast of a $1,065-billion Gross National Product realized this year.

It is still unclear what the Administration was up to in producing a forecast regarded as so badly out of line by virtually the entire economics fraternity. Was it anticipating a magic resurgence of consumer and business spending? Or was it handing an assignment to the Federal Reserve to reduce unemployment more quickly through monetary devices?

All the evidence points to the latter explanation. Yet there is no reason to believe that the Fed is going to feed money to the system significantly faster than the 5 to 6 per cent rate of the past twelve months. The Council of Economic Advisers strongly suggests that this is not stimulative enough, although the Office of Management and Budget seems to think that a 6 per cent rate of growth in the money supply is just about right.

Meanwhile, Federal Reserve Chairman Burns continues to lecture the Administration about the need for a stronger incomes policy. The C.E.A., in the person of Herbert Stein, says, "Without any grand announcement, we have now taken on a large number of the ingredients of what is loosely called incomes policy." But many states defy or ignore the President's call for suspension of their support of construction industry wages.

Evidently, the picture of economic policy-making within the Administration is one of disarray. The Administration uses the Federal Reserve as a whipping boy, while doing little itself to realize the $1,065-billion target-cum-forecast that it insists is essential to a reasonably prompt return to full employment. Although the unemployment rate has come down a bit in the past two months, a decline in the labor force is the main reason. Long-term joblessness has continued to rise.

With more stimulus clearly needed, Congress has done the Administration—and the economy—a good turn by raising Social Security benefits 10 per cent, retroactive to the start of this year, while postponing until next year the increase in the amount of income subject to payroll tax. But additional fiscal stimulus is still required if the Administration is to come closer to its goals. Expenditures should be increased for social programs, especially those that would help create jobs for the unemployed.

While moving to a more stimulative fiscal policy, the Administration also needs an incomes policy to tamp down inflation. A wage-price board administering an over-all advisory program designed to gain widespread business, labor and public acceptance of noninflationary behavior would help repair a critical lack in policy.

A firmer incomes approach, coupled with flexible fiscal and monetary policies, will be essential to deal with what the Administration earlier called "the re-entry problem"—the problem that the economy will meet when it moves closer to full employment with increased danger of a heating up of inflation. The difficult maneuvers necessary to get the economy back to price stability and full employment can scarcely be carried out without stronger Presidential leadership and better integrated policy.

IN OPPOSITION TO ATOMIC WASTE DUMPING IN KANSAS

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

Mr. SKUBITZ. Mr. Speaker, I include in the RECORD following my remarks a press release by Hon. Robert Docking, of Kansas, expressing his opposition to the installation of an atomic waste dump in the State of Kansas at this time.

I am gratified with the Governor's support of the position I have advocated for nearly a year, namely that the progress of the Atomic Energy Commission's research and development has not reached the stage at which Kansas people can be assured of the safety of a high-level nuclear waste dump.

The Governor's statement of March 16, delivered in his behalf to the Joint Committee on Atomic Energy by the State geologist unequivocally opposes even the experimental burial of a limited amount of dangerous waste until further studies are carried out.

The Governor's concern has been augmented by the fact that more than one-third of the house and one-fourth of the senate of the Kansas State Legislature have cosponsored legislation that calls upon the Governor, the Congress of the United States and the President to withhold further work on the waste facility until additional research is completed that satisfies the entire scientific community, including the Kansas scientists, that the dump will be safe for mankind.

I request also, Mr. Speaker, that an editorial that appeared in today's—March 19—Washington Post titled "Atomic Power and a Kansas Salt Mine" be printed in the RECORD at this point.

The Post editorial puts its finger on the entire underlying situation by pointing out that there exists a basic distrust of the Atomic Energy Commission. The Post very correctly notes that in question are the AEC's safety standards for the highly lethal atomic waste burial ground. It emphasizes that if the AEC overwhelms the Kansas scientists and other officials with its arguments, since it has the power, the money and the talent to persuade even many Members of Congress that it is always right and its opponents always wrong, it may be a phyrric victory for the AEC because of the distrust that will ensue on a national basis.

The Post's editorial emphasizes a point I made to the Joint Committee on Atomic Energy earlier this week; namely, that the AEC's views have become colored by its client relationship with the huge private utilities which it has persuaded to construct expensive nuclear powerplants. Now it is faced with the problem of disposing of growing amounts of dangerous nuclear wastes in behalf of these utilities.

The Post succinctly says that Congress ought to take a look at the dual role of the AEC in promoting and regulating the same industry. To that I say amen.

The press release and editorial follows:

PRESS RELEASE FROM THE OFFICE OF GOV. ROBERT DOCKING

Governor Robert Docking asked a Congressional committee on atomic energy Tuesday to defer funds for a proposed nuclear waste repository near Lyons, Kansas, until scientific tests determining the site's safety are completed.

William W. Hambleton, director of the Kansas Geological Survey, represented Docking at a Congressional Joint Committee on Atomic Energy meeting in Washington, D.C.

The Atomic Energy Commission has proposed storing low-level radioactive wastes in an abandoned salt mine near the city. High-level waste materials will be sealed in a mine which will be excavated in the same area, according to the AEC.

The Governor has been critical of the AEC for not initiating studies he said are necessary to determine the site's safety.

Docking said it appears the AEC "has been more interested in convincing the public of the safety of the Lyons site rather than using these funds to carry needed studies to conclusion.

"Adequate funds should be provided for research to answer many questions associated with the Lyons site," Docking said.

He said potential dangers to Kansans, now and in the future, must be investigated before any radioactive material is placed in Kansas. He also said the Kansas Geological Survey must be convinced the site is safe before a final decision to store wastes at Lyons is reached.

Docking questioned the land structure near Lyons and heat and radiological stresses of nuclear wastes the AEC plans to bury in the salt mines. He also raised questions concerning retrieving the buried wastes and problems in transporting the nuclear wastes across Kansas to the mine.

Governor Docking was critical of the AEC and said the commission has "exhibited remarkably little interest" in certain studies and has not demonstrated a capability for solving other problems the repository presents.

Docking said the AEC has been slow to send requested reports, failed to inform Kansas of other investigations and "treated our concerns as negligible and trivial in public statements."

"Funding of this project should be deferred until adequate study and evaluation of these questions and concerns have been completed," Docking said.

ATOMIC POWER AND A KANSAS SALT MINE

The fight that is brewing between the Atomic Energy Commission and officials of the State of Kansas is more than just a tempest in a teapot While it directly involves only the use by the AEC of a salt mine in Kansas for the burial of radioactive waste, the argument rises some basic questions about how the country's needs for energy are going to be met in the future. The questions are not easy to answer and it is just as well that a full-scale discussion of them in Congress seems to be beginning. The public has a large stake in the answers and the problems of atomic energy and of the nation's energy needs have been regarded too long as ones best left to the experts.

The Kansas situation, like almost all situations involving atomic energy and radioactivity, is a highly complex and technical one. The question being raised by many of the state's officials, and by almost all of its newspapers, is whether the safety standards set by the AEC for its proposed atomic burial ground are sufficiently high to protect the environment of the area and the people who live nearby. Underlying this, of course, is a basic distrust of the AEC. And that is not a distrust which is cropping up for the first time. The State of Minnesota is in court now trying to impose higher safety standards than the AEC requires on a nuclear powerplant at Monticello. Noises are being made in other states about similar action and several members of Congress have introduced bills to specifically authorize states to set more strict radiation standards than the AEC has set.

Much of the interest in this sort of action has developed out of the sudden concern for what man is doing to his environment. Radioactivity and the heat generated by nuclear power plants are as troubling, or more so, as the pollution produced by automobiles and airplanes. And some scientists have been contending for years that the AEC has stressed its role as a developer of atomic power at the expense of its role as the protector of the public against the bad side-effects of nuclear power plants. When you put these things together with the general fear most people have of radioactivity and their lack of knowledge about it, it is understandable that the AEC is not the governments most trusted agency.

The dangers in the current situation as we see them, are either that the AEC will win all the arguments too easily, thus leaving a deep residue of distrust and paving the way for a constant series of future skirmishes, or that it will lose the arguments too heavily and the country will pay the price in future power shortages. The latter situation could arise because nobody wants to curtail his usage of electricity while everybody wants the plants that produce it, be they nuclear or fossil fuel burning, to be built someplace other than near where they live. And no community seems to relish the idea of having the radioactive garbage of nuclear plants stored nearby.

It is this kind of framework that the battle over the Kansas salt mine should be fought. Congress ought to take a look at the dual role of the AEC in promoting and regulating the same industry; the question it ought to try to answer is not whether the AEC can competently do both but whether it can do both and maintain the confidence of the public in the safety standards it sets. We suspect that it cannot accomplish the latter and that, in the long run, its health and safety regulatory power will have to be placed somewhere else in government. In this context, the answers to the specific problems of that salt mine in Kansas can do more than just meet the needs of the AEC in this one particular case.

FEDERAL ACTIVITIES IN JUVENILE DELINQUENCY, YOUTH DEVELOPMENT, AND RELATED FIELDS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

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

To the Congress of the United States:

I have the honor to present herewith a report of Federal activities in juvenile delinquency, youth development, and related fields, as required by section 408 of the Juvenile Delinquency Prevention and Control Act of 1968 (Public Law 90–445).

The report covers the period from July 1, 1968, to June 1970, and evaluates activities of the Youth Development and Delinquency Prevention Administration (formerly the Office of Juvenile Delinquency and Youth Development) in the Social and Rehabilitation Service of the Department of Health, Education, and Welfare, which is responsible for the program. It also includes a description of the activities of other Federal agencies and Departments in the field of juvenile delinquency.

Early in 1970 it became evident that certain changes in direction and emphasis in the program of the Youth Development and Delinquency Prevention Administration would be highly desirable. This report also incorporates these proposed changes.

I commend this report to your careful attention.

RICHARD NIXON.

THE WHITE HOUSE, *March 22, 1971.*

JUVENILE JUSTICE

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

Mr. RAILSBACK. Mr. Speaker, I have noted with interest the report released by the White House from the Youth Development and Juvenile Delinquency Prevention Administration within the Department of Health, Education, and Welfare. President Nixon was reported to have said that existing programs to combat juvenile delinquency and youth crime are fragmentary and ineffective. A United Press International wire said that President Nixon called for a new approach toward this problem.

A very impressive list of Members of this body have also called for a new approach and have joined in cosponsoring legislation which would provide the leadership and focused responsibility which is necessary for meaningful progress in the prevention and control of juvenile crime. Over 100 Members have expressed their concern in this area by cosponsoring legislation to create an Institute for Continuing Studies of Juvenile Justice.

Sponsors of identical legislation in the 91st Congress joined early in sponsoring H.R. 45, 46, and 47 in the 92d Congress. We have recently been joined by many others of our colleagues and will shortly introduce additional bills including these cosponsors.

Last year during brief hearings before a Judiciary Subcommittee chaired by the gentleman from Wisconsin (Mr. KAS-

TENMEIER), a witness for the Department of Health, Education, and Welfare, testified that—

What is needed is not yet another separate authority in the field, but a strengthening of present authorities through better coordination.

Mr. Speaker, it is an obvious fact that President Nixon is correct when he says that existing programs to combat juvenile delinquency are fragmentary and ineffective. We have the Department of Health, Education, and Welfare, and we have the Department of Justice and the Law Enforcement Assistance Administration. We have the Labor Department and we have other agencies interested in the subject area of youth and crime, jobs and the like. But we have no single source to look to for coordination and leadership in this field. What we need is not more of the same, but we need a single focal point within the Federal Government to which we can look for responsible and effective action and leadership.

The sponsors of H.R. 45 and related identical bills sincerely believe that their proposal is well designed and suited to this great purpose; namely, to provide one coordinating and unifying force which can truly provide leadership, inspiration, and progress in the prevention and treatment of juvenile delinquency.

The sponsors of this legislation seek to establish an agency which can expect the cooperation and assistance of all the several present departments and agencies working in the field of juvenile delinquency. We have proposed the creation of an independent Institute which would be directed by an Advisory Commission comprised of the Director of the Institute, the Attorney General, the Director of the U.S. Judicial Center, the Secretary of HEW, the Director of the National Institute of Mental Health, and 14 other persons having training and experience in the area of juvenile delinquency to be chosen from law enforcement officers, juvenile judges, probation personnel, correctional personnel, private citizens, and representatives of State agencies.

The Institute would serve the purposes of a clearinghouse or data bank for the valuable information presently existing but not in any one convenient or central location and also as a training center for a multidisciplinary curriculum designed to improve the knowledge and expertise of persons presently working in State and local areas to prevent and control juvenile crime.

We share the concern of the President and we would suggest that our proposal could prove to be the answer which we all seek.

Mr. Speaker, at this point I include a short summary of the provisions of our legislation in the RECORD along with the testimony which I gave last year on this subject:

SECTION-BY-SECTION SUMMARY OF BILL TO CREATE AN INSTITUTE FOR CONTINUING STUDIES OF JUVENILE JUSTICE

Amend Part IV of title 18 U.S.C. to add a new chapter 404.

Sec. 5041. Establishment; purpose
Sec. 5042. Functions
Sec. 5043. Director and staff
Sec. 5044. Powers
Sec. 5045. Advisory Commission
Sec. 5046. Location; facilities
Sec. 5047. Curriculum
Sec. 5048. Enrollment

SEC. 5041. Creates the Institute to provide a coordinating center for collecting useful data re the treatment and control of juvenile offenders; and to provide training for individuals in such treatment and control.

SEC. 5042. Authorizes the Institute to:

(a) serve as an information bank by systematic collection of data from all sources re juvenile delinquency.

(b) publish data in useful forms.

(c) disseminate published data to interested persons

(d) conduct seminars and workships

(e) provide short-term training of law enforcement officers, juvenile welfare workers, juvenile judges, probation officers, correctional personnel, and other persons, including lay personnel, connected with the treatment and control of juvenile offenders.

(f) send out training teams to work at State and local levels.

SEC. 5043. Director of the Institute shall be appointed by the President with advice and consent of the Senate.

SEC. 5044. Authorizes the Institute to obtain data, personnel, facilities and other cooperation from Governmental agencies and departments (Federal, State and local) as well as from private individuals and agencies.

SEC. 5045. Provides for Advisory Commission to set policy and supervise operations of the Institute. The Commission members would consist of:

(a) Director of the Institute

(b) Attorney General (or designee)

(c) Director of U.S. Judicial Center (or designee)

(d) Secretary of Health, Education and Welfare (or designee)

(e) Director of National Institute of Mental Health (or designee)

(f) 14 persons having training and experience in the area of juvenile delinquency, to be appointed by the President from the following categories:

(1) law enforcement officers (two persons);

(2) juvenile judges (two persons);

(3) probation personnel (two persons);

(4) correctional personnel (two persons);

(5) representatives of private organizations concerned with juvenile delinquency (four persons); and

(6) representatives of State agencies established under Juvenile Delinquency Prevention and Control Act or under title I of Omnibus Crime Control and Safe Streets Act of 1968 (two persons).

Commission members would have four year staggered terms.

SEC. 5046. Directs that a suitable location be selected.

SEC. 5047. Requires Advisory Commission to design and supervise a curriculum utilizing a multi-disciplinary approach (to include law enforcement, judicial, probation, correctional, and welfare worker disciplines) appropriate to the needs of the Institute's enrollees.

SEC. 5048. Candidates for admission and enrollment in the Institute shall be nominated by the State agencies or agency established under the Juvenile Delinquency Prevention and Control Act of 1968 or the Omnibus Crime Control and Safe Streets Act of 1968 (title 1) with final decision concerning admission being made by the Institute Director.

RECAPITULATION

Rather than simply further study juvenile delinquency, this bill seeks to establish a clearing house or data bank for all the valuable information presently existing but not in any one convenient or central location—a function which could not be easily fulfilled except at the federal level. The other main purpose is to provide expert "graduate" or "continuing" education and training for those persons who are now working to combat juvenile delinquency at the State and local level.

STATEMENT OF THE HONORABLE TOM RAILSBACK, BEFORE THE SUBCOMMITTEE OF THE HOUSE COMMITTEE ON THE JUDICIARY CONCERNING H.R. 14950 AND RELATED BILLS TO ESTABLISH AN INSTITUTE FOR CONTINUING STUDIES OF JUVENILE JUSTICE, JULY 23, 1970

Mr. Chairman and distinguished Members of the Subcommittee:

I am very happy indeed to be able to appear before you and your Subcommittee today. I am confident that you would yield to no one in your deep concern for the problem of juvenile crime in our nation, and I want to express my appreciation to you for holding this public hearing on the subject of juvenile crime and a legislative proposal, of which I am a sponsor, which would authorize a Federal program of training and equipping persons at the State and local level to be more effective in their efforts to combat and control juvenile crime.

The nature and extent of juvenile crime is a subject area which has received considerable study in recent years. Our society has witnessed the great magnitude of the problem which is revealed in the estimate that in the inner-city, 70 percent of the young people find themselves in trouble with the law before their 19th birthday. This observation was contained in the *Task Force Report: Juvenile Delinquency and Youth Crime*, by the President's Commission on Law Enforcement and Administration of Justice. The Lengthy report was published by the U.S. Government Printing Office in 1967 (see page 362).

A study by the Justice Department has revealed that the astounding total of 72 percent of youths once arrested were rearrested within five years. See Crime in the United States—Uniform Crime Reports—1968, released August 13, 1969 (see page 35 et seq.). This bears repeating: almost three-fourths of the youths once arrested and supposedly within the reach of our juvenile system were rearrested.

During the period from 1960 to 1968, the number of arrests of juveniles for serious crimes increased by 78 percent. As tragic and disheartening as this may seem, it should strike at the hearts of all of us that this represents only the beginning of a career in crime. With a three-quarters repeater rate, we just are not supporting careers in crime.

Mr. Chairman, almost one-half of those arrested in 1968 for criminal offenses were under the age of 18. In other words, what we are talking about when we mention juvenile crime, is simply put, one-half of the crime problem.

It is the purpose of the legislation before your committee and of the sponsors of that legislation, to make a direct attack on juvenile crime. We have designed our bill to provide a new approach to attacking the root causes of recidivism so far as juvenile offenders are concerned. Our bill is intended to provide not just talk, but some very definite action.

We propose the creation of the Institute for Continuing Studies of Juvenile Justice. As it is envisioned, the Institute will provide a two-pronged attack on juvenile crime. The Institute would provide expert education and training for persons working to combat juvenile delinquency at the State and local level. The training operation would be patterned after the very respected and successful FBI Academy, and would offer training by experts for local law enforcement officers, judicial personnel, welfare officials, correctional officers, probation officers, and others connected with the treatment and control of juvenile offenders. A second purpose of the Institute is to establish a data bank for

operation of a clearinghouse for the valuable information on juvenile delinquency presently existing but not in any one convenient or central location. Information would be put into useful forms and disseminated to the State and local people who can put it to work in their everyday dealings with the juveniles.

The problem of juvenile delinquency is primarily a local one. However, to the extent that there are 50 States and countless local communities which are presently approaching the problem in different ways, we believe that some guidance and assistance should be available on a coordinated basis to these State and local governments. Admittedly, some States have done more than others in the area of juvenile delinquency prevention and control. With the permission of the Committee, I have a compilation of pertinent State statutory provisions which was prepared by the Library of Congress and which can be inserted in the hearing record for the benefit of the Committee.

To demonstrate the varying laws among the States with respect to juveniles, 24 States expressly deny the right to a jury trial in juvenile proceedings. In 14 other States, the statutes make no reference to jury trials in juvenile proceedings. In the dozen other States, a jury trial is guaranteed. This disparity in treatment of the jury trial exists in spite of the U.S. Supreme Court decisions in the cases of *Duncan* v. *Louisiana*, 391 U.S. 145 (1968) and *Bloom* v. *Illinois*, 391 U.S. 194 (1968) in which the Court gave very strong hints that jury trials would be required. Earlier this past term, the Supreme Court was asked to rule that jury trials are required. In the case of *DeBacker* v. *Brainard*, 396 U.S. 28, the Court said only that it would not so rule with respect to cases which arose prior to May 20, 1968, the date of the above decisions. Now the Supreme Court has just consented to hear argument during its term beginning next October on the question of whether a jury trial must be guaranteed juveniles. The case is *McKeiver et al* v. *Pennsylvania* and it is number 322 October Term 1970.

Not only do one-half of the States deny jury trials, even more States do not have full-time specialized juvenile judges or courts. Only five States were found to have a complete system of juvenile courts. Some 16 other States had partial systems involving specialized courts in some counties or cities. In 28 States, judges on regular circuit courts were assigned on occasions to handle juvenile cases. In only 31 States was there a guarantee of a right to counsel in express terms. In short, with one-half of serious crime perpetrated by juveniles, we have a long way to go in simply providing the law and court structure to effectively handle these offenders.

It is a fact that our juvenile courts and systems have been undergoing a revolution. Some of this is due to the impetus provided by the Supreme Court, but additional stimulus is provided by the enlightened attitude of jurists and by the National Council of Juvenile Court Judges. A District of Columbia jurist, Orman W. Ketcham, who has had an illustrious career with the Juvenile Court of the District of Columbia, wrote an outstanding article in the Summer 1969 issue (Volume 20, No. 2) of the Juvenile Court Judges Journal. The article is entitled "The Changing Philosophy of the Juvenile Justice System." With the permission of the Committee, the entire article can be included in the hearing record, but I wish to quote from the author's conclusions:

"It seems inevitable that juvenile courts, in order to become more effective, will pay more attention to administration, orderliness and legal procedure. The community wants a court for juveniles which can impose the public's will, if necessary. Most citizens now believe that gentleness and a helping hand are justified in dealing with juveniles, provided public safety is assured."

Judge Ketcham discusses the trend toward unification of the court systems, and making the juvenile court an autonomous division of the highest court of general jurisdiction. He states that:

"Such a unification will facilitate the concept that all individuals, adults, juveniles or children, are entitled to the equal protection of the laws and to due process of law. It should also overcome much of the defensive isolation, erratic administration and extraordinary exercises of discretion that have marked juvenile court history."

Not only the courts, but the entire State systems are undergoing change. I submit for the consideration of the Committee, a survey of the various States and the ages at which minors are to be considered as adults for purposes of prosecution under criminal laws. This survey was prepared by the legislative Reference Service of the Library of Congress and is dated September 10, 1969. As can be seen, the age runs generally from 21 down to 16 but in some cases exceptions can bring the age even lower. Considering that fact, another survey of State provisions for confinement of minors in adult detention facilities will be of interest to the Committee. This survey was also prepared by the Legislative Reference service and is dated November 13, 1968 and is entitled "Confinement of Minors in Adult Detention Facilities." While most States provide for separate confinement, there is a variation which should be noted.

There is a need to upgrade our systems in the field of corrections as well. The Joint Commission on Correctional Manpower and Training pointed out recently two problems present in attempting to deal with any aspect of the crime problem:

"(1) Correction today is characterized by an overlapping of jurisdictions, a diversity of philosophies, and a hodge-podge of organizational structure which have little contact with one another; and (2) Lacking consistent guidelines and the means to test program effectiveness, legislators continue to pass laws, executives mandate policies, and both cause large sums of money to be spent on ineffective corrective methods."

The findings of the Commission indicate that what we need if we are to achieve more timely results is a model or leader to coordinate activities in the field. I believe that the proposed Institute is ideally designed to fulfill that need.

The National Council on Crime and Delinquency has recommended "increased professional training, and additional training programs to upgrade the skills of those already in the field." The President's Task Force on Juvenile Delinquency said simply:

"Personnel training is an obvious need. . . . The kind of leadership needed at the Federal level requires a better integration of the various disparate Federal programs than is found at present."

And the need for such an institution as we have proposed is recognized by juvenile authorities throughout the world. Even in the police states of the Communist-controlled countries of Czechoslovakia, Hungary and Yugoslavia, the oppressive government recognize the problem and all require that their judges and police receive special training in child handling.

My purpose in discussing the impact of change upon our juvenile systems is not to complain but to demonstrate the need to have a coordinating and unifying force applied as a beneficial redirection to the separate and presently uncoordinated efforts of the States and localities. We seek not to substitute Federal involvement, but to add it, on a voluntary basis to supplement current efforts at the local levels.

We have in the various uncoordinated efforts by several levels of government and private institutions, accumulated vast amounts of knowledge concerning juvenile offenders and the offenses they commit, but we can always use more and better quality information, and we simply have not put the available information to the best use. It must be supplied to all those concerned with the problem of juvenile delinquency. And furthermore, we must assist in the training of individuals to cope with juvenile offenders. After consultations with experts, both within and without the government service, we are convinced that a multidisciplinary approach is needed in training persons to effectively deal with juvenile offenders. In other words, what is needed is a combination training effort including the viewpoints, expertise, and disciplines of the law officer, the judge, the correctional, probational, parole and welfare personnel, as well as other involved persons.

In drafting this legislation, we took note of perhaps the most successful and respected training effort ever undertaken in the field of crime. The Federal Bureau of Investigation has operated a National Academy and has provided training not just to its own agents, but to persons at all levels of law enforcement. In fiscal 1969, training was afforded by the FBI to 233,741 municipal, county and State law enforcement officers who attended 7,804 schools. Of the over 5,000 graduates of the formal FBI training Academy, 27 or 28 percent are now the heads of their agencies. We think this is a fine example to follow, and by applying a similar approach to training State and local personnel in the field of juvenile delinquency, we hope for very real benefit at a reasonable, if not comparably inexpensive cost. Furthermore, we expect that a "snowball" effect can be achieved by having those who receive training at the Institute, return to their localities and set up local training efforts. To quote from the FBI pamphlet entitled "The Story of the FBI National Academy":

"Is it feasible to send all law enforcement officers to take a 12 week training course in Washington? Certainly not. Then how can the majority best be reached? The obvious answer is to qualify every graduate as an instructor or administrator. Teach him the latest methods . . . but prepare such a course that when the graduate returns to his local agency, he is not only versed in the methods of teaching but is also prepared to organize and set up . . . schools. Thus his National Academy training is made available to his co-workers."

If it pleases the Committee, I have the FBI pamphlet and a publication entitled "FBI Training Programs" which can be included in the hearing record.

At one time there was a predisposition to believe that delinquency was an individual disorder which could be prevented if its causes could be properly diagnosed. Efforts were thus devised to apply on an individual basis, phychology, psychiatry, and intense social casework. Now, and particularly as it applies to highly urbanized areas, the thinking has shifted from an individual approach to a sociological approach which stresses environmental factors and the importance of changing conditions in the local community and works on the social setting that gives rise to delinquency. Poverty, poor health, inadequate education, emotional and family problems are all conditions which contribute to anti-social behavior by young people. Thus, rather than simply individualized counseling by a psychiatrist, our approach has changed to one in which welfare workers, teachers, counselors, youth workers, probation officers, and others are all involved in trying to assist the youth of today to see the potentialities of responsible citizenship and to resist the stresses of their environment which tend to cause delinquency.

I have with me a copy of a report on Federal legislation regarding juvenile delin-

quency which was prepared by the Legislative Reference Service. I think it would be helpful to the Committee to have the report included in the hearing record. The report, entitled "Federal Legislation Relating to the Problem of Juvenile Delinquency", is dated November 14, 1969. It summarizes the six major laws which have been enacted by Congress and which deal with juvenile delinquency. A review of these laws might indicate the desirability of an Institute such as we propose, to encompass several different disciplines.

With the list of present Federal efforts in mind, I want to reassure the Committee that it is by no means the intention of our proposed legislation to take the place of these existing Federal efforts. We feel strongly, however, that some coordination will be beneficial to each of the present efforts. To repeat our intention, we hope to supplement and assist present efforts at all levels, Federal, State and local. We anticipate that the process of information collection, evaluation and dissemination will be of direct, tangible assistance to each of the present efforts, and we are confident that the program of providing short term training will help to strengthen and professionalize the ranks of those out in the local areas working to combat and control juvenile delinquency. And we feel that our proposal is a very practical approach which will provide results at relatively low cost.

We were heartened, Mr. Chairman, by the testimonial which this legislation received from Frank A. Orlando, Presiding Judge, Broward County Juvenile Court, Fort Lauderdale, Florida, as part of his overall testimony before another committee of Congress. Judge Orlando, who has served as an advisor to the Department of Health, Education and Welfare on juvenile matters, had the following remarks to make about the legislation:

It is my opinion that this legislation would create the vehicle by which we could provide, at a national level, the necessary training of professionals who then could return to their States and fulfill their responsibilities of updating the training and performance of the professionals in the area of juvenile delinquency prevention, control, and treatment. We do not have one single agency at a national level which has as its sole responsibility juvenile delinquency prevention, control and treatment. The Office of Juvenile Delinquency and Youth Development is primarily a funding agency and does not have the authority or the ability at this time to fulfill the functions which are encompassed in Congressman Railsback's bill. There is a distinct possibility that if a national institute was created and made an independent Federal agency, the juvenile delinquency responsibilities now being fulfilled by HEW and the Department of Justice could both be transferred to this agency so we would have a comprehensive Federal agency dealing with the funding of State programs, one which engaged in the continuing efforts to determine the causes of juvenile delinquency and develop methods to treat juvenile delinquency, and which had the resources to offer training programs for the professionals in the field.

We have received favorable comments from State officials and from local police officials, as well as Juvenile Court Judges. With the permission of the Committee these letters can be included in the hearing record following my testimony. We have also received letters of support from many private citizens.

Mr. Chairman, I believe there would be broad support for the mission which we propose to be undertaken by the Institute. I would expect no significant opposition from the State or local levels—they are the ones we seek to help.

I frankly anticipate that at the Federal level there may be suggestions for structuring the Institute within an existing Department, such as the Department of Health, Education and Welfare. Possibly it will be suggested that it be housed within the Justice Department. The suggestion might also be offered that some existing governmental effort might be simply expanded to assume the responsibilities of the proposed Institute. I think that these points, if they are offered, go not to the purposes of the legislation, but to the form and administration of the Institute. But the sponsors of the legislation feel it has been drafted so as to guarantee the setting of policy and operation of the Institute on a broad-based, representative nature. We sought to place the Institute on neutral ground and to insist on appropriate cooperation by all Government Departments and Agencies. I would hope that the Committee will take a close look at whatever suggestions are offered so it can make its own expert judgment as to where the Institute would best be located within the Government structure.

In conclusion, Mr. Chairman, this legislation has been sponsored by nearly 100 Members of Congress. We are aware that the crime clock for 1968 reveals that there was one forcible rape every 17 minutes; one murder every 39 minutes; one robbery every 2 minutes; one aggravated assault every 2 minutes; one auto theft every 41 seconds, and one burglary every 17 seconds. In fact, there was an average of one violent crime every 54 seconds.

The many sponsors of this legislation know that nearly one-half of offenders arrested in 1967 and 1968 had been imprisoned on a prior charge, and that 39 percent of those arrested in either 1967 or 1968 for a crime index offense had been previously charged with one or more serious crimes. We cannot forget that almost three-fourths of the juveniles arrested will likely be arrested again within five years. We also remember that nearly one-half of those arrested for serious crimes are juveniles, and we are determined to take action to reduce these tragic realities.

Our legislation is not just another study effort. We plan a two-pronged attack by first, disseminating information and expertise in the field of juvenile delinquency treatment control, and second, by training people at the state and local levels in the newest and most effective methods of treatment and control of juvenile offenders. As the President's Commission stated in 1967:

"America's best hope for reducing crime is to reduce juvenile delinquency and youth crime."

That is our goal.

A CAUSE FOR CONCERN

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

Mr. ICHORD. Mr. Speaker, tomorrow, March 23, the District of Columbia will hold an election for a nonvoting Delegate to Congress. The campaign is now in full swing and more than 260,000 registered voters will be eligible to cast ballots for the first Representative to the U.S. House of Representatives from this city in a century. James E. Harris, Socialist Workers Party candidate, was interviewed a few days ago on television as part of a series of profiles being done on the six candidates whose names will appear on the ballot. During the interview of Harris, I was amazed that no mention was made concerning the nature of the Socialist-Workers Party. On the contrary, the news commentator indicated that it was refreshing to hear the views expressed by Harris.

The local Washington press, which has given extensive coverage to the forthcoming District election, added to my concern when I found that although several references were made to James Harris and the Socialist Workers Party, no attempt was made to explain the aims and purposes of this party. As a result, I am sure that many residents of the District of Columbia may have gained the erroneous impression that James Harris is the candidate of the Socialist Party of America which seeks to bring about a peaceful transition to socialism.

In sharp contrast, the Socialist Workers Party regards the Communist Party as too mild and prefers to follow the guerrilla warfare ideology of the Red Chinese. In the way of background, the Socialist Workers Party, a Communist splinter group, was formed in 1938. It maintains relations with the Fourth International, an international Communist organization which subscribes to the principles of Marxism as interpreted by Leon Trotsky, one of the leaders of the Russian Revolution who was exiled when Stalin came into power. Trotsky was a militant advocate of trying to export the Russian Revolution to other countries. However, he lost out in a power struggle with Stalin after the death of Lenin. As a result, Trotsky went into exile in Mexico where he was assassinated by a man reputed to have been an agent of Stalin.

Mr. Speaker, I am sure you will readily agree that a vital safeguard to our freedoms is not only a free press but a vigilant and inquiring press. It certainly must be recognized that candidates like James Harris come into the political arena voluntarily and should be prepared for close press scrutiny. Granted that Mr. Harris may not adhere to all the tenets of his party but I would think that a responsible and informed press would have been delving into the tenets of his party.

The failure of the mass news media to inform its readers and listeners of the nature of the Socialist Workers Party points up a problem which I am sure has been of great concern to many of the residents of the Nation's Capital. In covering political campaigns the press, radio, and television are of such great impact that they must be used prudently and with factual balance if the public is to arrive at a rational and sound conclusion as to what the various candidates stand for. If a free society is not capable of providing complete and factual news coverage that meets basic needs then it can truly be said that our society and our free traditions are in serious jeopardy.

THE SOCIAL SECURITY BENEFIT INCREASE IS PROPERLY FINANCED

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

Mr. BURKE of Massachusetts. Mr. Speaker, last Wednesday, St. Patrick's

Day, the President signed the social security benefit increase and in an accompanying statement urged "Congress to act promptly on a social security revenue measure so that the current cost of these increased benefits will be financed." Newspapers all across the country picked up the President's statement and, as a result, millions of people were given cause for unnecessary worry that the legislation left the social security system underfinanced. The truth of the matter is that the benefit increase that we passed last week is adequately and properly financed and that the President was miffed because Congress had taken the initiative and enacted a benefit increase that is more generous than he advocated and is financed in the way Congress determined it should be, rather than the way the President had suggested. Congress acted to provide a 10-percent benefit increase—rather than the President's 6-percent increase—and increased the tax base prospectively from January 1, 1972—rather than retroactively to January 1, 1971.

Mr. Speaker, this Congressman, for one, would like to set the record straight.

The President said:

> The Congress has departed from the cardinal principle which should govern the social security system.

I propose that he was misinformed. Ever since the social security program was proposed by the Council on Economic Security appointed by President Franklin D. Roosevelt, a major concern has been how to provide adequate financing without at the same time building trust fund reserves that are excessively large. In the more than 35 years since this question was first raised, Congress has come up with a rule of thumb under which social security is adequately financed if:

First. In the shortrun income exceeds outgo by several billion dollars and the assets in the trust funds amount to something between 1 and 2 year's benefit payments; and

Second. Over the next 75 years income will be sufficient to pay for all of the benefits promised.

This is the rule that has been followed in all of the recent benefit increases that have been enacted.

If one wishes to judge the adequacy of the financing provided by the bill as passed last week, and which the President signed, all he has to do is to read the conference report—House Report 92-42—which contains the figures furnished by the President's own actuaries in the Social Security Administration. Those actuaries told the committee of conference that, under the new law, the social security cash benefit trust funds will increase by an estimated $3.4 billion in 1971, $7.2 billion in 1972, $13 billion in 1973, $14.9 billion in 1974, and by $16.6 billion in 1975. In other words, from the end of 1971 through the end of 1975, the assets of the funds will increase from $41.4 billion to $93.1 billion. In 1971, the outgo from the trust funds will be about $38.4 billion while the year-end assets will be about $41.4 billion. For 1975, the comparable figures will be about $45.7 billion outgo and assets of $93.1 billion.

For the life of me, I cannot see what more the President could wish for.

Mr. Speaker, with regard to the President's suggestion that the social security tax base should be increased retroactively, I would point out that since the program began, there have been eight benefit increases. Five of these benefit increases and in only one instance was a tax base retroactive, and that one was retroactive only by accident. That was in 1968, which was retroactive for 1 day. In December of 1967, Congress passed and sent to the President a social security bill that, among other things, increased the tax base from $6,600 to the present $7,800 a year, effective for January 1, 1968, and President Johnson did not get around to signing the bill until January 2.

Mr. Speaker, obviously the President has been misinformed as to the cardinal principles of financing social security benefit increases.

Commenting on the same matter, none other than Dr. Burns, Chairman of the Federal Reserve Board, advocated postponing the administration's proposed increase in the social security tax wage base for a year on the grounds that it would have a beneficial effect on the current low state of the economy. I am sure that the good Chairman was not proposing something which would seriously undermine the social security system of this Nation. I think Congress must be prepared in the absence of strong Executive guidance to employ any and all weapons in its fiscal arsenal to get this country out of the economic doldrums which have plagued it for so long now. Delaying an increase in the social security tax wage base will give the economy a good shot in the arm, and at the same time would be consistent with the maintenance of a sound social security system.

THE UNEMPLOYMENT SITUATION

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

Mr. BURKE of Massachusetts. Mr. Speaker, last week some more depressing news was released by the Labor Department about the unemployment situation in this country. Instead of being in the nature of progress reports, these briefings have tended recently to be crisis reports similar to those issued by hospitals at regular intervals when a prominent patient is seriously ill. New England lost a further 117,000 jobs this last month. I wish to draw the Members' attention in particular to the fact that the largest single increase in unemployment occurred in the leather goods industry covering shoes and related products. Two thousand 100 workers lost their jobs in this industry in New England in that month. It is figures like this which are behind the concerns of Members of Congress who day after day for the last 2 years have been urging action on a trade reform bill with protection for the shoe industry. How many more months of these depressing figures are we supposed to have before the real emergency which exists is apparent to each and every Member here?

While we are on the subject of Labor Department briefings, I noted with dismay in the weekend newspapers that henceforth there will be no such indepth briefings. Are we to take this as a sign that worse news is yet to come? Is the administration so embarrassed about the economic condition in this country that it cannot leave it to qualified, experienced civil servants to answer reporters' questions about the figures? Apparently, too much of a "policy" nature is involved, we are told. The new policy appears to be to keep everyone in the dark.

LAW ENFORCEMENT APPRECIATION DINNER

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

Mr. HANLEY. Mr. Speaker, a unique communitywide tribute to its law enforcement agencies will take place Wednesday, March 24, in Syracuse, N.Y.

At that time, each policeman and member of the sheriff's department in Onondaga County and their wives will be guests of the community at a dinner to be held in the huge Onondaga County War Memorial Auditorium.

The dinner, spearheaded by the Syracuse Chamber of Commerce, will show in a concrete manner, the appreciation felt by local citizens for the vital work done every day by these men.

The importance and commonsense thoughtfulness of the effort deserves special recognition today when attacks upon all levels of law enforcement are, unfortunately, becoming fashionable.

Mr. Charles V. Fenn, the president of Carrier Corp., headquartered in Syracuse, is chairman of this commendable effort. In discussing the dinner recently, Mr. Fenn stated its purpose concisely:

> Citizens want to show their appreciation for all law enforcement, particularly the average policeman on the beat, a public servant who receives little or no thanks during the year.

Mr. Speaker, I feel that this tribute, to be called the Law Enforcement Appreciation Dinner, will help put law and order in its proper perspective—the underlying principle of any civilized progress.

CONCERN FOR THE ELDERLY

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

Mr. MOLLOHAN. Mr. Speaker, last year we saw a growing awareness of the problems facing the nearly 20 million Americans who are 65 or older. We listened to discussions of these problems in the White House Conference on Aging. We followed the reports on hearings conducted by the Senate Select Committee on Aging as it traveled across the Nation. And we were shocked by its report that one in four of our elderly citizens is living below the poverty level.

That was a time in which we sought the answers to the problems of poverty, loneliness, isolation and lack of trans-

portation and adequate medical care which are the daily facts of existence for far too many of our elderly citizens. And there were promises then, and hope for a national commitment to ease the burdens of the elderly.

Today much of that hope has been replaced by shock and disillusionment.

The administration has failed to follow through with its rhetoric. Its budget shows how much concern it has for the elderly. It has requested only $25.8 million for the Administration on Aging. That is $7.8 million less than the appropriation for the present fiscal year—$7.8 million less concern for the elderly. The bubble of rhetoric and false promises has burst. We see the facts and we cannot accept them. We must increase this appropriation.

SST—IS IT REALLY NECESSARY?

The SPEAKER. Under a previous order of the House, the gentlewoman from Connecticut (Mrs. GRASSO) is recognized for 30 minutes.

Mrs. GRASSO. Mr. Speaker, the vote on funding the SST is over. The House defeated this measure, and hopefully clear heads will prevail and some perspective may be gained on the SST issue.

I have not spoken out before this because I was, to say the least, very disturbed by the tenor of debate, and the gross distortions and exaggerations of fact in the debate. Fortunately, the SST was defeated because the program lacked merit, both economically and environmentally.

Even now, some of the proponents of this aircraft are claiming its defeat in Congress will cost many workers their livelihood. It appears this will be the excuse used on every occasion when a job is lost in this stagnant economy.

If the administration is so concerned about the unemployment situation in this country, it would release the $11 billion in appropriations withheld by the White House. If the administration is so concerned about unemployment, it would support increased public works—which serve an immediate useful purpose.

The sorry spectacle put on by some of the SST supporters—their fast and free use of unsupported claims—convinces me more than ever that Congress was correct in voting down this economic monstrosity.

The judgment on the SST is a matter of priority and principle and public good. When the domestic priorities of our country for health and homes, education, and transportation are diverted for the investment of over $886 million of the taxpayers money into a supersonic transport plane that will bring no return in dollars and jobs for many years to come, the decision must weigh the public good against the private interest of the promoters. Certainly if the SST begins to accomplish for the economy and the airspace industry what its supporters claim, then private commercial investors should be willing to provide the remaining dollars needed to build a prototype that will meet the standards of environmental safety and the market test of airline demand for production.

The real truth about jobs and SST has been obscured by exaggeration and oversimplification. By now the investment of over $800 million of the taxpayers money should have produced more than a plan for a prototype that will require millions of dollars more before it can fly a few people to Europe a few hours faster, and will provide possible employment 10 years from now.

We need jobs today and in Connecticut the manufacturers' talent and labor's skill of our air-space industry is ready to produce engines and components for the air bus, the Lockheed TriStar L1011 that today is threatened with the loss of investment of over $800 million and over 30,000 jobs because of the Rolls Royce failure.

Air travel needs low cost, low maintenance facilities; surface travel needs expansion of the Pratt & Whitney turbo train and other fast and economical facilities of transportation. The country needs, as well, benefits of the space technology so that companies like that of Hamilton Standard can produce sorely needed medical equipment and devices, sophisticated health treatment devices like the dialysis kidney machines that will benefit the health needs of the people.

These are programs that will generate jobs and profits. These are programs that will vitalize the economy because they produce jobs now when they are needed, not 10 or 20 years from now when new discoveries and research will have made the financial nightmare of the SST a tragic reminder of the misuse of public funds.

The following statement by Servan-Schreiber, former editor of L'Express and a deputy to the French National Assembly from Lorraine, was submitted to Senator PROXMIRE, chairman of the hearings on the SST. I bring it to the attention of my colleagues as an indication of some of the misgivings now being expressed about the development of the French-British Concorde:

FROM JEAN-JACQUES SERVAN-SCHREIBER—A EUROPEAN VIEW OF THE SUPERSONIC TRANSPORT

(NOTE.—Servan-Schreiber, former editor of L'Express and author of "The American Challenge," is a deputy to the French National Assembly from Lorraine. The following is excerpted from a statement he submitted to Senator Proxmire, chairman of the hearings on the SST.)

The debate in the Congress of the United States on supersonic transport may remain in the history of the industrial state as the first truly universal debate. The problem is the same in each modern democracy—man and technology. Decisions of government and parliaments in each of our nations has immediate consequences on all others. In view of the SST debate there is no such thing any more as "national independence." The multinational political decision at long last, confronts the multinational industrial complex . . . France and Great Britain now have nine years' experience with supersonic transport and that experience can, perhaps, shed some light on this vital debate.

Every single cost analysis from the beginning has proved to be wrong. The cost of the [French-British] SST has multiplied here, as it will everywhere, four times since the initial evaluations. By all normal decision-making systems, it should have been canceled long ago, but the debate and the cost have for years been kept from the public. The facts have not been available until the most recent months when they could no longer be hiuden.

Now the public eye is on the project and what it sees is bankruptcy. The Rolls Royce disaster of last month already looks small compared to the finanical quagmire of the SST.

Not only those who had doubts about the project, but more and more former supporters of supersonic transport are now frightened by the project. Mr. Charles de Chambrun, a major political figure of the ruling party in France, making a special report for his parliamentary committee declared: "Even a superficial analysis now reveals to us a terrifying truth, on purely prestige projects (like the supersonic aircraft) we are throwing away billions with no hope whatsoever of any future commercial returns. So much so that we should urgently face these problems and if possible, before they become public scandals." Former Conservative Prime Minister Antoine Pinay, a cautious and respected man, who seldom speaks out in public, decided last week that he could no longer remain silent and came out flatly against it as an immensely costly gadget on taxpayers money designed for an incredibly few rich people, mostly North Americans. The impact of his unprecedented and violent attack is shaking the establishment and prefaces more defections from the pro-SST ranks among public figures.

If the number of persons in America that could profit by SST flights is evaluated, officially, at 0.5 per cent of the population, that figure in France is only 0.3 per cent—thus an unavoidable political assault, in a country like ours where housing, schools, hospitals, roads, telephones, urban problems are in such dramatic need of immediate attention. . . . In Paris, for instance, it has been revealed that over 70 per cent of housing dates back to 1920, and only less than 10 per cent has been rebuilt in the last 20 years. Also, Paris, considered the most advanced city in France, 52 per cent of housing is without central heating and 45 per cent has no internal sanitary facilities. Again in Paris, there is, today, only one child care center for 2,000 working women with children.

For the first time since General de Gaulle left the public scene these truths are rising to the surface. A fundamental reappraisal of the whole range of public appropriations is the inevitable result. In face of these social scandals the SST has now few defenders. Only those directly concerned by the contracting industries are still openly in favor of the project.

Even if there were no problem at all of public opinion of urgent social needs, there are now even more pressing problems confronting the SST builders and their clients. We shall note here the latest developments in the first two months of this year.

The minimum transport capacity of the European SST was considered to be, as of last year, for any competitive use, 134 passengers per plane. After the first flight tests this capacity is now being reduced to 110, or less. At that level, the plane can be bought by Air France and BOAC only if it flies at full capacity on every flight. An impossible assumption, as any airline executive knows.

The flight distance of the European SST has also been drastically decreased. It is still considered able to fly from Paris and London to New York, but it is now officially admitted that it will not be able to fly from Berlin to New York and not even from Rome, Hamburg or Frankfurt The use of the SST for European airlines is shrinking. Practically, the British and French clients are, at this point, left alone.

Maintenance costs for the SST climbed from the first estimated 30 per cent margin

for present jet planes to 60 per cent at least, in the latest accounting. The initial and basic idea that the fare for an SST passenger would not be more than first-class seat today on normal jet aircraft is abandoned. The SST passenger will have to pay at least 30 per cent more than the first-class fare. At that price level, company executives, not paying for their own travel expenses, will be the only routine passengers taking advantage of the new plane.

Finally, the latest requirements from airlines to add qualitative changes in order to lower the noise level and to make luxury flight more comfortable have been flatly refused by the builders as impossible within the present budget, already 300 per cent over the initial estimations.

Some major leaders of the pro-SST crusade have now decided in my country to express in public their unwillingness to continue the project under present conditions. Among them the Chief Executive of the SST program in Toulouse has considered it to be his duty to release, last month, some new facts and figures in an unprecedented press conference.

Since its first test flight in 1969, the SST prototype has flown less than 10 per cent of the number of hours of test flight that were planned as a minimum for testing the project. Also, he revealed, in anger, that the budgeted investments planned for the middle of last year had still not been allocated by the government.

He made public that, on the basis of the latest developments, a new postponement of test flights is unavoidable. What was planned to be achieved in 1973 will not be accomplished before the second half of 1974. Finally, he concluded, that all of this will cost an eventual loss of 50 SST commercial options per year and that one more delay, after the deadline of 1974, would simply see the European SST cancel itself out of any possible market.

The conclusion in France today, after a few weeks of publicly airing the facts, is that the project is, at a minimum, a commercial and financial disaster. Technologically it has lost most of its significance for two reasons. First, because the engineers and scientists are not permitted to continue their research due to budget limitations. Second, the only remaining technological fallout (supersonic flight experience) has lost its meaning since this aircraft will not be the first of its generation of planes, but the last. To create a new generation of aircraft a varied geometry wing system and new metal alloys were, and are, needed, but they have been abandoned.

It is a common belief among responsible politicians in this country that the concrete social problems of daily life in the cities of France and the dramatic problems of balance of payments in Great Britain are now converging to move public opinion in Europe against projects that contradict the elementary needs of the mass of the people. Ninety seven per cent of the population of France is not, in the least, concerned by the luxury of supersonic flying, but in anguish with the deterioration of urban life, the bankruptcy of public service in every city.

The European SST looks to us, on their side of the Atlantic, like an industrial Vietnam.

NATIONAL WEEK OF CONCERN FOR OUR PRISONERS OF WAR/MISSING IN ACTION IN SOUTHEAST ASIA

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

Mr. MORGAN. Mr. Speaker, on March 3, this distinguished body unanimously passed House Joint Resolution 16, designating the week of March 21, 1971 as "National Week of Concern for Prisoners of War/Missing in Action." This resolution, introduced by Congressman JOHN ANDERSON, was cosponsored by more than 170 Members, of which I was one. On March 5, it passed the Senate without a dissenting vote and was sent to the President.

A few days ago, I was privileged to include in the RECORD for the American Legion, a listing of proclamations by State Governors and mayors who have designated a "Prisoner of War Day" and have urged all citizens to demonstrate their concern for these brave young men and pray for their welfare and early release.

Commencing today, and for the remainder of the week, hundreds of organizations and groups throughout the Nation will participate in various programs in commemoration of our POW's and take some positive action to demonstrate to Hanoi our concern for their plight. In this connection, I wish to insert in the RECORD a chronological report of the American Legion's activities concerning our POW's since last September, including their future plans for continuation of their efforts until all of our war prisoners are returned home:

CHRONOLOGICAL REPORT

1. THE AMERICAN LEGION SPECIAL COMMITTEE ON POW

Upon being elected National Commander at the 1970 National Convention in Portland, Oregon, September 3, Alfred P. Chamie declared that his major goal would be to effect better treatment and the speedy release from captivity of our servicemen who are prisoners-of-war or missing in action in Southeast Asia. To that end, Chamie established a Special Committee on POW's composed of leading Legionnaires and with representatives of the American Legion Auxiliary. The Committee was charged with investigating ways in which the Legion could effectively cooperate with other organizations in this vital issue and with developing programs to assist in (a) alerting the American people to the necessity of active participation in the campaign to get better treatment for our POW's; and (b) showing Hanoi that the American people are united and deeply concerned over this issue.

Under the chairmanship of Past National Commander William R. Burke, the Special Committee met in Indianapolis on October 18, 1970. The Committee decided to sponsor a POW prayer and proclamation campaign—a campaign to get governors, mayors, and other elected officials throughout the nation to issue proclamations declaring a day, week, or month to be a POW remembrance period. People throughout the country were urged to write letters or send petitions to Hanoi and to the North Vietnamese delegation at the Paris peace talks urging that North Vietnam observe the Geneva Convention of 1949 relative to the treatment of prisoners-of-war.

2. RESULTS OF THE CAMPAIGN

This campaign continues. At present the Legion has received a large number of proclamations from governors, and from county, town, and city officials. Our effort also stimulated other civic groups to obtain proclamations similar to our own. In addition, thousands of letters and signatures on petitions have been received at Washington headquarters. Thousands more were sent directly to Hanoi and to Paris. Through the assistance of Congressman Thomas E. Morgan (Pa.) we have had several of the state proclamations and local unit proclamations recorded in the *Congressional Record*. In this way we are seeking to inform and influence Hanoi. These proclamations, letters, and petitions should convince North Vietnam of the unity and concern of the American people—the man in the street and his locally elected officials—over the plight of our POW/MIA. We plan to continue this campaign until every American has had an opportunity to participate in it.

3. POW PRAYER

In November 1970, The American Legion National Public Relations Division sent letters to more than 150 "opinion leaders" in the United States and abroad asking these individuals to use their channels of communication for the widest possible dissemination of the "Special American Legion Prayer for the Prisoners of War" (a copy of the Prayer is attached). Recipients included religious leaders of all faiths; ranking news media representatives; veterans and other organization leaders; business and government executives and owners of professional sports teams. The results were most encouraging. Dr. Norman Vincent Peale read the Prayer on the "Today" show, reaching a nation-wide television audience. The news media used the Prayer extensively, often featuring it in editorial space, and religious groups of all denominations have featured the Prayer in local church bulletin publications and, frequently, from the pulpit or on some other occasion when prayer was appropriate.

4. PUBLIC SERVICE ANNOUNCEMENTS

The Legion National Public Relations Division released a spot announcement in November 1970 featuring a slide depicting an American POW in a North Vietnam prison, accompanied by a 20 second dialog. Response has been extremely gratifying, with many thousands of dollars of free public service time donated to show this slide by television stations throughout the country.

5. OTHER ACTIVITIES

The Legion has offered full cooperation to other organizations committed to the struggle for better treatment for our POW. We have participated in letter and petition campaigns with other groups. We are providing free office space and administrative services in our Washington office for the National League of Families of American Prisoners and Missing in Southeast Asia for as long as the League needs them. Through our liaison with the Department of Defense and Department of State, we are assisting in providing speakers, such as former POW Colonel Norris Overly and Major James Rowe, for Legion regional and local POW programs and rallies. We are also providing, upon request, POW public relations materials and other informational materials to assist Americans everywhere to take part in the general campaign to help our POW/MIA.

Finally, we cooperate in promoting Legion participation in the organization of, and attendance at, national, regional, and local rallies for our POW/MIA. To date, the Legion has taken a leading role in organizing two national rallies in Washington and in playing a major role in others throughout the country. We shall continue to offer our help in these rallies.

6. FUTURE PLANS

At its February 14 meeting, the Legion's Special Committee decided to continue the proclamation, letter, and petition campaign, and to initiate a new one. Ambassador Bruce, the U.S. chief representative at the Paris

peace talks, has indicated that he can utilize whatever proofs he can obtain of the concern of local elected American officials over the POW/MIA issue. The Committee, therefore, decided to ask all elected officials, beginning with mayors, in the U.S. to sign a letter to Ambassador Bruce for use with the North Vietnamese. The letter will emphasize the single-minded support all Americans give Ambassador Bruce in his effort to achieve the basic rights for our POW/MIA—identification and correct treatment, inspection of prison facilities, full authorized exchange of correspondence with their families, and immediate repatriation of sick and wounded prisoners.

The campaign will eventually encompass more than 37,000 elected officials on the state and local levels. When the majority of signatuers have been obtained, the Legion will present them to Ambassador Bruce for such use at the peace talks as he may deem fit.

In addition, the Legion will cooperate with other veterans organizations and other interested groups to the maximum extent possible. The Legion's attitude is that the general objective of advancing the good of the POW/MIA is of supreme importance; that this objective requires the joint efforts of many groups in the United States; and that it can best be achieved by cooperation among them all. The Legion is, therefore, constantly seeking new ways to achieve the common goal and is always open to suggestions from others on what further programs can be undertaken to help reach its goal.

AN AMERICAN LEGION PRAYER FOR OUR PRISONERS OF WAR

Lord, shelter the prisoners of war in Southeast Asia. Open the hearts and minds of their captors that they may be restored to their homes and loved ones. Each has carried the burden of battle. Each has discharged an obligation of his country. Each has been subjected to hazard, pain, and imprisonment beyond the lot of the soldier.

O Lord, these gallant men who bear so great a burden must not be forsaken. God of Justice to whom we pray, Thy compassion we beseech: Lift their burden, give them strength and strike the shackles that deny them freedom.

THE AMERICAN LEGION,
March 11, 1971.

Hon. HALE BOGGS,
Majority Leader, House of Representatives, Washington, D.C.

Please extend the thanks of the American Legion to the Congressional Membership for their joint resolution calling on the President to designate the week of March 21st a "Week of Concern" for our prisoners of war/missing in action in Southeast Asia.

The POW issue has long been a matter of primary concern to Legionnaires everywhere, and the focus of one of our primary programs. We believe your action in this matter will hasten the day when these brave unfortunate men may be reunited with their families.

ALFRED P. CHAMIE,
National Commander, the American Legion.

REPORT ON JUSTICE IN BEXAR COUNTY, TEX.

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

Mr. GONZALEZ. Mr. Speaker, I rise on this occasion in order to render an accounting for the transaction that occurred more than a year ago, and which directly or indirectly involved the privileges of the House. I rise to give a report because of the final determination in this particular case that reached the Supreme Court and finally, exactly a week ago, the judge of first instance remanded the two accused to the penitentiary to which he had sentenced them, and which sentence had been appealed.

It has to do with the case of one Eddie Montez and one Albert Fuentes, the latter having been the special assistant to the Director of the Small Business Administration about 2 years ago.

If you will remember, Mr. Speaker, I became involved because the chairman of the Small Business Advisory Committee for Bexar County conveyed to me the information that he had a sworn statement by a young small businessman who had been approached by this special assistant at a private meeting one Sunday afternoon together with this other man by the name of Edward Montez and others at which time he was informed that a loan application that had been processed for his small business in the amount of $10,000 was not enough, that they had studied the potential of his business, and that if he just went along with them, that he could, through the intercession of the special assistant to the National Director, obtain 10 times that amount of loan, that is, that he had a potential of up to $100,000, but that in exchange for that, some papers would be drawn up so that they could be so written that later this special assistant would share to the amount of 49 percent of the corporation.

They had with them in the room an attorney and at least two other persons. The attorney was introduced as a friend of the special assistant who would know how to write the papers, because the special assistant stated that he did not intend to work for the Government forever, and he wanted something to fall back on later on.

When I read the sworn affidavit, I did two things immediately. First, I telegraphed the Director of the Small Business Administration; and, second, I wired the chairman of my committee, the Banking and Currency Committee, because as a member of this committee, the committee having jurisdiction of this governmental entity, I felt I had more than just a casual interest in the matter. I asked the Director of the Small Business Administration to look into the matter and, while he was checking out the veracity of the affidavit, to suspend the Administrator. I asked the chairman of the committee to look into the matter from the standpoint of the committee, because I also had other information that similar approaches and instances had occurred with respect to at least four other businessmen in the area.

The Director of the SBA became furious. He refused to answer my telegram. He denied that anything could be wrong, and he refused even to look into the matter until pressured by the chairman of the committee. Then he refused to turn over to the chairman of the committee the results of a preliminary investigation, but instead referred it to the Justice Department, and this is where the whole matter really came to a good and sound and healthy conclusion from the standpoint of good government.

The rest is history. When the men were indicted by the grand jury, the special assistant went to San Antonio, my hometown, and accused me in his words of being a liar, as if I had been the one that had made the charge and very conveniently overlooking the fact that the man who had made the affidavit was there and upholding his story. The men were indicted by the grand jury and tried by a jury of 12 good men and true, and convicted and sentenced. They appealed to the appellate court and were turned down in a formal opinion by the appellate court. They went to the Supreme Court of the United States and were rejected there. Last week the judge ordered that they report to the Federal authorities by Monday next.

In the meanwhile I want to point out that during the course of the trial, the defense attorney became insistent that I be the defendant instead of the defendants. He did everything he could to try to make it a political trial. At that time the Congress was in session. Pressures were placed upon me to forget the fact that I have a perfect attendance record in this House, and that I waive the privileges of the House. I think the outcome of the trial clearly shows the wisdom of not succumbing to the pressures that a Member of the House can sometimes be confronted with by a lawyer who is anxious to try to save a guilty defendant.

In the meanwhile, at least one of the defendants in a protracted and systematic way has constantly attempted to harass me through threats, through intimidations, and through very few, but definite, threats to my safety of life and limb. On at least two occasions during the past 12 months, two different officials, including one officer of a bank, have reported to me, this one defendant told them the defendants were out to get me one way or another.

I want this House to fully understand the history of this case, because at the time that the Administrator of the Small Business Administration refused summarily and arbitrarily to look into the matter himself and at a time when I myself did not even know if there was any criminal culpability, I had to appear on the floor of this House and report to this House on at least 12 distinct occasions. This is the penultimate occasion I intend to speak forth on this matter. As soon as I have compiled a summary of this case and how it has involved me and how difficult it becomes for a man in public service to stand up for what is straight and honest, I will then appear for the final report to this House.

REPAIRING DAMAGE DONE BY STRIP MINING

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

Mr. HAYS. Mr. Speaker, I have this morning, just a few minutes ago, introduced a bill which would require strip miners of coal in the United States to replace the land that they gouge up for

their operations. All States have some kind of legislation, but with the single exception of the State of Pennsylvania, I do not know of any State that really requires total reclamation.

The House might be interested to know that at the present time there is an area equal to the State of Connecticut in size which has already been turned upside down, with the acid-bearing rock and other materials which will not support vegetation left on top. With present equipment—and they are getting bigger equipment every year—they can strip an area equal in size to that of the States of Pennsylvania and West Virginia put together.

The way they are leaving this land in Ohio at the present time it is as unproductive as a desert, with 100- or 120-foot high walls all around the stripped area, and the area stripped left with the acid-bearing rock and other nonproductive elements on top.

My bill would require them to save the top soil when they take out the coal, to put the rock back on the bottom and the top soil back on top, to restore it to contour and reseed or reforest as the Commission may decide.

I believe it is high time we did this. One strip operator in my district said to do this would cost 35 cents additional a ton. Most coal is used to produce electricity, and if the cost is passed on to the consumer it would add about a nickel a month to the average householder's electric bill, which I believe indeed would be a small price to pay to insure that the water is not polluted and the land is restored and reseeded and reforested and left in a state which can be used by future generations.

I have asked the Committee on Interior and Insular Affairs to give prompt hearings to this and other similar bills. I hope this Congress, which seems to be interested in ecology, will tackle this most important phase of it.

May I say to the Members, those whose States are not yet affected, if there is coal under the ground—and there is in most places—they can get it out by stripping, because in our investigation we uncovered plans one company has to go 2,000 feet and remove all the overburden to get out the coal. So nothing is safe unless adequate laws are passed.

SOUTH VIETNAMESE LAOS OPERATION

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

Mr. DAVIS of Wisconsin. Mr. Speaker, as we all know, no American ground combat forces are in Laos. We are providing required air support, but Lamson 719 is an essentially South Vietnamese operation. And, I must add, both in the planning of the operation and in its execution.

It seems to me that some of the President's critics are trying to have it both ways, and I am reminded of the remark of a Harvard colleague to Mr. Kissinger last Spring at the time of the Cambodian operation. The scholar said:

> If the operation fails, it will be tragic. If it succeeds, it will be unforgivable.

The logic, if such it is, has a familiar ring. We cannot criticize the South Vietnamese, as some have done in the past, for letting America fight their war for them and then, in the next breath, note that the situation has changed—that the South Vietnamese are vigorously and courageously defending their homeland—and condemn or criticize them for that.

A man cannot be faulted for defending his home. And if those who would take his home are preparing their assault from a vacant lot next door—and such an analogy pertains to the enemy-occupied Laos area of operations—the man would be foolhardy to wait to resist the takeover until his attackers are inside.

I ask my colleagues to view that Laos operation in these terms, and to ask themselves what they would do. I, myself, believe that a legitimate owner deserves the support of his fellows.

CITIZENS PROTEST OF ACTIONS BY FOREIGN POWERS

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

Mr. THOMPSON of Georgia. Mr. Speaker, according to the local Washington press there were a number of citizens arrested over the weekend while sitting down and blocking a public street in Washington, D.C., in protest against the action of the Soviet Union against Russian Jews.

Mr. Speaker, I certainly abhor what the Russians have been doing to the Jews in Russia and the denial of basic human rights, but I submit that for American citizens to disrupt other Americans rights to use the public streets and engage in civil disobedience because of the action of a foreign power is no way to handle this matter.

In fact, Mr. Speaker, I believe those involved will very well find those who have been sympathetic and who have been trying to help the Jews in Russia, as best we can through our own governmental action, may well be turned off by such actions.

I for one, Mr. Speaker, intend to let the friends of mine who are of the Jewish faith know that while I stand ready to help in every way I can, I do not appreciate American citizens obstructing other Americans' rights through civil disobedience because some foreign power is denying basic human rights to a large group of people such as Russia is denying to Russian Jews. Yes, let us focus attention on what is happening in Russia. Yes, let us insist that our Government do all it can. Yes, demonstrations are in order to direct the eyes of the world on the Russians' denial of human rights, But, let us not violate Americans' rights and laws because of what the Russians are doing.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. HANNA (at the request of Mr. O'NEILL), for today and the remainder of the week, on account of official business.

Mr. DENT, for week of March 22, 1971, on account of official business.

SPECIAL ORDERS GRANTED

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

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

Mr. RANGEL, for 10 minutes, today.

Mrs. GRASSO, for 30 minutes, today.

Mr. MORGAN, for 15 minutes, today.

Mr. GONZALEZ, for 10 minutes, today.

Mr. MATSUNAGA, for 15 minutes, on March 25.

EXTENSION OF REMARKS

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

Mr. SIKES in five instances, and to include extraneous material.

Mr. CHAMBERLAIN and to include extraneous matter.

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

Mr. HORTON.

Mr. WINN.

Mr. MCCLORY.

Mr. HALPERN.

Mr. LENT.

Mr. COUGHLIN in five instances.

Mr. RHODES in five instances.

Mr. MINSHALL in two instances.

Mr. STEIGER of Wisconsin in two instances.

Mr. DEVINE.

Mr. SPRINGER.

Mr. WYMAN in two instances.

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

Mr. DINGELL in three instances.

Mr. SCHEUER in two instances.

Mr. FASCELL.

Mr. EILBERG.

Mr. ABOUREZK in five instances.

Mr. MURPHY of New York.

Mr. HAMILTON.

Mr. EVINS of Tennessee.

Mr. BEVILL.

Mr. DAVIS of Georgia in two instances.

Mr. GONZALEZ.

Mr. EDMONDSON.

Mr. CELLER.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1117. An act to provide for regulation of public exposure to sonic booms, and for other purposes; to the Committee on Interstate and Foreign Commerce.

S. 1181. An act to remove certain limitations on the granting of relief to owners of lost or stolen bearer securities of the United States, and for other purposes; to the Committee on Government Operations.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 12 o'clock and 30 minutes p.m.), the House adjourned until tomorrow, Tuesday, March 23, 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:

446. A communication from the President of the United States, proposing supplemental appropriations for fiscal year 1971 for disaster relief and the Small Business Administration, together with a letter from the Director of the Office of Management and Budget (H. Doc. 92–72); to the Committee on Appropriations and ordered to be printed.

447. A letter from the Director, Office of Management and Budget, Executive Office of the President, transmitting a report that the appropriation to the Department of Justice for "Fees and expenses of witnesses" for year 1971, has been reapportioned on a basis which indicates the necessity for a supplemental estimate of appropriation, pursuant to 31 U.S.C. 665; to the Committee on Appropriations.

448. A letter from the Director, Office of Management and Budget, Executive Office of the President, transmitting a report that the appropriation to the Department of Labor for "Unemployment Compensation for Federal Employees and Ex-Servicemen and Trade Adjustment Activities," for the fiscal year 1971, has been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation, pursuant to 31 U.S.C. 665; to the Committee on Appropriations.

449. A letter from the Director, Office of Management and Budget, Executive Office of the President, transmitting a report that the appropriation to the Department of Health, Education, and Welfare for "Grants to States for public assistance" for fiscal year 1971 has been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation, pursuant to 31 U.S.C. 665; to the Committee on Appropriations.

450. A letter from the Assistant Secretary of Defense (Comptroller), transmitting certification that no use was made of funds appropriated in the Department of Defense Appropriation Act, 1971, or the Military Construction Appropriation Act, 1971, during July 1 to December 31, 1970, to make payments under contracts for any activity in a foreign country except where it was determined that the use of currencies of such country was not feasible; to the Committee on Appropriations.

451. A letter from the Assistant Secretary of the Interior, transmitting certification that an adequate soil survey and land classification of the lands in the Tualatin project, Oregon, has been made, and that the lands to be irrigated are susceptible to the production of agricultural crops by means of irrigation, pursuant to the fiscal year 1954 Interior Department Appropriation Act; to the Committee on Appropriations.

452. A letter from the Secretary of the Interior, transmitting the annual report for calendar year 1970 of the Interim Compliance Panel established under section 5 of the Federal Coal Mine Health and Safety Act of 1969; to the Committee on Education and Labor.

453. A letter from the Executive Director, Cabinet Committee on Opportunities for Spanish-Speaking People, transmitting a draft of proposed legislation to extend the authorization of appropriations for the Cabinet Committee on Opportunities for Spanish-Speaking People; to the Committee on Government Operations.

454. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation entitled the Consumer Product Test Methods Act; to the Committee on Interstate and Foreign Commerce.

455. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to authorize appropriations of the Department of Commerce to be available until expended or for periods in excess of 1 year; to the Committee on Interstate and Foreign Commerce.

456. A letter from the Secretary of Commerce, transmitting the Annual Report of the Economic Development Administration for fiscal year 1970, pursuant to Public Law 89–136; to the Committee on Public Works.

457. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 24, 1970, submitting a report, together with accompanying papers and illustrations, on Beaver Creek, Lincoln County, Oreg., authorized by the Flood Control Act approved June 30, 1948; to the Committee on Public Works.

458. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated September 22, 1969, submitting a report, together with accompanying papers and illustrations, on Malheur River and tributaries, Oreg., requested by a resolution of the Committee on Public Works, House of Representatives, adopted March 30, 1955; to the Committee on Public Works.

RECEIVED FROM THE COMPTROLLER GENERAL

459. A letter from the Comptroller General of the United States, transmittng a report on problems in the Department of Housing and Urban Development program for rehabilitating housing to provide homes for low-income families in Philadelphia, Pa.; to the Committee on Government Operations.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. BIESTER (for himself, Mr. BLACKBURN, Mr. CEDERBERG, Mr. CLARK, Mr. CLEVELAND, Mr. COLLINS of Texas, Mr. CORBETT, Mr. CÓRDOVA, Mr. COUGHLIN, Mr. DANIEL of Virginia, Mr. DAVIS of Georgia, Mr. DENT, Mr. ESCH, Mr. ESHLEMAN, Mr. FISH, Mr. FLOOD, Mr. FLOWERS, Mr. GERALD R. FORD, Mr. FORSYTHE, Mr. FRELINGHUYSEN and Mr. FRENZEL):

H.R. 6471. A bill to prohibit assaults on State law enforcement officers, firemen, and judicial officers; to the Committee on the Judiciary.

By Mr. BIESTER (for himself, Mr. POWELL, Mr. RAILSBACK, Mr. RIEGLE, Mr. ROONEY of Pennsylvania, Mr. SAYLOR, Mr. SCHNEEBELI, Mr. SCHWENGEL, Mr. SEBELIUS, Mr. SHOUP, Mr. SPENCE, Mr. TEAGUE of California, Mr. TERRY, Mr. THOMSON of Wisconsin, Mr. VANDER JAGT, Mr. WARE, Mr. WHITEHURST, Mr. WILLIAMS, Mr. WYATT, Mr. WYMAN, Mr. YATRON, and Mr. ZION):

H.R. 6472. A bill to prohibit assaults on State law enforcement officers, firemen, and judicial officers; to the Committee on the Judiciary.

By Mr. BRINKLEY (for himself, Mr. MATHIS of Georgia, Mr. MCDONALD of Michigan, Mr. KYROS, Mr. HILLIS, and Mr. CLEVELAND):

H.R. 6473. A bill to incorporate the Gold Star Wives of America; to the Committee on the Judiciary.

By Mr. COUGHLIN (for himself, Mr. BIESTER, Mr. FULTON of Pennsylvania, Mr. FUQUA, Mr. GAYDOS, Mr. GOODLING, Mrs. GRASSO, Mr. HALPERN, Mr. HANSEN of Idaho, Mr. HARVEY, Mr. HECHLER of West Virginia, Mr. HOSMER, Mr. JOHNSON of Pennsylvania, Mr. KEATING, Mr. KEMP, Mr. MCCLORY, Mr. MCCOLLISTER, Mr. MCDADE, Mr. MADDEN, Mr. MAZZOLI, Mr. METCALFE, Mr. MICHEL, and Mr. MORSE):

H.R. 6474. A bill to prohibit assaults on State law enforcement officers, firemen, and judicial officers; to the Committee on the Judiciary.

By Mr. FASCELL:

H.R. 6475. A bill to amend title 39, United States Code, as enacted by the Postal Reorganization Act, to prohibit the mailing of unsolicited samples of cigarettes; to the Committee on Post Office and Civil Service.

By Mr. FULTON of Pennsylvania:

H.R. 6476. A bill to provide that railroad employees may retire on a full annuity at age 60 or after serving 30 years; to provide that such annuity for any month shall not be less than one-half of the individual's average monthly compensation for the 5 years of highest earnings, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 6477. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $2,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. GALLAGHER:

H.R. 6478. A bill to amend to the Internal Revenue Code of 1954 to prohibit unauthorized disclosure of information respecting income tax returns by businesses preparing such returns for taxpayers; to the Committee on Ways and Means.

By Mr. GARMATZ (for himself, Mr. PELLY, Mrs. SULLIVAN, Mr. MAILLIARD and Mr. CLARK):

H.R. 6479. A bill to provide for the licensing of personnel on certain vessels; to the Committee on Merchant Marine and Fisheries.

By Mr. HARRINGTON:

H.R. 6480. A bill to provide during times of high unemployment for programs of public service employment for unemployed persons, to assist States and local communities in providing needed public services, and for other purposes; to the Committee on Education and Labor.

H.R. 6481. A bill to authorize the National Science Foundation to undertake a loan guarantee and interest assistance program to aid unemployed scientists and engineers in the conversion from defense-related to civilian, socially-oriented research, development, and engineering activities; to the Committee on Science and Astronautics.

By Mr. HAYS:

H.R. 6482. A bill to provide for the regulation of strip coal mining, for the conservation, acquisition, and reclamation of strip coal mining areas, and for other purposes; to the Committee on Interior and Insular Affairs.

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

H.R. 6483. A bill to amend section 5232 of title 10, United States Code, to provide authority for appointment to the grade of general of Marine Corps officers designated under that section for appropriate higher commands or for performance of duties of

great importance and responsibility; to the Committee on Armed Services.

By Mr. HECHLER of West Virginia (for himself, Mr. BADILLO, Mr. BRADEMAS, Mr. CONTE, Mr. DAVIS of Georgia, Mr. DELLUMS, Mr. EDWARDS of California, Mr. EDWARDS of Louisiana, Mr. FOLEY, Mr. KARTH, Mr. KASTENMEIER, Mr. MADDEN, Mr. METCALFE, Mr. MOORHEAD, Mr. NEDZI, Mr. OBEY, Mr. PELLY, Mr. PREYER of North Carolina, Mr. REES, and Mr. ROE):

H.R. 6484. A bill to provide for the control of surface and underground coal mining operations which adversely affect the quality of our environment, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HECHLER of West Virginia (for himself, Mr. BARRETT, Mr. DONOHUE, Mr. O'NEILL, Mr. ROSENTHAL, Mr. SCHWENGEL, Mr. VAN DEERLIN, Mr. VIGORITO, Mr. WOLFF, and Mr. YATES):

H.R. 6485. A bill to provide for the control of surface and underground coal mining operations which adversely affect the quality of our environment, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. LONG of Maryland (for himself, Mr. JOHNSON of California, Mr. LATTA, Mr. TIERNAN, Mr. LEGGETT, Mr. FORSYTHE, Mr. DERWINSKI, Mr. DELANEY, Mr. BURKE of Massachusetts, Mr. QUIE, Mr. DONOHUE, Mr. HALPERN, Mr. METCALFE, Mrs. HICKS of Massachusetts, Mr. HECHLER of West Virginia, Mr. MORSE. Mr. EVINS of Tennessee, Mr. HASTINGS, Mr. HATHAWAY, Mr. ROSENTHAL, Mr. BERGLAND, Mr. OBEY, Mr. HARRINGTON, Mr. STOKES, and Mr. SHIPLEY):

H.R. 6486. A bill to amend the Federal Water Pollution Control Act, as amended, and for other purposes; to the Committee on Public Works.

By Mr. LONG of Maryland (for himself, Mr. MITCHELL, Mr. FOLEY, Mr. MCDADE, Mr. DOW, Mr. ASPIN, Mr. WILLIAM D. FORD, Mr. BROOMFIELD, Mr. BEGICH, Mr. BRADEMAS, Mr. GIBBONS, Mr. MIKVA, Mr. CLEVELAND, Mr. VIGORITO, Mr. DENHOLM, Mr. YATRON, Mr. BELL, Mr. REES, Mr. HICKS of Washington, Mr. FRENZEL, and Mr. KARTH):

H.R. 6487. A bill to amend the Federal Water Pollution Control Act, as amended, and for other purposes; to the Committee on Public Works.

By Mr. O'HARA:

H.R. 6488. A bill to amend the Bacon-Davis Act, as amended, and the Walsh-Healey Government Contracts Act, as amended, to prevent suspension of their provisions by the President; to the Committee on Education and Labor.

H.R. 6489. A bill to amend the Wild and Scenic Rivers Act by designating certain rivers in the State of Michigan for potential additions to the national wild and scenic rivers system; to the Committee on Interior and Insular Affairs.

By Mr. QUILLEN:

H.R. 6490. A bill to amend the Military Selective Service Act of 1967 to provide for the uniform application of the position classification and General Schedule pay rate provisions of title 5, United States Code, to all employees of the Selective Service System; to the Committee on Armed Services.

H.R. 6491. A bill to amend title 38 of the United States Code so as to provide that monthly social security benefit payments and annuity and pension payments under the Railroad Retirement Act of 1937 shall not be included as income for the purpose of determining eligibility for a veteran's or widow's pension; to the Committee on Veterans' Affairs.

By Mr. ROBISON of New York:

H.R. 6492. A bill to provide Federal assistance for special projects to demonstrate the effectiveness of programs to provide emergency care for heart attack victims by trained persons in specially equipped ambulances; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSENTHAL:

H.R. 6493. A bill to provide Federal leadership and grants to the States for developing and implementing State programs for youth camp safety standards; to the Committee on Education and Labor.

By Mr. RYAN:

H.R. 6494. A bill authorizing payment under medicare for services performed by a household aide; to the Committee on Ways and Means.

H.R. 6495. A bill to provide for the establishment of an Institute on Retirement Income which shall conduct studies and make recommendations designed to enable retired individuals to enjoy an adequate retirement income; to the Committee on Ways and Means.

By Mr. SAYLOR (for himself, Mr. RONCALIO, Mr. QUIE, Mr. STAGGERS, Mrs. HANSEN of Washington, and Mr. DINGELL):

H.R. 6496. A bill to designate certain lands as wilderness; to the Committee on Interior and Insular Affairs.

By Mr. SIKES (for himself, Mr. STAGGERS, Mr. BLATNIK, Mr. ABERNETHY, Mr. ULLMAN, Mr. PRYOR of Arkansas, Mr. BARING, Mr. WILLIAMS, Mr. HUNGATE, Mr. MCCLURE, Mr. MONTGOMERY, Mr. MCCORMACK, and Mr. HAMMERSCHMIDT):

H.R. 6497. A bill to authorize the appropriation of additional funds for cooperative forest fire protection; to the Committee on Agriculture.

H.F. 6498. A bill to authorize the appropriation of additional funds for cooperative forest management; to the Committee of Agriculture.

By Mr. SIKES (for himself, Mr. STAGGERS, Mr. BLATNIK, Mr. ABERNETHY, Mr. ULLMAN, Mr. PRYOR of Arkansas, Mr. BARING, Mr. WILLIAMS, Mr. HUNGATE, Mr. MCCLURE, Mr. MONTGOMERY, and Mr. MCCORMACK):

H.R. 6499. A bill to authorize the Secretary of Agriculture to cooperate with and furnish financial and other assistance to States and other public bodies and organizations in providing an urban environmental forestry program, and for other purposes; to the Committee on Agriculture.

By Mr. PATTEN:

H.R. 6500. A bill to amend title II of the Social Security Act to permit the payment of benefits to a married couple on their combined earnings record where that method of computation produces a higher combined benefit; to the Committee on Ways and Means.

By Mr. SCHMITZ:

H.R. 6501. A bill to limit the jurisdiction of the Supreme Court and of the district courts in certain cases; to the Committee on the Judiciary.

By Mr. THOMSON of Wisconsin:

H.R. 6502. A bill to support the price of milk at 90 percent of the parity price for the period beginning April 1, 1971, and ending March 31, 1972; to the Committee on Agriculture.

By Mr. KEE:

H.J. Res. 484. Joint resolution proposing an amendment to the Constitution of the United States, extending the right to vote to citizens 18 years of age or older; to the Committee on the Judiciary.

By Mr. WRIGHT:

H.J. Res. 485. Joint resolution to provide for the designation of the calendar week beginning on May 30, 1971, and ending on June 5, 1971, as "National Peace Corps Week"; to the Committee on the Judiciary.

By Mr. BURLISON of Missouri (for himself, Mrs. GRASSO, Mr. METCALFE, Mr. CHARLES H. WILSON, Mrs. HANSEN of Washington, Mr. DAVIS of Georgia, Mr. GAYDOS, Mr. COLLINS of Illinois, Mr. CARNEY, Mr. STEPHENS, Mr. BRASCO, Mr. DENHOLM, Mr. YATRON, Mr. HELSTOSKI, Mr. COLLIER, Mrs. ABZUG, and Mr. PREYER of North Carolina):

H. Con. Res. 217. Concurrent resolution; announcement of Federal grants and contracts; to the Committee on Government Operations.

By Mr. BURLISON of Missouri (for himself, Mr. JOHNSON of California, Mr. BARING, Mr. ALEXANDER, Mr. DERWINSKI, Mr. EDWARDS of California, Mr. HAMILTON, Mr. MURPHY of New York, Mr. DRINAN, Mrs. HICKS of Massachusetts, Mr. THOMPSON of Georgia, Mr. MITCHELL, Mr. PODELL, Mr. GIBBONS, Mr. EILBERG, Mr. ABOUREZK, Mr. CLARK, Mr. ROYBAL, Mr. GIAIMO, and Mr. BYRNE of Pennsylvania):

H. Con. Res. 218. Concurrent resolution; announcement of Federal grants and contracts; to the Committee on Government Operations.

By Mr. BURLISON of Missouri (for himself, Mr. LONG of Maryland, Mr. PEPPER, Mr. FORSYTHE, Mr. ASPIN, Mr. ROY, Mrs. CHISHOLM, Mr. RANGEL, Mrs. MINK, Mr. MATHIS of Georgia, Mr. DORN, Mr. HALPERN, Mr. SATTERFIELD, Mr. BURTON, Mr. MAZZOLI, Mr. CAFFERY, Mr. BURKE of Massachusetts, Mr. STUCKEY, Mr. DONOHUE, Mr. HAWKINS, and Mr. HANLEY):

H. Con. Res. 219. Concurrent resolution; announcement of Federal grants and contracts; to the Committee on Government Operations.

By Mr. MONAGAN:

H. Con. Res. 220. Concurrent resolution calling for the humane treatment and release of American prisoners of war held by North Vietnam and the National Liberation Front; to the Committee on Foreign Affairs.

By Mr. SCHEUER (for himself, Mr. ADDABBO, Mr. ANDERSON of California, Mr. BINGHAM, Mr. BRADEMAS, Mr. BUCHANAN, Mr. COLLINS of Illinois, Mr. CORMAN, Mr. COUGHLIN, Mr. DANIEL of Virginia, Mr. DERWINSKI, Mr. DINGELL, Mr. EDWARDS of California, Mr. EILBERG, Mr. FLOOD, Mr. FORSYTHE, Mr. FRASER, Mr. FRENZEL, Mr. GIAIMO, Mr. GUDE, Mr. HALPERN, Mr. HATHAWAY, Mr. HECHLER of West Virginia, Mr. HOGAN, and Mr. HOSMER):

H. Con. Res. 221. Concurrent resolution requesting the President of the United States to take affirmative action to persuade the Soviet Union to revise its official policies concerning the rights of Soviet Jewry; to the Committee on Foreign Affairs.

By Mr. SCHEUER (for himself, Mr. LEGGETT, Mr. LENT, Mr. MCCORMACK, Mr. MITCHELL, Mr. MORSE, Mr. O'NEILL, Mr. PELLY, Mr. PEPPER, Mr. PODELL, Mr. POWELL, Mr. PRICE of Illinois, Mr. REES, Mr. RIEGLE, Mr. ROSENTHAL, Mr. ST GERMAIN, Mr. SARBANES, Mr. SEIBERLING, Mr. STRATTON, Mr. THOMPSON of Georgia, Mr. THONE, Mr. VANIK, and Mr. WHITE):

H. Con. Res. 222. Concurrent resolution requesting the President of the United States to take affirmative action to persuade the So-

viet Union to revise its official policies concerning the rights of Soviet Jewry; to the Committee on Foreign Affairs.

By Mr. WYDLER:

H. Con. Res. 223. Concurrent resolution requesting the President of the United States to take affirmative action to persuade the Soviet Union to revise its official policies concerning the rights of Soviet Jewry; to the Committee on Foreign Affairs.

By Mr. PEPPER (for himself and Mr. WIGGINS):

H. Res. 337. Resolution to provide funds for the expenses of investigations and studies authorized by House Resolution 115; to the Committee on House Administration.

MEMORIALS

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

73. By the SPEAKER: Memorial of the Senate of the State of Hawaii, relative to continuation of the FHA section 235 interest subsidy program; to the Committee on Banking and Currency.

74. Also, memorial of the House of Representatives of the Commonwealth of Massachusetts, relative to the treatment of Soviet Jews; to the Committee on Foreign Affairs.

75. Also, memorial of the Senate of the State of Montana, relative to dust abatement on the Canyon Ferry unit, Helena-Great Falls division, Pick-Sloan Missouri Basin program of the Missouri River Basin project, Montana; to the Committee on Interior and Insular Affairs.

76. Also, memorial of the Legislature of the Territory of the Virgin Islands of the United States, relative to qualifications of candidates for public office in the Virgin Islands; to the Committee on Interior and Insular Affairs.

77. Also, memorial of the Legislature of the State of Oklahoma, relative to the Arcadia Reservoir; to the Committee on Public Works.

PRIVATE BILLS AND RESOLUTIONS.

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

By Mr. COLMER:

H.R. 6503. A bill for the relief of Capt. Claire E. Brou; to the Committee on the Judiciary.

By Mr. KEITH:

H.R. 6504. A bill for the relief of Margarida Aldora Correia dos Reis; to the Committee on the Judiciary.

By Mr. MAILLIARD:

H.R. 6505. A bill for the relief of Joseph T. Poiesz; to the Committee on the Judiciary.

By Mr. MONAGAN:

H.R. 6506. A bill for the relief of Mrs. Hind Nicholas Chaber, Georgette Hanna Chaber, Jeanette Hanna Chaber and Violette Hanna Chaber; to the Committee on the Judiciary.

By Mr. O'NEILL:

H.R. 6507. A bill for the relief of Maria I. Gomes; to the Committee on the Judiciary.

By Mr. WRIGHT:

H.R. 6508. A bill for the relief of J. B. Riddle; to the Committee on the Judiciary.

PETITIONS, ETC.

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

46. By the SPEAKER: Petition of the Democratic Town Committee, Scarsdale, N.Y., relative to U.S. war crimes and press censorship in Vietnam; to the Committee on Foreign Affairs.

47. Also, petition of Clarence Martion, Sr., Washington, D.C., relative to redress of grievances; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

PARKS AND HIGHWAYS

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 22, 1971

Mr. DINGELL. Mr. Speaker, pursuant to permission granted, I insert in the RECORD an excellent editorial appearing in the Washington, D.C., Post of Sunday, March 7, 1971, entitled "Parks and Highways," on the decision in the case of Citizens To Preserve Overton Park, Inc., et al., against Volpe, Secretary, Department of Transportation, et al., case No. 1066, argued December 7, 1970, and decided March 2, 1971.

Both the editorial and the very fine decision of the Supreme Court of the United States merit careful reading by all concerned with the preservation of their environment and the amenities of life in this Nation today:

PARKS AND HIGHWAYS

It should have been self-evident all along that a nation civilized enough to create public parks so as to give beauty to its cities and provide them with lungs, as it were, would also hold these parks inviolate. But it was only after a good many parks, recreation lands, wildlife and waterfowl refuges and historic sites were lost to or badly damaged by highways, that Congress, in 1966 and again in 1968, set out to curb such irreparable incursions by federally financed bulldozers.

Well, surely at that point, you would think it should have been self-evident that public parkland cannot be taken for public roads, unless, as the law commands, "(1) there is no feasible and prudent alternative to the use of such land, and (2) such program includes all possible planning to minimize harm to such park." But in several places, notably Overton Park in Memphis, Brackenridge Park in San Antonio, and the parkland affected by the proposed Three Sisters Bridge in Washington, the dispute continues. It is still not self-evident, it turns out, just what constitutes a "feasible and prudent" alternative to the destruction of parkland. In the end, legal and administrative technicalities aside, the highway builders and the conservationists still differ on whether the public interest demands efficient roads or inviolate parks.

The recent Supreme Court decision in the Memphis dispute does not settle this issue because it cannot be settled categorically. As the law prescribes, disputes over the question of whether alternatives to taking a park are "feasible and prudent" can only be decided in each instance by the Secretary of Transportation. In the case of Memphis, the Supreme Court simply told the District Court to review the Secretary's decision and see whether he made it properly and in good faith.

This will hardly cheer either the proponents or the opponents of more freeways. Yet, we believe the decision important. For one thing, the highest court in the land has affirmed that government now must take seriously the complaints of concerned citizens (in this case the "Citizens to Preserve Overton Park") who only a few year ago were often dismissed as mere "beautniks" and troublemakers. Secondly, the court has stated quite clearly that it is entirely "prudent" to save a park even if that means spending more money.

"There will always be a smaller outlay required from the public purse when parkland is used," the decision says, "since the public already owns the land and there will be no need to pay for right-of-way. And since people do not live or work in parks, if a highway is built on parkland no one will have to leave his home or give up his business." Yet the court continued, protection of parkland must be given paramount importance. It interprets the intent of Congress to mean that "the few green havens that are public parks were not to be lost unless there were truly unusual factors present in a particular case or the cost or community disruption resulting from alternative route reached extraordinary magnitude." In other words, environmental benefits are to have priority over cost benefits. That is news in some quarters.

[In the Supreme Court of the United States]

SYLLABUS: CITIZENS TO PRESERVE OVERTON PARK, INC., ET AL. *v.* VOLPE, SECRETARY, DEPARTMENT OF TRANSPORTATION, ET AL.

(Note: Where it is deemed desirable, a syllabus (headnote) will be released, as is being done in connection with this case, at the time the opinion is issued. The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See *United States* v. *Detroit Lumber Co.*, 200 U.S. 321, 337.)

CERTIORARI TO THE U.S. COURT OF APPEALS FOR THE SIXTH CIRCUIT

[No. 1066. Argued December 7, 1970—Decided March 2, 1971]

Under § 4(f) of the Department of Transportation Act of 1966 and § 138 of the Federal Aid Highway Act of 1968, the Secretary of Transportation may not authorize use of federal funds to finance construction of highways through public parks if a "feasible and prudent" alternative route exists. If no such route is available, he may approve construction only if there has been "all possible planning to minimize harm" to the park. Petitioners contend that the Secretary has violated these statutes by authorizing a six-lane interstate highway through a Memphis public park. In April 1968 the Secretary announced that he agreed with the local officials that the highway go through the park; in September 1969 the State acquired the right-of-way inside the park; and in November 1969 the Secretary announced final approval, including the design, of the road. Neither announcement of the Secretary was accompanied by factual findings. Respondents introduced affidavits in the District Court, indicating that the Secretary had made the decision and that it was supportable. Petitioners filed counter affidavits and sought to take the deposition of a former federal highway administrator. The District Court and the Court of Appeals found that formal findings were not required and refused to order the deposition of the former administrator. Both courts held that the affidavits afforded no basis for determining that the Secretary exceeded his authority. *Held:*

1. The Secretary's action is subject to judi-