



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 92<sup>d</sup> CONGRESS, FIRST SESSION

## HOUSE OF REPRESENTATIVES—Monday, March 29, 1971

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

*Let us not be weary in well doing: For in due season we shall reap, if we faint not.—Galatians 6: 9.*

O God, who art the life of those who put their trust in Thee and the light of all who walk in Thy way, guide us in the paths of truth and love as we set out upon a new day together. Grant that we may be of strong wills, clear minds, warm hearts, and of deep faith ever reaching for the highest and best in life for ourselves and for our people.

Make us aware of the needs of the community about us and of the world in which we live. By Thy spirit may we place our lives where the needs are great and in some little way be channels through which justice and good will may flow from us to those about us.

In the spirit of Christ we offer our morning prayer. Amen.

### THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

### MESSAGE FROM THE SENATE

A message from the Senate, by Mr. 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. 557. An act to amend the Wagner-O'Day Act to extend the provisions thereof to other severely handicapped individuals who are not blind, and for other purposes;

S. 795. An act to authorize the establishment of feed grain bases or domestic wheat allotments for certain sugar producers, and for other purposes; and

S. 1330. An act to authorize the Secretary of the Treasury to transfer to the Government of the Republic of the Philippines funds for making payments on certain pre-1934 bonds of the Philippines, and for other purposes.

### WIN THE VIETNAM WAR OR GET OUT IMMEDIATELY

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

Mr. ANDREWS of Alabama. Mr. Speaker, those who think that the Viet-

nam war is winding down and that we are winning and that we are going to have an easy time getting out of Vietnam should read the newspapers this morning. Yesterday the enemy, in a sneak, guerrilla-type attack, killed 33 of our young men and wounded 70. I cannot for the life of me, Mr. Speaker, figure out why this country does not decide either to win the war or get out immediately.

Air Force people were before our committee recently and told us they had in World War II plus Korea dumped 2,500,000 tons of bombs. In Vietnam and South Asia alone we have used 4,200,000 tons of bombs and yet we have not hit a meaningful target in a meaningful way.

I asked an Air Force general last week when he was before our committee: Does the Air Force still have the capability of putting the port of Haiphong—through which 85 percent of the weapons of war pass—out of commission? His answer was "Yes." I asked how long it would take to put Haiphong out of commission. He said 2 weeks. Two weeks. The shame of it is, in my opinion, that such an order was not given 6 or 7 or 8 years ago. Think of how many American lives could have been saved if we had hit the head of the snake instead of the tail of the snake in Cambodia and Laos.

### PROVIDING FOR CONSIDERATION OF SENATE JOINT RESOLUTION 55, TEMPORARY EXTENSION OF CERTAIN PROVISIONS OF LAW RELATING TO INTEREST RATES AND COST-OF-LIVING STABILIZATION

Mr. YOUNG of Texas, from the Committee on Rules, reported the following privileged resolution (H. Res. 349, Rept. No. 92-83) which was referred to the House Calendar and ordered to be printed:

H. RES. 349

*Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the 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, and all points of order against said joint resolution are hereby waived. After general debate, which shall be confined to the joint resolution and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the joint resolution shall be read for amendment under the five-minute rule. At the conclusion of the considera-

tion of the joint resolution for amendment, the Committee shall rise and report the joint resolution to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. YOUNG of Texas. Mr. Speaker, I call up House Resolution 349 and ask for its immediate consideration.

The SPEAKER. The Clerk will report the resolution.

The Clerk read the resolution.

The SPEAKER. The question is, Will the House now consider House Resolution 349?

### PARLIAMENTARY INQUIRY

Mr. GROSS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GROSS. Was this rule adopted only today?

The SPEAKER. It takes a two-thirds vote for consideration.

Mr. GROSS. And the question is on consideration?

The SPEAKER. On consideration of the rule.

Mr. GROSS. Of a rule that was adopted only this morning?

The SPEAKER. The gentleman is correct.

The question is, Will the House now consider House Resolution 349?

The question was taken.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 324, nays 6, not voting 102, as follows:

[Roll No. 32]

YEAS—324

Abernethy	Begich	Broomfield
Abourezk	Belcher	Brotzman
Abzug	Bennett	Brown, Mich.
Adams	Bergland	Brown, Ohio
Addabbo	Betts	Broyhill, N.C.
Anderson,	Bevill	Broyhill, Va.
Calif.	Blester	Buchanan
Anderson, III.	Bingham	Burke, Fla.
Anderson,	Blackburn	Burke, Mass.
Tenn.	Blanton	Burleson, Tex.
Andrews, Ala.	Blatnik	Burlison, Mo.
Andrews,	Boland	Burton
N. Dak.	Bolling	Byrne, Pa.
Annunzio	Bow	Byrnes, Wis.
Archer	Brademas	Byron
Arends	Bray	Cabell
Baker	Brinkley	Caffery
Barrett	Brooks	Carey, N.Y.

Carney	Horton	Preyer, N.C.
Carter	Hosmer	Price, Ill.
Casey, Tex.	Howard	Price, Tex.
Cederberg	Hull	Pryor, Ark.
Chamberlain	Hungate	Pucinski
Clancy	Hunt	Quie
Clark	Hutchinson	Quillen
Clawson, Del.	Ichord	Rallsback
Cleveland	Jacobs	Randall
Collier	Johnson, Calif.	Rees
Collins, Tex.	Johnson, Pa.	Reid, Ill.
Colmer	Jonas	Reuss
Conable	Jones, Ala.	Rhodes
Conte	Jones, N.C.	Riegle
Conyers	Jones, Tenn.	Roberts
Corman	Karth	Robinson, Va.
Coughlin	Kastenmeier	Robison, N.Y.
Culver	Kazen	Roe
Daniel, Va.	Keating	Roncalio
Danielson	Kee	Rooney, N.Y.
Davis, Wis.	Keith	Rooney, Pa.
de la Garza	Kemp	Rostenkowski
Delaney	Kluczynski	Roush
Denholm	Kuykendall	Roy
Derwinski	Kyl	Roybal
Devine	Kyros	Runnels
Dickinson	Landgrebe	Ruppe
Dingell	Landrum	Ryan
Donohue	Latta	Sandman
Dorn	Lennon	Sarbanes
Dow	Link	Scherle
Dowdy	Lloyd	Schneebell
Downing	Long, Md.	Schwengel
Drinan	Lujan	Scott
Duncan	McClary	Sebelius
duPont	McClure	Shipley
Dwyer	McCollister	Shoup
Eckhardt	McCormack	Shriver
Edmondson	McDade	Sikes
Edwards, Ala.	McDonald, Mich.	Sisk
Edwards, Calif.	McEwen	Slack
Ellberg	McFall	Smith, Calif.
Erlenborn	McKay	Smith, Iowa
Eshleman	McKevitt	Smith, N.Y.
Evans, Colo.	McKinney	Snyder
Evins, Tenn.	McMillan	Springer
Findley	Madden	Stafford
Fisher	Mahon	Stanton, J. William
Flood	Maillard	Stanton, James V.
Flowers	Mann	Steed
Flynt	Mathias, Calif.	Steiger, Ariz.
Foley	Mathis, Ga.	Stephens
Ford, Gerald R.	Matsunaga	Stratton
Ford, William D.	Mayne	Stubblefield
Fountain	Mazzoli	Sullivan
Fraser	Meeds	Symington
Frenzel	Melcher	Talcott
Fulton, Pa.	Metcalfe	Taylor
Fulton, Tenn.	Michel	Teague, Calif.
Fuqua	Mikva	Teague, Tex.
Gallifanakis	Miller, Calif.	Terry
Garmatz	Miller, Ohio	Thomson, Wis.
Gibbons	Mills	Udall
Goldwater	Minshall	Ullman
Gonzalez	Mitchell	Van Deerlin
Goodling	Mizell	Vander Jagt
Gray	Monagan	Veysey
Green, Oreg.	Montgomery	Vigorito
Griffin	Morgan	Waggonner
Grover	Morse	Waldie
Gubser	Mosher	Watts
Gude	Moss	Whalen
Hagan	Myers	White
Haley	Nacher	Whitehurst
Hamilton	Nelsen	Whitten
Hammer-	Nichols	Widnall
schmidt	Nix	Wiggins
Hanley	O'Hara	Williams
Hanna	O'Konski	Wilson, Charles H.
Hansen, Wash.	Passman	Winn
Harrington	Patman	Wolf
Harsha	Patten	Wyatt
Harvey	Pelly	Wylie
Hathaway	Pepper	Wyman
Hawkins	Perkins	Yates
Hébert	Pettis	Yatron
Hechler, W. Va.	Pickle	Young, Tex.
Heckler, Mass.	Pike	Zablocki
Henderson	Pirnie	Zion
Hicks, Mass.	Podell	Zwach
Hicks, Wash.	Poff	
Holifield	Powell	

## NAYS—6

Ashbrook	Martin	Rousselot
Gross	Rarick	Schmitz

## NOT VOTING—102

Abbutt	Badillo	Brasco
Alexander	Baring	Camp
Ashley	Bell	Celler
Aspin	Biaggi	Chappell
Aspinall	Boggs	Chisholm

Clausen,	Halpern	Reid, N.Y.
Don H.	Hansen, Idaho	Rodino
Clay	Hastings	Rogers
Collins, Ill.	Hays	Rosenthal
Corbett	Helstoski	Ruth
Cotter	Hillis	St Germain
Crane	Hogan	Satterfield
Daniels, N.J.	Jarman	Saylor
Davis, Ga.	King	Scheuer
Dellenback	Koch	Seiberling
Dellums	Leggett	Skubitz
Dennis	Lent	Spence
Dent	Long, La.	Staggers
Diggs	McCloskey	Steele
Dulski	McCulloch	Steiger, Wis.
Edwards, La.	Macdonald, Mass.	Stokes
Esch	Minish	Stuckey
Fascell	Mink	Thompson, Ga.
Fish	Mollohan	Thompson, N.J.
Forsythe	Moorhead	Thone
Frelinghuysen	Murphy, Ill.	Tierman
Frey	Murphy, N.Y.	Vanik
Gallagher	Nedzi	Wampler
Gaydos	Obey	Ware
Gettys	O'Neill	Whalley
Gialmo	Peyser	Wiener, Bob
Grasso	Poage	Wright
Green, Pa.	Purcell	Wylder
Griffiths	Rangel	Young, Fla.
Hall		

So (two-thirds having voted in favor thereof) the House agreed to consider House Resolution 349.

The Clerk announced the following pairs:

Mr. Hays with Mr. Saylor.  
 Mr. Thompson of New Jersey with Mr. Frelinghuysen.  
 Mr. Boggs with Mr. Corbett.  
 Mr. Celler with Mr. Wylder.  
 Mr. Daniels of New Jersey with Mr. Dellenback.  
 Mr. Gialmo with Mr. Peyser.  
 Mr. Macdonald of Massachusetts with Mr. Wampler.  
 Mr. Murphy of New York with Mr. Lent.  
 Mr. Nedzi with Mr. Bell.  
 Mr. Rodino with Mr. Bob Wilson.  
 Mr. Rosenthal with Mr. Ruppe.  
 Mr. St Germain with Mr. Whalley.  
 Mr. Tierman with Mr. Esch.  
 Mr. Staggers with Mr. Camp.  
 Mr. Aspinall with Mr. Skubitz.  
 Mr. Alexander with Mr. Don H. Clausen.  
 Mr. Biaggi with Mr. Hastings.  
 Mr. Brasco with Mr. Reid of New York.  
 Mr. Mollohan with Mr. Hillis.  
 Mr. Moorhead with Mr. Fish.  
 Mr. Dulski with Mr. King.  
 Mr. Fascell with Mr. Crane.  
 Mr. Gettys with Mr. Spence.  
 Mrs. Grasso with Mr. Hogan.  
 Mr. Green of Pennsylvania with Mr. Forsythe.  
 Mr. Rogers with Mr. Hall.  
 Mr. Satterfield with Mr. Frey.  
 Mr. Vanik with Mr. Halpern.  
 Mr. Stuckey with Mr. Young of Florida.  
 Mr. Stokes with Mr. Helstoski.  
 Mr. Ashley with Mr. Collins of Illinois.  
 Mr. Long of Louisiana with Mr. McCulloch.  
 Mr. Clay with Mr. Baring.  
 Mr. Scheuer with Mr. Diggs.  
 Mrs. Chisholm with Mr. Gallagher.  
 Mr. Gaydos with Mr. Dellums.  
 Mr. Aspin with Mr. Dennis.  
 Mr. Abbutt with Mr. Hansen of Idaho.  
 Mr. Jarman with Mr. Ware.  
 Mr. Koch with Mr. McCloskey.  
 Mrs. Mink with Mr. Steiger of Wisconsin.  
 Mr. O'Neill with Mr. Steele.  
 Mr. Davis of Georgia with Mr. Thompson of Georgia.  
 Mr. Murphy of Illinois with Mr. Rangel.  
 Mr. Leggett with Mr. Badillo.  
 Mr. Wright with Mr. Thone.  
 Mr. Minish with Mr. Cotter.  
 Mr. Purcell with Mr. Edwards of Louisiana.  
 Mr. Chappell with Mr. Seiberling.

The result of the vote was announced as above recorded.

The SPEAKER. The gentleman from

Texas (Mr. YOUNG) is recognized for 1 hour.

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

Mr. YOUNG of Texas. Mr. Speaker, House Resolution 349 provides an open rule with 1 hour of general debate on Senate Joint Resolution 55, a joint resolution to provide a temporary extension of certain provisions of law relating to interest rates and cost-of-living stabilization. Points of order are waived because Senate Joint Resolution 55 has not been referred to a House committee—clause 2, rule 24—the 3-day rule has not been complied with, and there is no Ramseyer.

The purpose of Senate Joint Resolution 55 is to extend from March 22, 1971, to June 1, 1971, authority under section 7 of the act of September 21, 1966, to regulate the rate of interest on savings deposits paid by lending institutions. By extending the expiration date of section 7, it is thereby also extending the provisions contained in section 2 of Public Law 91-151. It will also extend from April 1, 1971, to June 1, 1971, the President's standby authority under section 206 of the Economic Stabilization Act of 1970 to implement controls on prices, wages, salaries, and rents.

Mr. Speaker, I urge the adoption of House Resolution 349 so that the House may consider Senate Joint Resolution 55.

Mr. SMITH of California. Mr. Speaker, this situation is a little unusual, as the gentleman from Texas (Mr. YOUNG) has stated, and it is pretty much of an emergency. I would hope that the rule would be adopted, and I would hope that Senate Joint Resolution 55, after the 1 hour of debate, will be approved and passed as it is without any amendments upsetting the applecart in any way.

By way of background, Mr. Speaker, Senate Joint Resolution 55 was passed by the other body on March 4, it was messaged to the House, and laid on the Speaker's table.

Then on March 9, at the request of the Committee on Banking and Currency, the Rules Committee met and approved House Resolution 276, which provided for an open rule, 1 hour, for the consideration of H.R. 4246, House Resolution 276 included a provision that on the House passage of the bill it would be in order to move to take from the Speaker's table Senate Joint Resolution 55, to strike the language therein and to insert the House-passed language, thus providing for a conference as to the differences between the two measures. But after the passage of the bill a motion was not made to take Senate Joint Resolution 55 from the Speaker's table and to substitute the House language, so it is in the other body and we have Senate Joint Resolution 55 here.

The situation developed last week in an effort to bring this measure to the floor for consideration. We did approve a rule in the committee, but we made a mistake in it. I have to admit that, Mr. Speaker. We did not provide in the rule



for a motion to recommit, which would have been a violation of the rules.

Since that time there has been considerable discussion as to what actually is desirable. As I understand it, everybody is in agreement, and there is a meeting of minds this morning as to the fact that they want Senate Joint Resolution 55 passed in its present form as of today. The Rules Committee is attempting to cooperate in bringing it here. Thus the request to bring up the rule.

I urge adoption of the rule.

Mr. GROSS. Mr. Speaker, will my friend from California yield?

Mr. SMITH of California. I am happy to yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for yielding.

Do I correctly understand that the resolution, Senate Joint Resolution 55, has never been considered by the full Committee on Banking and Currency of the House?

Mr. SMITH of California. The gentleman's understanding is correct.

Mr. GROSS. So that we have here today a joint resolution never considered by the full committee, brought to the House under a rule which was adopted perhaps 30 minutes ago, and the House, by its vote a few minutes ago, suspended the rule which requires that a rule lay over for a day.

I do not know whether we accomplished anything at all with rules reform last year. I am beginning to wonder what makes the wheels go round in this place. We adopt rules and then walk off and leave them or violate them in one way or another. No one seems to be concerned because this joint resolution has ever been considered by a full committee of the House Committee on Banking and Currency. No one seems to be concerned that rules are brought to the floor on 30 minutes' notice and approved although it is provided, in the interest of orderly procedure, that such rules go over to the next legislative day.

Perhaps we ought to have another 3 or 4 weeks devoted to rules reform, so that we could have more rules set aside at the whim and caprice of those who want to set them aside.

Again, I thank the gentleman for yielding.

Mr. SMITH of California. Mr. Speaker, I should like to make a comment or two in reply to the gentleman from Iowa.

Mr. Speaker, as to H.R. 4246, the House passed that bill March 11. The Rules Committee cannot take any blame because the other body has not seen fit to proceed with H.R. 4246.

As to Senate Joint Resolution 55, we met in the Rules Committee on last Wednesday and considered this. There were some differences of opinion. We talked about it Thursday and Friday.

Today, as I mentioned, agreement was reached. The Rules Committee at 10:45, or 10:40, discussed it in executive session, and the rule was unanimously agreed to by the Members at a little before 11 o'clock.

I should like to pass those comments on, because we are trying to do the best we can, Mr. Speaker, and we cannot take

the blame for all other activities or for delays in the other body.

I urge the adoption of House Resolution 349, Mr. Speaker.

Mr. YOUNG of Texas. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### PERMISSION FOR COMMITTEE ON RULES TO FILE PRIVILEGED REPORTS

Mr. YOUNG of Texas. Mr. Speaker, I ask unanimous consent that the Rules Committee have until midnight tonight to file certain privileged reports.

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

There was no objection.

#### PERMISSION FOR COMMITTEE ON PUBLIC WORKS TO FILE REPORT ON H.R. 5376

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the Committee on Public Works may have until midnight tonight to file a report on H.R. 5376, Accelerated Public Works Act and Extension of Appalachian Regional Commission and Economic Development Act.

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

There was no objection.

#### APPOINTMENT AS MEMBERS OF SELECT COMMITTEE ON THE HOUSE RESTAURANT

The SPEAKER. Pursuant to the provisions of House Resolution 317, 92d Congress, the Chair appoints as members of the Select Committee on the House Restaurant the following Members of the House: Mr. KLUCZYNSKI, of Illinois, chairman; Mr. STEED, of Oklahoma; Mr. CABELL, of Texas; Mr. COLLIER, of Illinois; and Mr. THOMSON, of Wisconsin.

#### TEMPORARY EXTENSION OF CERTAIN PROVISIONS OF LAW RELATING TO INTEREST RATES AND COST-OF-LIVING STABILIZATION

Mr. PATMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the Senate 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.

The motion was agreed to.

#### IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the Senate joint resolution (S.J. Res. 55) with Mr. ANDREWS of Alabama in the chair.

The Clerk read the title of the joint resolution.

By unanimous consent, the first reading of the Senate joint resolution was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Texas (Mr. PATMAN) will be recognized for one-half hour and the gentleman from New Jersey (Mr. WIDNALL) will be recognized for one-half hour.

The Chair now recognizes the gentleman from Texas.

Mr. PATMAN. Mr. Chairman, Senate Joint Resolution 55, if enacted, would provide for a temporary extension of the so-called regulation Q authority and the discretionary authority for the President to impose wage and price controls until June.

The authority to impose discriminatory rates under regulation Q expired Sunday, midnight, March 21. The authority under the discretionary wage-price control expires March 31, 1971.

Mr. Chairman, we all here will recall that the House passed H.R. 4246 on March 10, 1971, by an overwhelming of 381 yeas to 19 nays. This bill extends both the regulation Q and discretionary wage-price authority until March 31, 1973. The resolution before us today, Senate Joint Resolution 55, is not substantive in nature. If enacted, it would merely remove any hiatus between the expiration of these two authorities and, hopefully, ultimate enactment of the permanent authority.

It was known at the time the House considered H.R. 4246 that the Senate Banking Committee would not be holding hearings on this matter until the end of the Month of March, and, therefore, they passed and sent to the House Senate Joint Resolution 55, which provides for the temporary extension of these two programs. Senate Joint Resolution 55 was sponsored in the Senate by the chairman, ranking majority member of the committee and the two top minority members of the committee.

Mr. Chairman, you will recall that on March 23 I sought and received recognition, asking unanimous consent for the immediate consideration of Senate Joint Resolution 55. This consent was objected to and this is the reason why this matter is being considered at this time.

I reiterate, Mr. Chairman, that there is no reason to vote this resolution down because of the fact that the House did pass H.R. 4246, which substantively covers the exact same subject matter as does Senate Joint Resolution 55.

The administration, Mr. Chairman, supported the two basic provisions of H.R. 4246, although I cannot say that the administration, as such, is in favor of this temporary extension resolution except for the fact that the Federal Home Loan Bank Board did correspond with me and indicated their desire to have this temporary extending resolution enacted.

Further, Mr. Chairman, I wish to reiterate that this resolution provides for no new laws which have not been previously considered by the Congress. It merely bridges the gap between the cut-off period of March 21 for regulation Q control and March 31 for discretionary wage-price authority.

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

Mr. PATMAN. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. It is true, is it not, that labor is for this extension also?

Mr. PATMAN. I am sure that labor is for it. They are usually on the side of stabilizing the economy and helping the thrift institutions. They have written the committee in favor of this legislation.

Mr. BARRETT. Mr. Chairman, if the gentleman will yield further, they are.

Mr. PATMAN. I am sure they are.

Mr. Chairman, I reserve the remainder of my time.

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

Mr. Chairman, I urge the enactment of Senate Joint Resolution 55. I feel that the extension of the Economic Stabilization Act of 1970 contemplated by the bill is particularly desirable in light of the prospect for effectively dealing with spiraling wages and prices in the construction industry.

As you know, the situation in this industry is particularly acute, and it was necessary for the President to suspend the Davis-Bacon Act in an effort to relieve inflationary pressure. Since the suspension of Davis-Bacon, national leaders of labor and management in the construction industry have indicated that they would participate with the Government in fair measures to achieve greater wage and price stability, but are unable to agree on any voluntary arrangement.

Consequently the President is presently considering action under the Economic Stabilization Act. It appears that an Executive order stabilizing wages and prices in the construction industry would be considered less disruptive by the industry than the suspension of the Davis-Bacon Act and would accordingly be more acceptable to both labor and management.

Inasmuch as present developments show promise for a meaningful control of inflation in the construction industry, I urge that the President's authority under the Economic Stabilization Act be extended.

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

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

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

S.J. RES. 55

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,*

REGULATION OF INTEREST RATES ON DEPOSITS AND SHARE ACCOUNTS IN FINANCIAL INSTITUTIONS

SECTION 1. Section 7 of the Act of September 21, 1966, as amended (Public Law 91-151; 83 Stat. 371), is amended by striking out "March 22, 1971" and inserting in lieu thereof "June 1, 1971".

AUTHORITY TO APPLY PRICE AND WAGE CONTROLS

SEC. 2. Section 206 of the Economic Stabilization Act of 1970 (title II of Public Law 91-379), as amended (Public Law 91-558), is amended by striking out "March 31, 1971" and "April 1, 1971" and inserting in lieu thereof "May 31, 1971" and "June 1, 1971", respectively.

AMENDMENT OFFERED BY MR. REUSS

Mr. REUSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. REUSS: Page 2, after line 3, insert:

"AUTHORITY TO STABILIZE COST OF LIVING TO BE USED ON BASIS SUFFICIENTLY BROAD TO FACILITATE SUBSTANTIAL COST OF LIVING STABILIZATION

"SEC. 3. The second sentence of section 202 of the Economic Stabilization Act of 1970 is amended by striking out the period at the end thereof and inserting in lieu thereof the following: ', and shall be employed only on a basis sufficiently broad to facilitate substantial cost of living stabilization.'"

Mr. REUSS. Mr. Chairman, I shall be brief. This is a simple perfecting amendment to put into the price stabilization law what had been there by the clear legislative intention. What the amendment does is to add to the basic words which authorize the President to stabilize prices, wages, rents, and salaries, the language that the authority shall be employed only on a basis sufficiently broad to facilitate substantial cost-of-living stabilization.

What it means is that the administering authority is not to use the law against one small segment of the wage-price population. It would require that action under the bill as amended would have to apply to a broad enough segment of our economic society so as to facilitate a substantial stabilization of the cost of living.

To allow action otherwise would be to pick on one group and let everything else that they have to buy go on uncontrolled, by asking that they be the fall guys for the entire economy.

If one group is causing all the trouble, then it would be perfectly all right to control that one group alone, but as we all know the general economic mess we are in sees inflation rampant on many fronts, ranging from the service industries like health care, to steel, to oil, to the basic materials, to certain food commodities—you name it. And the sense of this perfecting language is to require fairness, equity, and the use of an order sufficiently broad so as to substantially stabilize the cost of living.

The majority of the Joint Economic Committee, incidentally, in its report issued at 11 o'clock this morning, came out strongly for just such a reservation or the stabilization power.

So I hope there will not be any objection to what seems to me to be an eminently equitable amendment.

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

Mr. REUSS. I yield to the gentleman from Texas.

Mr. PATMAN. Mr. Chairman, I would state to the gentleman from Wisconsin that, as the chairman of the committee, I have conferred with all of the majority members on the floor about this amendment, and they have all agreed to it, and believe that it will be a fine addition to the resolution.

Therefore, I will accept the amendment so far as the majority side is concerned, and hope that the amendment is adopted.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield?

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

Mr. GERALD R. FORD. Mr. Chairman, I want to make it crystal clear that I am opposed to the amendment, but I am surprised that the distinguished gentleman from Wisconsin would offer the amendment in light of the statement by the committee, which I understand recommended the approval of this legislation without amendment.

Mr. REUSS. I will try to set at ease the minority leader's surprise. Throughout the legislative history, and in the reports on this bill which, as the minority leader knows, has been before us three or four times since it was first enacted last August, in all of those occurrences the report has clearly set forth the legislative intent that the authority was not to be capriciously used against one segment of industry or labor.

In this morning's Joint Economic Committee report, for example, it is set forth that if a freeze is imposed, it should be general. A freeze should not be imposed on only one industry, nor should it be applied to wages without also being applied to other costs and prices.

The majority believes it desirable to imbed this wholesome principle right into the statutory language. And I am sure that the gentleman from Michigan and the minority generally would not want to have a law on the books which, by its terms, can be arbitrarily and capriciously applied against just one segment of our economic society.

So this is, I will say, a perfecting amendment, to make sure that the intent of the draftsmen is maintained.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I am glad to yield to the gentleman.

Mr. GERALD R. FORD. I am really sure the gentleman from Wisconsin is offering this amendment with tongue in cheek, knowing full well that what he is trying to do with some fancy words is to preclude the possibility of the President taking any action in such a major industry as the construction industry.

Mr. REUSS. No, not with tongue in cheek, but with two feet on the ground. If the President can obtain, as according to the press accounts, he seems to be obtaining, a voluntary agreement with one segment, to wit, the building and construction trade industry, with labor and management, that is splendid. I would vigorously applaud such a voluntary agreement.

The CHAIRMAN. The time of the gentleman has expired.

(Mr. REUSS (at the request of Mr. GERALD R. FORD) was granted permission to proceed for 5 additional minutes.)

Mr. REUSS. Mr. Chairman, I thank the gentleman.

If I may finish the sentence I was engaged in, may I say I would applaud a voluntary agreement by the President, as seems to be in the works, with labor and management in the construction industry.

However, I believe it would be unfair to use a mandatory statutory \$5,000 fine,



and the court injunction power, that this bill gives the President against just one segment of industry.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I am glad to yield to the gentleman.

Mr. GERALD R. FORD. Even if this amendment is approved and included in this legislation, which I understand the President would use to implement what, as I understand, he may announce today or tomorrow, that this amendment would preclude this agreement in the construction industry.

Mr. REUSS. Absolutely not. This amendment would have nothing to do with any voluntary agreement. As I say, I would applaud a voluntary agreement. But this amendment would preclude the President from enforcing a voluntary agreement by imposing a \$5,000 fine on those who violate it.

In other words, the sense of this amendment is that if you are going to impose wage and price controls—and I, for one, believe that the administration should so impose them—it must be done on a sufficiently broad basis so that one who is asked to withhold a wage increase has some assurance that his cost of living is not going to go through the ceiling. I think that is fair.

But that does not mean that the administration can only impose under this bill, as amended, a price and wage control on everything in the economy. But the amendment would have the effect of requiring that there be achieved substantial stabilization of the cost of living, by any order that is issued. I see nothing wrong with that.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield for one or two additional questions?

Mr. REUSS. I am glad to yield to the gentleman.

Mr. GERALD R. FORD. The language the gentleman uses, which reads as follows and I quote: "and shall be employed only on a basis sufficiently broad to facilitate substantial cost-of-living stabilization."

Here you have some very flexible words in and of themselves, and there are some phrases that are very, very flexible, as they have been drafted. Would the gentleman not agree?

Mr. REUSS. We have tried to give the President a sufficiently flexible power. For example, one might have been tempted to draft an amendment which would say that the President may not use this power unless he uses it on every segment of the economy. We did not do so because there could be a large segment of the economy whose failure to be included in the price and wage stabilization order would not cause undue erosion of the general principle of cost-of-living stabilization.

Mr. GERALD R. FORD. The gentleman from Wisconsin I am sure would agree the construction industry is a very broad-based industry affecting literally hundreds of millions of dollars in our economy, both in production and in wages. Is that not so? Would not the gentleman agree?

Mr. REUSS. I certainly would, but from the standpoint of the construction

worker or the construction employer, the building of homes and buildings is not the whole American economy. There is food, there is clothing, there are durables, there are consumer soft goods, there are services, and the other 95 percent of the gross national product. It is clearly the view of the author of this amendment; that is, me, that a mandatory freeze should not be imposed on construction workers only.

In order for the President to exercise his power, he should do something which generally tends to get a handle on inflation and stabilize the cost of living.

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

Mr. REUSS. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. Is this resolution in its application to wage and price controls limited to the construction industry?

Mr. REUSS. It is certainly not. The basic underlying resolution which is before us applies to prices, wages, rents, and salaries across the board.

Mr. GROSS. Then, why the gentleman's amendment? If there is nothing mandatory in the gentleman's amendment that it must be directed to any other area, why the gentleman's amendment? If the wage and price controls as extended under this resolution are not limited to the construction industry, why the gentleman's amendment?

Mr. REUSS. A good question, and I think there is a good answer. The basic law which this amendment seeks to amend empowers the President to impose across the board, unlimited—

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

(By unanimous consent, Mr. REUSS was allowed to proceed for 3 additional minutes.)

Mr. REUSS. If the gentleman from Iowa will attend, the basic law which this amendment seeks to amend permits the President to impose across-the-board generalized price-wage controls. My amendment seeks to prevent him, if he is so minded—and I have no evidence that he is so minded—from capriciously and arbitrarily picking out one segment of economic society and saying, "You, and you alone are supposed to toe the line." I do not think the President should do that.

For all I know, he does not have the slightest intention of doing so. Hence, I hope this amendment will be overwhelmingly adopted.

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

Mr. REUSS. I yield to the gentleman from New Jersey.

Mr. WIDNALL. After listening to the gentleman from Wisconsin, I wonder if he would like to make a correction in his initial statement, in which he said that this is a clarifying amendment? This is a very broad-gaged amendment. This means exercising a wage and price control all the way across the board in the economy as against a selective use of wage and price controls which the President is attempting to do.

I would also like to call to the attention of the House that if the amendment is adopted, the joint resolution will have to go to a conference between the House

and the Senate. It is a delaying action that could hamper effectively efforts that are being made by the President right now that seem to have a successful termination in view. I certainly heartily oppose the amendment.

Mr. REUSS. It would be quite clear, Mr. Chairman, that the other body would welcome this amendment and adopt it without the necessity of a conference, and the bill could be on the President's desk by nightfall tonight or by tomorrow at the latest.

This is a clarifying amendment. It clarifies the intent of the committee and the intent of this body as set forth in three or four committee reports, as set forth in the debate on the floor, and as set forth in the commonsense and equity which I hope resides in the hearts of all of us.

Mr. WIDNALL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am opposed to this amendment which would restrict the President from exercising price and wage controls on a selective basis. We have heard a great deal of talk from the other side of the aisle for the past few years about the need to reorient national priorities to give more attention to housing. Now all of a sudden when the President is attempting to move aggressively to control the escalating costs of housing those great friends of the underprivileged and underhoused citizens would tie the President's hands.

We are all aware that housing costs have been skyrocketing and that these increasing costs have made it more and more difficult for low- and moderate-income citizens to acquire decent housing. There are a number of factors involved in housing costs and the President has given the highest kind of priority to controlling these costs. For over 2 years he has pursued fiscal and monetary policies designed to reduce the costs of mortgage money. These efforts are paying off dramatically. The FHA rate has dropped about 20 percent from 8½ to 7 percent and there are indications that it may soon go lower.

Wages in the construction industry have been rising faster than in any other industry and have far exceeded increases in productivity. There is no argument about the need for some program to instill some balance in this area. Even union leaders who have policies which are consistent with efforts to balance increases are dismayed by the precipitous demands of unmanageable locals. For months the President has worked to hammer out voluntary compliance procedures. We are all aware of his reluctance to impose mandatory controls but it is very likely that the residual force of law may be essential to these efforts.

Under the circumstances it is inconceivable to me that anyone would support this amendment which may impair months of the President's well-directed efforts and undermine the hopes of thousands of our low- and moderate-income citizens for better housing.

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

Mr. WIDNALL. I yield to the gentleman from California.

Mr. WIGGINS. Mr. Chairman if this

amendment should pass—and Mr. Chairman I indeed hope it does not—if the President should find that by imposing wage and price controls on a specific industry, the general stabilization of the cost of living would be substantially facilitated thereby, he would not be precluded, would he, from imposing wage and price controls on that industry?

Mr. WIDNALL. I believe under this amendment that if he is going to impose wage and price controls, it might have to be across the board.

Mr. WIGGINS. Mr. Chairman, if the gentleman will yield further, I do not read the amendment to be that restrictive. The amendment states, in effect, if the President should find that the imposition of wage and price controls would substantially affect the cost of living, he may impose them in a specific industry or across the board. What I am suggesting to the gentleman is this: if this unfortunate amendment passes, I do not think he would like to be heard as understanding that the President is as limited as some have suggested.

Mr. WIDNALL. I do not want to see him limited. He has at present an opportunity for voluntary wage and price controls. He has tried to or has advanced the thought that on a selective basis this could be more helpful to the economy and more stabilizing than doing it across the board.

I believe from what the gentleman from Wisconsin has said, he thinks this is improper and that the only way we should do this, he believes, in all fairness is to do it all the way across the board in the economy regardless of what the situation is in other sections of the economy. I am unalterably opposed to that.

Mr. DENT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, ever since the President announced his rather arbitrary decision on the Davis-Bacon Act my committee has been bombarded from Members of the House as well as from many constituents of Members on the fine points of this question as to whether or not the President of the United States under an emergency can set aside the intent of the Congress in a specific law.

The specifics of the Davis-Bacon law were considered by the President, because in his statement he went further than applying the restrictions of Davis-Bacon in contracts for construction or on the construction workers unions, the trades and the crafts, because he made the statement that this act, Davis-Bacon, arbitrarily raises wages artificially when such wages should be settled by the market in which the work is performed.

That is the whole concept of why Davis-Bacon and Walsh-Healey were passed. These acts were passed because in the high-cost States contracts were being let without consideration of the prevailing wage. In so doing many contracts were let—and particularly this was felt during the depression years—in high-cost districts to low-cost operators coming from outside the State the operation was being performed in, or coming from a smaller community within that State where the wages were not as high.

The whole basic concept has been destroyed by this arbitrary action of the President.

This amendment, while it does not reach the whole problem, at least calls to the attention of the people of the United States what has been done by the President was wrong, completely wrong. It was a matter which came about because of a negotiation breakdown between the Secretary of Labor and the unions that were affected by the President's consideration of the so-called wage stabilization, or trying to stabilize the economy in consideration of our much desired inflation.

The truth of the matter is that basically the demise or the near demise of the merchant marine of the United States had more to do with the increased cost of construction than all the labor increases which were granted. As we entered into the Vietnam debacle we got ourselves into a position where foreign-flag ships were refusing to go into the war zone. Therefore, we had to take out of our coastal trade the only ships allowed to carry goods between the coastal ports of the United States. Our lumber and materials could not get into the eastern ports from the western ports because of a lack of bottoms. The bottoms were taken for the Vietnam logistics.

And what about the taxes and land prices? Was there any embargo put upon buying land at \$500 an acre and selling it for \$5,000, \$50,000, or \$100,000 an acre? The land increase has gone way beyond what the labor cost has in construction.

Even if construction labor cost has gone up, we must remember that the construction worker at the end of the year is not much above, if any at all, the so-called sheltered worker.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

(By unanimous consent, Mr. DENT was allowed to proceed for 3 additional minutes.)

Mr. DENT. Mr. Chairman, the sheltered trades work on an average between 1,800 and 2,000 hours a year. The construction workers are affected by every change in weather, by all kinds of conditions which have nothing to do whatsoever with the steady worker who works in a closed plant or a sheltered plant. So the end result of their labor at the end of the year is not what a lot of people fancy it to be. They say, "Well, the construction worker can make \$17,000 a year." Show me a few who do. They do not average any more than a good, steady steelworker or automobile worker, but we are taking it out on these workers.

Remember, there is another thing, My State has its own prevailing wage law. I understand my Governor along with other Governors has been called and has been told that unless we set aside the prevailing wage law no highway moneys will be going into the State. The Governor of Pennsylvania cannot set aside the prevailing wage law, because it was passed by the legislature. I happened to be one of the members of the senate and approved this act. State money is going into these projects. As long as it does,

the Governor must, whether he wants to or not, use the considerations of the prevailing wage law. That is why the President is now considering this back-door runout on the proposal he made. He cannot enforce it. You will close down the entire construction industry of the United States if you try to enforce the President's edict on the Davis-Bacon Act. Why did he not impose the same restrictions on the Walsh-Healey Act? There are a lot more taxpayers' dollars that go into the production of goods financed by American money, but Walsh-Healey was not even mentioned, because that would affect the munitions makers and would affect the so-called defense product and wartime goods product producers. It was not mentioned. The only ones mentioned were the trade and craft construction workers in the United States.

Another reason why they are easy to hit is because they are scattered in small locals. They are not big organizations like the U.S. Steelworkers, and others, with maybe 20,000 to 45,000 workers in one local. I do not suppose that the whole group in a community of 18,000 that would belong to a trade craft union would number over 250 or 300 men.

This whole thing has a bad odor to it. The President's proposed action now is for the purposes of getting him off the hook that he got harpooned on by his own action, which was taken without giving due regard to the entire situation of the economy.

The CHAIRMAN. The time of the gentleman has again expired.

(By unanimous consent, Mr. DENT was allowed to proceed for 1 additional minute.)

Mr. DENT. This is the first time in our history that anybody has claimed inflation was due to too much work and that we were to strike at inflation by creating unemployment. Inflation is caused historically and economically by having too much money to buy too few goods. Are there any shelves empty in the United States and are there any goods that you cannot procure? The inflation that we have and the trouble we are in is because high-wage workers are able to buy low-wage products. Therefore, they have more money after spending what they need to spend than they had before. They are taking this money and putting 7 to 8 percent away. There is between \$10 and \$11 billion of new money being put into savings today that ought to be put into the marketplace buying American-made products.

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

The CHAIRMAN. The Chair will count. Ninety-two Members are present, not a quorum. The Clerk will call the roll.

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

[Roll No. 33]

Abbt	Bell	Clark
Alexander	Blaggi	Clay
Anderson,	Brasco	Collins, III.
Tenn.	Byrnes, Wis.	Corbett
Ashley	Camp	Cotter
Aspin	Carey, N.Y.	Crane
Badillo	Chisholm	Davis, Ga.



Dellenback	Hillis	Ruth
Dellums	Hogan	St Germain
Diggs	Howard	Saylor
Dulski	Jarman	Scheuer
Edwards, La.	King	Scott
Esch	Koch	Skubitz
Fish	Leggett	Spence
Ford	Lent	Steele
William, D.	Long, La.	Steiger, Wis.
Forsythe	Long, Md.	Stuckey
Frelinghuysen	McCloskey	Teague, Calif.
Frey	McCulloch	Thompson, Ga.
Fulton, Tenn.	Macdonald,	Thompson, N.J.
Gallagher	Mass.	Thone
Gaydos	Mollohan	Tiernan
Gettys	Moorhead	Ullman
Glaimo	Murphy, Ill.	Vanik
Grasso	Murphy, N.Y.	Wampler
Green, Oreg.	Nedzi	Ware
Green, Pa.	Obey	Watts
Griffiths	O'Neill	Whalley
Hall	Peyster	Wilson, Bob
Halpern	Poage	Wilson,
Hansen, Idaho	Purcell	Charles H.
Hansen, Wash.	Quile	Wright
Hastings	Rangel	Wydler
Hays	Reid, N.Y.	Young, Fla.
Hébert	Rodino	

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. ANDREWS of Alabama, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the joint resolution (S.J. Res. 55), and finding itself without a quorum, he had directed the roll to be called, when 332 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. PATMAN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, rather than take the time, I believe we have had full discussion on both sides, and I would rather have a vote in the usual order. So I ask that we have a vote now.

Mr. BROWN of Michigan. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I am somewhat dismayed by the act of the gentleman from Wisconsin in offering this amendment, since he has consistently in the past urged broad wage-price control discretion in the President.

Though given an opportunity on at least two occasions to support a reservation to the Congress of the authority to impose wage and price controls, the gentleman each time vehemently objected and supported a broad Presidential discretion and authority.

Yet, today, he wants to impose some vague restriction on the President's authority by an amendment that defies qualitative or quantitative analysis except as the President may determine.

It is obvious this is an attempt to throw a bone to the construction industry, since it is in that industry that wage-price control discussions have centered. This amendment may be good politics, but it is worthless as legislation.

I cannot conceive of the President exercising his authority to impose selective controls unless he felt such selective controls would facilitate substantial cost-of-living stabilization.

And the amendment contemplates such a determination by the President in the construction industry or any other similar activity having a disproportionate inflationary impact on the economy and cost of living.

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If the author of this amendment had wanted to preclude the President from exercising such selective controls and discretion, he could have offered an amendment expressly prohibiting such action. He has chosen not to do so. It is, therefore, obvious that the amendment's impact is more apparent than real.

Since the amendment will have no more significance than the President elects to give it and since we do not have any assurance that the Senate will approve its addition to the resolution, why expose this highly desirable and urgent purpose of the resolution to the danger of delay by accepting it?

This late-blooming idea was not included in the House bill we passed earlier this month and is not needed in this resolution.

I urge a vote against the amendment.

Mr. BLACKBURN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I shall not take the full 5 minutes. I just want to make this observation. We are acting today on a Senate resolution. I have personally always opposed wage and price controls. I think I have made my position clear many times before on the floor of this House as to that fact.

But, Mr. Chairman, it strikes me as being rather ironic that one who has always advocated the most forceful wage and price controls before would attempt to amend this joint resolution which would force it to go to conference with the Senate and thereby delay the enactment of the joint resolution.

If the Members wish to permit the President to have the authority to impose wage and price controls they will pass this resolution as it is now drawn. If they want to in any way interfere with the President's power, or to create doubt about his power, then they will pass this resolution, because this debate that has taken place shows in both wording and meaning it is extremely nebulous.

Mr. Chairman, I intend to vote against this resolution and this amendment. But I want the Members to understand that if they adopt this amendment, they are clouding the issue, they will be interfering with the President's power and will probably delay the authority which he now has indicated that he will use.

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

Mr. BLACKBURN. I yield to the gentleman from Pennsylvania.

Mr. WILLIAMS. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I want to associate myself with the comments which have been made by my distinguished colleagues the gentleman from Michigan (Mr. Brown) and the gentleman from Georgia (Mr. BLACKBURN). Therefore, I rise in opposition to this amendment and I support the joint resolution now pending before us.

Mr. BLACKBURN. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin (Mr. REUSS).

The question was taken; and on a division (demanded by Mr. PATMAN) there were—ayes 60, noes 106.

#### TELLER VOTE WITH CLERKS

Mr. PATMAN. Mr. Chairman, I demand tellers.

Tellers were ordered.

Mr. PATMAN. Mr. Chairman, I demand tellers with clerks.

Tellers with clerks were ordered; and the Chairman appointed as tellers Messrs. REUSS, WIDNALL, PATMAN, and BLACKBURN.

The Committee, divided, and the tellers reported that there were—ayes 143, noes 183, not voting 106, as follows:

[Roll No. 34]

#### AYES—143

Abourezk	Gallifanakis	Patten
Abzug	Garmatz	Pepper
Addabbo	Gibbons	Perkins
Albert	Gonzalez	Pickle
Anderson, Calif.	Hamilton	Pike
Annunzio	Hanley	Podell
Barrett	Hanna	Preyer, N.C.
Begich	Hansen, Wash.	Price, Ill.
Bergland	Hathaway	Pryor, Ark.
Bingham	Hawkins	Pucinski
Boggs	Hechler, W. Va.	Randall
Boland	Helstoski	Rees
Brademas	Hicks, Mass.	Reuss
Brooks	Hicks, Wash.	Roberts
Burke, Mass.	Holifield	Roe
Burlison, Mo.	Howard	Roncallo
Burton	Hull	Rooney, Pa.
Byrne, Pa.	Hungate	Rosenthal
Byron	Ichord	Rostenkowski
Carney	Jacobs	Roush
Casey, Tex.	Johnson, Calif.	Roy
Celler	Jones, Ala.	Roybal
Chappell	Karth	Ryan
Clay	Kastenmeier	Sarbanes
Corman	Kazen	Selberling
Culver	Kee	Shipley
Daniels, N.J.	Kyros	Sisk
Danielson	Link	Smith, Iowa
de la Garza	Long, Md.	Staggers
Denholm	McCormack	Stanton
Dent	McFall	James V.
Dingell	McKay	Stephens
Donohue	Madden	Stratton
Dow	Meeds	Sullivan
Drinan	Melcher	Symington
Eckhardt	Metcalfe	Udall
Edmondson	Mikva	Ullman
Edwards, Calif.	Miller, Calif.	Van Deerlin
Ellberg	Mills	Vigorito
Evans, Colo.	Minish	Waldie
Fascell	Mink	Whalen
Flood	Mitchell	White
Foley	Monagan	Wilson,
Ford	Morgan	Charles H.
William D.	Murphy, N.Y.	Wolff
Fraser	Natcher	Yates
Fulton, Tenn.	Nix	Yatron
Fuqua	O'Hara	Young, Tex.
	Patman	Zablocki

#### NOES—183

Abernethy	Burleson, Tex.	Edwards, Ala.
Anderson, Ill.	Cabell	Erlenborn
Andrews,	Caffery	Eshleman
N. Dak.	Carter	Findley
Archer	Cederberg	Fisher
Arends	Chamberlain	Flowers
Ashbrook	Clancy	Flynt
Aspinall	Clausen,	Ford, Gerald R.
Baker	Don H.	Fountain
Baring	Clawson, Del	Frenzel
Belcher	Cleveland	Fulton, Pa.
Bennett	Collier	Goldwater
Betts	Collins, Tex.	Goodling
Bevill	Colmer	Griffin
Bieber	Conable	Gross
Blackburn	Conte	Grover
Bolling	Coughlin	Gubser
Bow	Daniel, Va.	Gude
Bray	Davis, Wis.	Hagan
Brinkley	Dennis	Halley
Broomfield	Derwinski	Hammer-
Brotzman	Devine	schmidt
Brown, Mich.	Dickinson	Harrington
Brown, Ohio	Dorn	Harsha
Broyhill, N.C.	Dowdy	Harvey
Broyhill, Va.	Duncan	Hébert
Buchanan	du Pont	Heckler, Mass.
Burke, Fla.	Dwyer	Henderson

Horton	Miller, Ohio	Schneebeil
Hosmer	Minshall	Schwengel
Hunt	Mizell	Sebelius
Hutchinson	Montgomery	Shoup
Johnson, Pa.	Morse	Shriver
Jonas	Mosher	Slack
Jones, N.C.	Myers	Smith, Calif.
Jones, Tenn.	Nelsen	Smith, N.Y.
Keith	Nichols	Snyder
Kemp	O'Konski	Springer
Kuykendall	Passman	Stafford
Kyl	Pelly	Stanton
Landgrebe	Pettis	J. William
Latta	Pirnie	Steiger, Ariz.
Lennon	Poff	Stubblefield
Lloyd	Powell	Talcott
Lujan	Price, Tex.	Taylor
McClary	Quile	Teague, Calif.
McClure	Quillen	Terry
McCollister	Rallsback	Thomson, Wis.
McDade	Rarick	Vander Jagt
McDonald,	Reid, Ill.	Veysey
Mich.	Rhodes	Waggonner
McEwen	Riegler	Whitehurst
McKevitt	Robinson, Va.	Whitten
McKinney	Robison, N.Y.	Widnall
McMillan	Rogers	Williams
Mahon	Rooney, N.Y.	Winn
Mailliard	Roussetot	Wyatt
Martin	Runnels	Wyllie
Mathias, Calif.	Ruppe	Wiggins
Mathis, Ga.	Sandman	Wyman
Mayne	Satterfield	Zion
Mazzoli	Scherle	Zwach
Michel	Schmitz	

## NOT VOTING—106

Abblitt	Frey	Obey
Adams	Gallagher	O'Neill
Alexander	Gaydos	Peyser
Anderson,	Gettys	Poage
Tenn.	Glaimo	Purcell
Andrews, Ala.	Grasso	Rangel
Ashley	Gray	Reid, N.Y.
Aspin	Green, Oreg.	Rodino
Badillo	Green, Pa.	Ruth
Bell	Griffiths	St Germain
Biaggi	Hall	Saylor
Blanton	Halpern	Scheuer
Blatnik	Hansen, Idaho	Scott
Brasco	Hastings	Slkes
Byrnes, Wis.	Hays	Skubitz
Camp	Hillis	Spence
Carey, N.Y.	Hogan	Steed
Chisholm	Jarman	Steele
Clark	Keating	Steiger, Wis.
Collins, Ill.	King	Stokes
Conyers	Kluczynski	Stuckey
Corbett	Koch	Teague, Tex.
Cotter	Landrum	Thompson, Ga.
Crane	Leggett	Thompson, N.J.
Davis, Ga.	Lent	Thone
Delaney	Long, La.	Tiernan
Dellenback	McCloskey	Vanik
Dellums	McCulloch	Wampler
Diggs	Macdonald,	Ware
Downing	Mass.	Watts
Dulski	Mann	Whalley
Edwards, La.	Matsunaga	Wilson, Bob
Esch	Mollohan	Wright
Evins, Tenn.	Moorhead	Wyder
Fish	Moss	Young, Fla.
Forsythe	Murphy, Ill.	
Frelinghuysen	Nedzi	

So the amendment was rejected.

Mr. DERWINSKI. Mr. Chairman, I rise to direct a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DERWINSKI. Mr. Chairman, in the procedure that we just followed there is a possibility that a number of Members voting in the negative were not in effect counted since the tellers were switched at the onset of the vote. My question is not directed at this vote, but against any future complications of that type.

What is the official vote? Is it the vote announced by the tellers, or will it be the vote from the box and when the ballots are, in fact, counted, and the record of the voting is indicated?

The CHAIRMAN. The Chair can only report the vote as reported by the tellers.

Mr. DERWINSKI. If the RECORD the following day would indicate a contrary

vote, what recourse, if any, would we have?

The CHAIRMAN. The recorded teller vote will appear in the RECORD. However, the Chair can only announce the vote as reported by the tellers.

Mr. DERWINSKI. Another parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. DERWINSKI. Mr. Chairman, to protect both parties at any time or any majority or minority Member at any time, it is obvious that there must be enough precautions taken to avoid what just occurred where tellers were, in fact, switched, and the vote was not properly presented to the tellers.

The CHAIRMAN. The Chair will say that the tellers took their places at the proper boxes as designated by the Chair. The Chairman would caution all Members to be very careful about how they proceed through the lines. Do not be too hasty, and certainly be on time.

## PARLIAMENTARY INQUIRY

Mr. GERALD R. FORD. Mr. Chairman, a further parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GERALD R. FORD. Mr. Chairman, we have a procedure for a recapitulation in a rollcall vote in the House of Representatives. Is there any comparable parliamentary procedure in this new device we are using for teller votes with clerks?

The CHAIRMAN. Not for a recapitulation of a recorded teller vote. According to the vote announced by the Chair, as reported by the tellers, the yeas were 143, and the noes were 183, and the amendment was not agreed to.

Are there further amendments?

Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ANDREWS of Alabama, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the Senate 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, pursuant to House Resolution 349, he reported the joint resolution back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the third reading of the Senate joint resolution.

The Senate joint resolution was ordered to be read a third time, and was read the third time.

## MOTION TO RECOMMIT OFFERED BY

MR. BLACKBURN

Mr. BLACKBURN. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the joint resolution?

Mr. BLACKBURN. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. BLACKBURN moves to recommit Senate Joint Resolution 55 to the Committee on Banking and Currency.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the Senate joint resolution.

The Senate joint resolution was passed.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent all Members may have 5 legislative days in which to revise and extend their remarks on the joint resolution just passed.

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

There was no objection.

## ELIMINATE THE PRACTICE OF GERRYMANDERING IN FUTURE CONGRESSIONAL REDISTRICTING

(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, today I am introducing legislation which, if enacted, will virtually eliminate the practice of gerrymandering in future congressional redistricting.

My proposal will remove the State legislatures' present congressional redistricting power and place it in the hands of a five-man commission in each State. One appointment to the commission would be made by each of the majority and minority leaders in both houses of the State legislatures. The fifth appointment would be made by the highest court in the State. I believe these bipartisan appointments coupled with a representative from the court should keep things aboveboard.

Under terms of this legislation, the commission would be mandated to provide fair and effective representation for all citizens. The bill's guidelines direct the commissions to take cognizance of existing communities of interest, and prohibits them from acting to minimize or cancel out the voting strength of racial, economic, or political elements. Moreover, the commissions must strive for distinct representation for city, suburban, and rural areas. Subject to the above conditions, the commissions are ordered to follow existing political subdivisions where practicable and to draw districts that are of a contiguous and compact nature.

The bill also contains a provision that each district in the State must come within a 1-percent deviation from the average district population of the State. I feel that this is needed to comply with the U.S. Supreme Court's one-man, one-vote decision.

This bill, Mr. Speaker, marks the beginning of a bold new Federal effort to provide all people with effective representation. I feel the situation in many State legislatures has deteriorated to a point where it constitutes a national dis-



grace. When any group of men can meet and secretly conspire against the public interest, I feel that it is time someone did something about it.

I have discussed the bill with House Judiciary Committee Chairman EMANUEL CELLER, Democrat of New York, and Chairman CELLER is in general agreement with my approach. I am hopeful the chairman will call for hearings on the matter in the near future.

If enacted, this proposal would become effective in the 1972 congressional election.

The bill follows:

H.R. 6852

A bill to provide for an equitable procedure for establishing congressional districts

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Congressional Districting Act of 1971".*

SEC. 2. Section 22 of the Act entitled "An Act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress", approved June 18, 1929 (2 U.S.C. 2a), is amended by striking out subsection (c) and inserting in lieu thereof the following:

"(c) (1) In the case of a State entitled to more than one Representative to the Ninety-third or any subsequent Congress, Representatives to such Congress shall be elected from congressional districts established in such State by the State redistricting commission appointed for such State in accordance with subsection (d) after each apportionment. The commission for a State shall establish a number of districts for such State equal to the number of Representatives apportioned to such State under subsection (b). No district so established shall contain a number of persons (determined under the decennial census which such apportionment was made) which differs by more than 1 percent from the quotient obtained by dividing the population of such State (under such census) by the number of Representatives to which such State is entitled under such apportionment.

"(2) Subject to paragraph (1), a commission, in establishing congressional districts in a State, to the extent possible—

"(A) shall provide for fair and effective representation for all individuals, peoples, and party interests to the maximum extent practicable.

"(B) shall take cognizance of such communities of interest as do exist and may not act to minimize or cancel out the voting strength of racial, economic, or political elements,

"(C) Shall strive for distinct representation for city, suburban, and rural areas, and

"(D) subject to the preceding subparagraphs of this paragraph, shall follow existing political subdivision boundaries, and shall provide that such districts shall be composed of a contiguous and as compact an areas as possible.

"(d) (1) Within 60 days after the enactment of the Congressional Districting Act of 1971, and thereafter within 60 days after the receipt by the executive of a State of a certificate under subsection (b), there shall be established in each State a State redistricting commission. Such a commission shall consist of five members appointed as follows:

"(A) The majority and minority leaders of each house of the State legislature shall each appoint one member.

"(B) The highest court of the State shall appoint one member.

A vacancy in the commission shall be filled in the same manner as the original appointment was made.

"(2) In the case of a nonpartisan bicameral legislature, the leader of each house shall appoint two members of the commission after consultation with the leaders of political parties in the State. In the case of a unicameral nonpartisan legislature, the leader of such legislature shall appoint four members of the commission after consultation with leaders of political parties in such State.

"(3) The determination as to which official constitutes the minority or majority leader of a house of a State legislature for purposes of this subsection shall be made by such house.

"(e) (1) A State commission appointed under subsection (d) shall, after conducting public hearings, promulgate a plan which meets the requirements of subsection (c) within 180 days of its appointment. Such plan shall be published in the Federal Register, shall take effect on the thirtieth day after such publication, and shall be applicable until the next apportionment following a decennial census. Any plan which takes effect shall have the force and effect of law (except to the extent that a court order issued under paragraph (2) otherwise provides).

"(2) If the commission fails to promulgate a plan which meets such requirements, or if the commission is not appointed within the period prescribed in subsection (d) (1), any registered voter in such State may apply to a United States district court in such State for such relief (including an order promulgating a plan which meets the requirements of subsection (c)) as may be appropriate. The court shall have jurisdiction to grant such relief. Any action under this paragraph shall be heard by a district court of three judges in accordance with section 2284 of title 28, United States Code.

"(f) (1) (A) Members of a commission appointed under subsection (d) shall each be entitled to receive \$50 for each day (including travel time) during which they are engaged in the actual performance of duties vested in the Commission.

"(B) While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as the expenses authorized by section 5703(b) of title 5, United States Code, for persons in the Government service employed intermittently.

"(2) Three members of such a commission shall constitute a quorum.

"(3) (A) A Commission may appoint and fix the compensation of such personnel as it deems advisable.

"(B) The staff of the Commission may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

"(4) A commission may for the purpose of carrying out its duties hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as it may deem advisable.

"(5) A commission appointed under subsection (d) shall cease to exist 270 days after its appointment."

SEC. 3. The second paragraph of the Act entitled "An Act for the relief of Doctor Ricardo Vallejo Samala and to provide for congressional redistricting" (2 U.S.C. 2c) is repealed.

## POWER TO THE PEOPLE OVER WAR

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

Mr. RARICK. Mr. Speaker, The prolonged "no-win" use of U.S. military forces in Indochina has provoked widespread dissent in this country in opposition to our present policies in Southeast Asia in particular, and in opposition to nondeclared war in general. Disillusionment with a foreign policy that would involve American fighting men in any part of the world, coupled with the frightening realization that such involvement can be accomplished without a declaration of war by the Congress or prior approval by the people themselves, has caused many here in the Congress to review U.S. foreign policy with regard to restoration of the warmaking powers as provided in the Constitution.

On Wednesday of this week, I plan to offer a people-power-over-war proposal that is certainly not new in concept: A joint resolution, which calls for an amendment to the Constitution providing that, except in cases of actual attack or imminent threat of attack on the United States or any of its territories, or an attack on any country in the Western Hemisphere by any non-American state, the American people will have the sole power by way of a national referendum to declare war or engage U.S. forces in warfare overseas.

President Nixon in his state of the Union message said:

I have faith in people. I trust the judgment of people. Let us give the people of America a chance, a bigger voice in deciding for themselves those questions that so greatly affect their lives.

I agree with President Nixon's announced policy, and I think that this resolution is consistent with his message. Life and death is a matter that "greatly affects their lives."

I hope that many of my colleagues, Democrat and Republican alike, will join in cosponsoring this resolution to help return power to the people over war.

The text of the proposed amendment follows:

H.J. RES.

Joint resolution proposing an amendment to the Constitution of the United States for a referendum on war

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, to be valid only if ratified by the legislatures of three-fourths of the several states within seven years after the date of final passage of this joint resolution:*

"ARTICLE —

"SEC. 1. Except in case of attack by armed forces, actual or immediately threatened, upon the United States or its territorial possessions, or by any non-American nation against any country in the Western Hemisphere, the people shall have the sole power by a national referendum to declare war or to engage in warfare overseas.

"SEC. 2. Congress shall have the power to carry out this article by appropriate legislation."

# WITHDRAWAL OF COSPONSORSHIP OF H.R. 6360, NATIONAL LEGAL SERVICES CORPORATION

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

Mr. COLLIER. Mr. Speaker, on Thursday, March 18, 1971, my name appeared as one of the cosponsors of H.R. 6360, establishing a National Legal Services Corporation. In the light of new information regarding the extent to which legal employees of the proposed corporation could go in filing class action suits, I am today withdrawing my cosponsorship and support of H.R. 6360.

I sought to withdraw my cosponsorship of the bill before it reached the bill clerk's office, but was unsuccessful in doing so.

## PROTECTING THE RIGHTS OF NONSMOKERS

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

Mr. McKEVITT. Mr. Speaker, it is with pleasure that I join in cosponsoring H.R. 4776, a bill requiring the Secretary of Transportation to establish regulations that would make available areas for nonsmokers aboard airliners, trains, and buses.

This proposed legislation does not penalize the smoker. The measure would simply protect the rights of nonsmokers.

As an ex-smoker, I personally do not object to being seated next to a smoker. But smoking does bother many people. In fact, some persons are allergic to tobacco smoke.

At least one air carrier already has set aside "no smoking" seating areas. I have noticed while traveling that many people like this arrangement and officials of the involved carrier tell me that it presents no particular problem for the airline to offer this service to nonsmokers.

This legislation simply offers relief for those nonsmokers who seek it.

## PROPOSED REALLOCATION OF SST FUNDS

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

Mr. ANDERSON of California. Mr. Speaker, the Congress has defeated the SST and, thus, eliminated \$134 million from the Transportation budget that was allocated for the SST program.

I feel that we must put these funds back in the budget, however, redesignate them for items such as research and development in aviation safety, urban mass transit systems, and the development of aircraft for short flights.

We have an obligation to those working on the SST and, in the future, we should give priority to those firms applying for contracts which have had Federal Government contracts canceled within the last few months.

Our country needs further develop-

ment of aircraft noise and air pollution abatement technology.

Our country needs research to make our airports and airways safe.

Our country needs a transit system to relieve the congestion on the highways.

The aerospace industry can meet these needs and they can and should be put back on the job. The funds allocated for the SST should now be directed to meeting the urgent needs of the Nation.

## AUTHORIZING CLERK TO RECEIVE MESSAGES FROM SENATE AND SPEAKER TO SIGN MEASURES DULY PASSED

Mr. ROY. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the House until tomorrow, the clerk be authorized to receive messages from the Senate and the Speaker be authorized to sign enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

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

There was no objection.

## PERSONAL STATEMENT

Mr. KEATING. Mr. Speaker, I was unavoidably detained today on business concerning my district, and missed the teller vote. Had I been present, I would have voted against the amendment of the gentleman from Wisconsin (Mr. REUSS).

## BYELORUSSIAN INDEPENDENCE

The SPEAKER. Under a previous order of the House, the gentleman from Michigan (Mr. GERALD R. FORD) is recognized for 5 minutes.

Mr. GERALD R. FORD. Mr. Speaker, there is no spirit more admirable than that of a people yearning to be free. So it is that we pay tribute to the freedom-loving people of Byelorussia, who proclaimed their independence on March 25, 1918, only to lose it to Bolshevik invaders.

Mr. Speaker, the Byelorussian people have never really accepted Soviet rule although the land on which they live is known as the Byelorussian Soviet Socialist Republic. The Byelorussian Soviet Socialist Republic is merely an administrative arm of the Moscow government and does not represent the will of the Byelorussian people.

Thus the Byelorussians throughout the free world are celebrating the 53d anniversary of their Independence Day, marking it as a symbol of their national aspirations.

I am sure all Americans devoted to liberty support the Byelorussians in their struggle for freedom and independence.

Byelorussians behind the Iron Curtain must never lose faith in the possibility they may once again become a free people.

We know that truth crushed to earth will rise again. And so it is with the spirit of a proud people like the Byelorussians. Their dream of independence must never die.

## FARM TRUCKS REGULATION

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

Mr. FINDLEY. Mr. Speaker, a truckload of political dynamite is racing toward a collision with the granite walls of the Department of Transportation. That is the explosive situation facing the administration due to a package of severe restrictions on the drivers of farm trucks. The regulations, much more severe than farm truckdrivers have ever faced before, are scheduled to take effect July 1.

If implemented as they currently exist, the restrictions will require drivers of all farm trucks involved in interstate commerce to be 21 years old, have passed a physical examination, a written examination, a road test, and if an employee of a farmer must have filed an extensive record relating to his driving history, which the employer must verify.

In my 11 years of dealing with legislation and regulations concerning farmers, I have never encountered any issue on which farm families have such a total commitment. Visits I have had this past weekend with farm families in my district convinced me all farmers are deeply resentful and united in opposition to this package of regulations. I shudder to think what form the reaction will take if the Department of Transportation carries out this ill-considered plan and does not alter the regulations as drafted.

In a letter to Secretary of Transportation Volpe last week, I suggested two major changes in the regulations:

First, a permanent exemption should be provided from these regulations for drivers of pickup, panel, and other small trucks under 10,000 pounds gross weight when used for transportation of farm supplies and produce; and

Second, local hauling of farm products or supplies to or from a point of first delivery or to the farm of the truck owner or operator should have an exemption comparable to the commercial zone exemption applicable to urban drivers. This would permit a farm truck to operate free of the restrictions within a given distance of his farm.

I urge my colleagues in the House to examine this proposal which will cause unwarranted economic problems for the Nation's farmers and then to join me in petitioning Secretary Volpe to drastically alter this completely unnecessary plan. A copy of my letter to Secretary Volpe is a part of these remarks:

MARCH 24, 1971.

HON. JOHN A. VOLPE,  
Secretary of Transportation,  
Department of Transportation,  
Washington, D.C.

DEAR MR. SECRETARY: Regulations under your jurisdiction which are currently affecting the drivers of some farm trucks in interstate commerce and others which are scheduled to be implemented beginning July 1, 1971, pose serious and unwarranted economic problems to many farmers in my Congressional district in Western Illinois. I'm certain the farmers of many other Congressional districts throughout the nation have similar concerns.

The existence of these regulations, which go back to 1939, was little known, understood, or of much concern to farmers until the DOT



issued its notice in 1970 that drivers of farm trucks who had historically been exempt from most of the regulations would soon come under considerably more restrictive requirements than they knew about.

In addition to inadequate advance notice of the regulations, no educational program was undertaken to inform farmers what the regulations were, where they could get a copy, or what was required of them to fully qualify under these regulations. It is appreciated that the application of the regulations to the drivers of trucks of under 10,000 pounds gross weight was deferred until July 1, 1971.

Unless the regulations are changed, beginning July 1, 1971 all drivers of farm trucks involved in interstate commerce will have to be 21 years old, have passed a physical examination, a written examination, a road test, and if an employee of a farmer must have filed an extensive record relating to his driving history, which the employer must verify. I sincerely urge you to effect extensive changes in these proposed changes.

Regulations which are designed to fit large trucking operations do not fit farm trucks and their owners and operators. Some 2.8 million farm units operate an average of 1.3 trucks each as part of their individual farm production and marketing operation.

A large number of these trucks are used primarily for on-farm operations off the public roads and highways. A similar large proportion of farm truck operation is for short trips, or for local hauling on an intermittent basis much of the time with very light loads or no load at all. I personally know many farmers who use their trucks on their farms much more than on public roads. An examination of motor fuel tax refund records will support this fact.

The safety record of farm truck drivers, including very young drivers, is dramatically better, according to insurance company and law enforcement records, than that of non-farm truck drivers.

I suggest that your regulations be amended prior to July 1, 1971, to: (1) Provide a permanent exemption from these regulations for drivers of pickup, panel, and other small trucks under 10,000 pounds gross weight when used for transportation of farm supplies and produce.

(2) That local hauling of farm products or supplies to or from a point of first delivery or to the farm of the truck owner or operator should have an exemption comparable to the commercial zone exemption applicable to urban drivers.

I further suggest that whatever regulations you approve should not take effect until at least six months after they have been publicly announced. This period of time should be used by DOT to mount an extensive information campaign to help farmers through the agricultural extension service, land grant colleges, their farm organizations, and local farm cooperatives become acquainted with the regulations and to become qualified to continue operating their trucks when the regulations take effect.

Farmers and their families have proven their ability to handle trucks with a considerably better safety record than the general trucking industry. These people, unlike the large commercial trucking firms, do not travel the highways in adverse weather, for the most part. In addition, they nearly always have a personal interest in the produce being hauled or the truck they are driving, and often share in the investment of both truck and load.

I urge you to announce as early as possible revisions in the regulations for farm truck drivers. I'm confident the revised regulations will be more acceptable and equally as effective for highway safety than those currently before us.

Sincerely yours,

PAUL FINDLEY,  
Representative in Congress.

#### BAN SPORTS FROM CLOSED-CIRCUIT TV

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

Mr. ASPIN. Mr. Speaker, last Wednesday I introduced a bill which would ban virtually all sports events from closed-circuit television, thus forcing promoters to use home TV and radio for the broadcast of sports events.

This bill would place an outright ban on the production of sports events over closed-circuit TV whenever a radio or television network or station wanted to broadcast the event. In other words, all sports events of general interest would have to be shown on home TV, or not be shown at all. Included in the closed-circuit TV ban would be boxing matches, auto races, super bowls, the Olympics, and infinitum.

This bill makes one basic but, I believe, easily defensible assumption: that free home TV is capable of providing a reasonable profit to those involved in any sports event of general interest in America today. The best demonstration of this is, I think, that the \$2.5 million paid to both Mr. Ali and Mr. Frazier for this recent fight over closed-circuit TV is the same amount paid by NBC for the home TV rights to the 1971 Super Bowl—which provided a handsome profit to the 40 players on each team, the two team owners, and the NFL itself.

At present, closed-circuit TV is regulated, along with the telephone and telegraph industry, by the Common Carrier Bureau within the FCC. In addition to the ban of sports on closed-circuit TV, my bill would transfer jurisdiction over closed-circuit TV from the Common Carrier Bureau to the Broadcast Bureau, which has jurisdiction over pay TV, television, and radio. Since closed-circuit TV is, in essence, pay TV outside the home I believe this is a more rational approach.

Since my announcement 2 weeks ago that I would introduce this bill, the public reaction which I have received to it has been vocal, widespread in its origins, and nearly unanimous in support of the bill. This is hardly surprising, however, since, as you know, there has been a public outcry against the incredible profits the promoters of the fight made, the elitist nature of the fight, and the fact that the promoters even attempted to charge the armed services \$500,000 for a live broadcast of the fight to our men in Vietnam.

I believe there is clear evidence that if we do not act now to severely restrict sports presentations on closed-circuit TV that soon other sports will be drawn by the lure of the fantastic profits from closed-circuit TV. In fact, E. William Henry, chairman of Management Television Systems which set up the closed-circuit network for the Ali-Frazier fight, has predicted that the superbowl would be on closed-circuit TV within 5 years. Mr. Henry, who is also a former Chairman of the FCC, has estimated that the superbowl would gross receipts of \$48 million on closed-circuit TV.

Mr. Speaker, I believe it is clear that if we want sports events to remain open

to the general public we must act now to make sure that sports remain on home TV. I believe this bill would accomplish that, and I urge the House to enact this legislation in this session.

#### SOVIET FAILURES IN SPACE

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

Mr. RARICK. Mr. Speaker, Mr. Julius Epstein, a research associate at the Hoover Institution of War, Revolution, and Peace at Stanford University has prepared a well-documented research paper outlining Soviet failures in space.

His paper may induce the administration to take certain steps to ease the unwarranted and foolish policy of absolute secrecy about the Soviet space tragedies.

I commend Mr. Epstein's paper to my colleagues.

I insert Mr. Epstein's paper at this point:

#### SOVIET FAILURES IN SPACE

(By Julius Epstein)

Indications of Soviet failures in space—including deaths of Soviet cosmonauts in orbit or on launching pads—are not entirely new.

The first case of a Soviet space failure which can be reasonably documented occurred on May 15, 1960. On that day, the Soviets launched Sputnik 4 with a weight of 10,008 pounds, a period of revolution around the earth of 91.3 minutes, a perigee of 194 miles, an apogee of 229 miles and an inclination of 65°. Sputnik 4, a Vostok prototype, decayed on September 5, 1962. A fragment was recovered in Wisconsin. Cabin ejection failed on May 19, 1960. It separated into 8 pieces.<sup>1</sup>

The Soviets announced on May 15, 1960, that they had launched a "space ship" into orbit around the earth with a "dummy space man aboard." The launching was supposed to be a "space spectacular" on the eve of the opening of the Paris summit conference, scheduled for the next day, May 16.

The Soviet announcement also said: "The launching was undertaken to perfect and check the satellite ship's system, insuring its safe flight and controls, its return to the earth and the necessary conditions for the space crew."<sup>2</sup>

However, the Soviets also announced that there would be no attempt to recover the payload. As the New York Times remarked on May 16, 1960, "this surprised American scientists, who seemed cautious about taking the announcement completely at its face value." The same article under the by-line of Harold M. Schmeck Jr. registered doubts that the veracity of the Soviet announcement concerning the "dummy" aboard: "... there was also speculation that the new space vehicle might conceivably contain a man and not the equivalent weight that the Soviet announcement said was in its pressurized cabin. If the capsule is recovered intact they could announce their success, said one scientist who declined to be named. If they fail they could let the 'dummy' announcement stand, he said."

On May 19, 1960, Senator Henry M. Jackson (D., Wash.) told the Senate that there was "growing reason to suspect" that the Soviet Union placed a man in space and would shortly attempt to recover him. As the New York Times of May 20, 1960 further reported, "the Washington Democrat said his statement had been based on information supplied to him by 'reliable sources' within the Administration."

The same Times report, signed by John W. Finney, said that "Officials of the National Aeronautics and Space Administration and the Defense Department declined to give any public confirmation to the statement. Pentagon sources, however, acknowledged that the possibility of a human passenger was being studied."

The Times report continued: "The Air Force's National Surveillance Control Center at Bedford, Mass., reported that the orbit of the Soviet satellite was observed to increase in altitude suddenly early this morning. Moon-watch teams of the Smithsonian Astrophysical Observatory at Cambridge, Mass., reported that three new unidentified objects had been observed trailing the satellite."

"These observations indicated, scientists of the agency said that the capsule had been ejected, sending the space ship into a higher orbit and the capsule itself down in the earth atmosphere."

"It was partly on the basis of this tracking information, as well as other information that Senator Jackson raised the possibility that the space ship had carried a human passenger. As a member of the Senate Armed Services Committee and as chairman of the Military Applications subcommittee of the Joint Congressional Committee on Atomic Energy, he has ready access to military sources of information."

One year later, Senator Jackson made an even more outspoken statement to James Mills in which he said:

"I think the Russians tried unsuccessfully last year to orbit a man. I have sufficient information to believe they had a man in the space ship they launched May 15, 1960, and that the man died when efforts to recover him from space failed. There was sufficient communication coming back from that satellite to corroborate such a belief. I have talked about this with very responsible people—people highly competent in the space field—and they feel very strongly that the May 15 shot contained a man."

On May 7, 1967, six years later, I wrote Senator Jackson and asked him whether he still maintains his belief that the Soviets had killed one cosmonaut in their space adventure of May 15, 1960 as indicated in his Senate speech and in his statement to James Mills.

On May 15, 1967, Senator Jackson answered my question. He wrote: "The quotation to which you refer is essentially correct. The information that I received was from a reliable source, based on the information available at that time."

I can only infer from Senator Jackson's letter to me that he has not received any new evidence disproving his contention of 1960. Had he ever received such new evidence, he would certainly have mentioned it in his letter of May 15, 1967.

Senator Jackson was not the only member of Congress who shared the belief that the Soviets had suffered major space tragedies, including the death of cosmonauts, either in orbit or on launching pads.

Overton Brooks, then chairman of the House Space Committee declared in an interview with James Mills in 1961:

"We have evidence that the Soviet Union tried and failed some time ago (May 15, 1960) to put a man in orbit around the earth. And there is evidence that they tried to orbit a man last fall (1960) while Khrushchev was at the United Nations, and that the man was killed."

Since the late Congressman Overton Brooks had, as chairman of the House Space Committee, access to classified information—as had Senator Jackson—I have little doubt that he had learned about Soviet space tragedies on high authority and knew what he was talking about.

But James Mills, in his outstanding article

in True Magazine, also produces a statement by Professor Herman Oberth, the dean of modern rocket science and once a scientist with the United States Army's missile program at Huntsville, Alabama and the teacher of Dr. Wernher von Braun. In this statement, Professor Oberth said:

"I know from American intelligence reports that one attempt (to rocket a man into sub-orbital space) at the end of 1957 or beginning of 1958 failed. I believe the Russians made several other attempts."

Mills maintains that Oberth meant a 1957 failure, "almost certainly the first manned shot in the Soviet equivalent of our Mercury man-in-space program" and that this first Soviet cosmonaut was Alexis Ledovsky who was not recovered alive. Mills also gives the names of Serenty Schiborin, Andrei Mitkov and others who died in Soviet space adventures. I mention this only in order to keep the record straight concerning the rumored deaths in space or on launching pads of Soviet cosmonauts without being able to verify them.

The second case of a Soviet failure in space with which I want to deal, occurred in September 1960, at a time when Khrushchev was in New York attending the 15th General Assembly of the United Nations.

About the time Khrushchev arrived in New York, three Soviet ships with special equipment to track satellites arrived in the Central Pacific in about the same positions where the Soviets had earlier recovered space capsules. According to published reports, a week before Khrushchev's arrival in New York, two more Soviet tracking ships arrived in the North Atlantic.

On September 25, 1960 Khrushchev announced at Glen Cove, the Soviet owned estate on Long Island, that "everything is ready for a Soviet attempt to put a man into space."

This Soviet cosmonaut was supposed to go into orbit and to send his greetings to the delegates to the General Assembly when he was flying over New York. The Russians always wanted to dramatize special occasions by air and space spectacles. The planned and misfired space spectacular of May 15, 1960 was intended to impress the world on the eve of the Paris summit conference. Now, in September 1960, another spectacular was ordered to impress the General Assembly.

This tradition goes back to Stalin who had already planned a "space" spectacular on January 30, 1934, during the week the 17th All-Union Communist Party Congress was meeting in Moscow. Stalin wanted to offset the American world altitude record, achieved by the two American balloonists Settle and Fortney who had reached on November 20, 1933, an altitude of 61,237 feet, as confirmed by the Fédération Aéronautique Internationale, the aviation body which certifies world flying records.

Two months after the American high-altitude record, Stalin wanted to beat it during the 17th Party Congress. When adverse mid-winter weather threatened to cancel the launching, Stalin gave the order: "You go... or else!" The balloon, "Osoaviakhim" with its three men crew of Fedossejenko, Vassenko, and Oussyskine, climbed to a height of 72,182 feet, only to fall out of control during descent. The three Soviet aeronauts were killed. As the Soviets later "explained," the crew, in a "fit of overenthusiasm" had simply over-expanded their ballast, "failing to keep enough to control their descent." American balloonists immediately doubted that the Russians could have made such a fundamental error. The Americans believed that the "Osoaviakhim" (also known as "Sirius") had iced up. The character of the whole adventure as a political demonstration became audible when Fedossejenko had leaned from the hatch at take-off and cried: "Long live the 17th Party Congress! Long live the World Revolution!"

Now, in September 1960, Stalin's successor wanted another space spectacular. The New York Times of September 27, 1960, reported that "Amateur radio operators in this country have picked up messages from the Moscow radio suggesting that they be sure to man their sets." The Associated Press even located "Harry Wirth, an operator in Bay City, Tex." who had been told by a Soviet operator "to watch for a history-making event tonight or tomorrow morning. Mr. Wirth said other American operators had received similar messages."

The expectations around the world of a Soviet manned space flight were in vain. The New York Times reported on September 28, that "the hours wore on with no announcement of a Soviet man in space, which many Western observers had expected."

Nevertheless, Khrushchev prolonged his stay in New York, hoping that another space try might still succeed. Finally, the Soviet tracking ships in both oceans headed for home and Khrushchev flew back to Moscow.

As James Mills wrote: "Reports from Moscow said Khrushchev arrived home livid over cooling his heels in New York while officials at home embarrassed him by not producing the much heralded space triumph. On October 25, 1960, the same month Khrushchev returned to Moscow, the Soviets announced that Marshal Mitrofan I. Nedelin, chief of the Soviet missile forces, had been killed in an 'airplane accident.'"

"The body was cremated and the ashes buried in the Kremlin wall. Khrushchev did not attend the burial. Western newsmen, for reasons never revealed, were barred. The next month, a foreign diplomat in Bern, Switzerland, claimed Nedelin had not died in an airplane accident at all. The report said the missile boss had been highly involved in a Russian manned space shot that failed, killing the astronaut, while Khrushchev was at the United Nations. Khrushchev, the diplomat said, so furiously denounced Nedelin for the failure that the Marshal committed suicide. A third account of Nedelin's death came from Italy. The Continentale News Agency (Milano) said the marshal was one of some 100 people killed when a Russian rocket exploded on its pad in October 1960."

Among those interviewed by James Mills concerning Soviet cosmonauts who had died in space adventures was Brig. Gen. Don Flickinger, at that time (1961) Chief of Bio-astronautics for the Air Force's Air Research and Development Command.

General Flickinger's statement read as follows:

"I think the Soviets have killed a couple of men in efforts to achieve manned space flight. There are reports which I believe, that after Khrushchev arrived at the United Nations the Russians launched a fairly heavy satellite that failed to go into orbit. Indications are that the satellite carried one or two men."

On May 29, 1967, I wrote to General Flickinger and asked him—as I had asked Senator Jackson—whether he could confirm the accuracy and the veracity of his statement as quoted by Mills.

On June 26, 1967, General Flickinger answered by letter, an answer which I do not want to withhold from the reader. General Flickinger wrote:

"The quote (of me) as extracted from TRUE Magazine is substantially correct, and it goes down in the records as, unfortunately, one of my several errors and false predictions regarding the Soviet Space Program. At the time, there was quite a bit of 'circumstantial' evidence pointing toward a Soviet manned space flight disaster and instead of waiting until I could put the question to one of the Soviet space medical people, I made a premature and, subsequently proven, erroneous deduction. It really doesn't make much difference that I accepted statements from several 'self-styled' authorities



who averred that their information re the deaths in space flight of several Soviet cosmonauts was unassailable. The fact remains that based upon numerous encounters with the Soviet biologists on past occasions, I should have known better."

There is one incompletely verified incident which, if true, may partially explain the various and sometimes conflicting rumors regarding a Soviet space flight disaster which abounded during and after Khrushchev's visit to the U.S.A.

"This particular story has it that a Soviet space spectacular was scheduled for the period of Khrushchev's arrival at the U.N., but that the booster exploded on the launch pad killing 20-30 people. Amongst the casualties were the Soviet Air Force Chief of their Space Flight Program plus 2-3 Cosmonauts. Some sources embroidered this tale with the statement that they were flight testing a 'nuclear-powered device' (for use apparently as an auxiliary power supply in orbit) and it suddenly, without warning, went critical on them. This version attempted to cover up the discrepancy in the original story posed by the obvious question as to why the personnel killed were not protected in the block house where they obviously would be during a normal launch.

"This particular alleged incident was not given much space in the news media, and I have not been able to obtain any confirmation of it from any of the official sources. As I recall, however, there was a formal announcement in PRAVDA and/or IZVESTIA on the untimely death of the Soviet Military Space Chief which corresponded (retrospectively) with the period in question."

General Flickinger's reference is to the death of Marshal Mitrofan I. Nedelin, the chief of the Soviet missile program who died and whose ashes were buried in the Kremlin wall, a ceremony, Khrushchev did not attend.

While we have to be grateful for General Flickinger's candid letter, he deserves a defense against his own credulity in "denials" of Soviet space failures in orbit or on launching pads, denials, made to him by "one of the Soviet medical people." These Soviet "medical people" are, of course, under strict orders from the Soviet Government, never to reveal the truth about Soviet failures but emphatically to deny any such reports, not yet revealed by the Soviet Government itself. I would rather believe General Flickinger's original sources which prompted him to give James Mills the statement quoted above than the denial based entirely upon an assertion by an official Soviet medical officer, duty-bound to cover up any truth considered to be harmful to Soviet foreign policy.

But James Mills introduced still another witness testifying about the death of two Soviet cosmonauts, killed in space attempts. Mills quotes Lt. Col. Paul Hickman of the Armed Forces Industrial College as having stated in January 1961 that the United States had "unofficial but very specific" information that the Soviets had killed two astronauts in space attempts. "One of the deaths, he said, occurred while Khrushchev was at the United Nations. Hickman claimed the U.S. knows the name of one of the dead astronauts. The space deaths, Hickman maintained, brought the demotion of the men in charge of the Soviet man-in-space-program and orders to a new group to get a man into orbit 'immediately.'" 12

These testimonies cannot be dismissed easily. Congressman Overton Brooks, Senator Henry M. Jackson and General Flickinger had access to classified material. It is—among other reasons—this fact which led to the eruption of strong criticism of the Administration's policy of silence, ambiguity, denials and leaks.

The third case of a Soviet failure in a space adventure was—involuntarily—revealed by the London Daily Worker, the organ of the British Communist Party. On April

12, 1961—the very day of Gagarin's one-orbit flight around the earth—the Daily Worker carried a front page story under the sensationalist headline: "Soviet Astronaut Circles Earth Three Times. The First Man in Space. Back Alive—But Suffering from Effects of His Flight." The story was cabled by the Daily Worker's Moscow correspondent, Dennis Ogden on April 11, 1961. It was short and read as follows:

"The Soviet Union has launched the first man into space and brought him back to earth alive, according to well-informed sources here.

"The astronaut, said to be the test-pilot son of a top-ranking Soviet aircraft designer, is understood to be suffering after-effects from his flight.

"Top aviation medical specialists and leading space scientists are in constant attendance.

"They are keeping him under close observation.

"An official announcement regarding his flight, said to have taken place on Friday (April 7, 1961), is expected tomorrow.

"The astronaut is said to have completed three orbits around the earth some 200 miles out in space before returning to earth in response to a signal from ground stations.

"His flight was made in a space vehicle weighing 4½ tons of the type previously tested in space flights with dogs.

"The city has for the last 24 hours been waiting with baited breath in expectation of the official announcement that the Union has won the space race.

"All day Muscovites have been keeping an ear cocked at their radios.

"Evening papers were eagerly snatched up and scanned for confirmation—or refutation—of the many rumours circulating among journalistic and scientific circles in the city."

The New York Times of April 11, 1961, reported from Washington that Moscow was full of rumours that the Soviet Union might have launched the first man into space and returned him to earth alive. Then, the New York Times wrote: "A space agency spokesman said no information had been received from the world-wide tracking network of the United States to indicate that a Soviet satellite had been launched. One indication that a Soviet space shot might be imminent, however, was the fact that Soviet tracking ships have been deployed in the Pacific and North Atlantic for about a week."

The same issue of the New York Times of April 11, 1961, also carried a dispatch from Moscow, dated Wednesday, April 10, 1961, according to which a Soviet television camera crew "showed up at the Central Telegraph Office and planted clusters of television lights in places where correspondents would be expected to rush in." When no Soviet announcement about a successful space flight was made, "the camera crew departed, taking cameras, lights and cables with them."

There is no doubt in my mind that there is only one conclusion to be drawn from the London Daily Worker story and the New York Times' report: That a never announced catastrophe on the launching pad prevented a Soviet cosmonaut from going into orbit.

The conclusion that something went wrong in a Soviet space adventure becomes conclusive if we consider what had happened in Moscow behind the scene.

Some days before Gagarin went up on April 12, 1961, the Moscow correspondents of Communist newspapers, and only they, were given sealed envelopes containing a Soviet press release with the explicit order not to open the envelopes without the green light from the government. All the Communist correspondents scrupulously followed that order, with one exception: Mr. Dennis Ogden, Moscow correspondent of the London Daily Worker. He could not resist the understandable temptation to open the en-

velope prematurely, without the Soviets' green light, and to rush into print with the story he found in his envelope to assure his paper one of the greatest scoops of the century. The Soviet Government, at that time well aware that the planned space adventure of April 7, 1961 had ended in a catastrophe, expelled Dennis Ogden from the Soviet Union. But the damage his premature story did to Soviet prestige could not be undone. There is no other Soviet failure in their attempts to conquer space convincingly revealed by a Communist newspaper. By printing the false story of a Soviet three-orbit-flight around the earth, the Daily Worker had revealed the truth that a catastrophe had taken place on a Soviet launching site.

There remains only one question: Who was the Soviet cosmonaut who came to grief on April 7, 1961?

Early in May 1961, "Paris Soir" revealed his identity. It was Sergei Ilyushin, son of the famous Soviet aircraft designer Ilyushin. According to the French newspaper, Sergei Ilyushin was waiting in his space capsule to be launched, when an explosion occurred which seriously injured him.

A few weeks later, a letter appeared in "Pravda," signed by Sergei Ilyushin and stating that he was not a cosmonaut and that he was at the time in China, both assertions blatant Soviet lies. Obviously, the Soviets, greatly irked by the Daily Worker's breach of confidence, had ordered Sergei Ilyushin to write such a letter, or may have written it themselves and just forced him to sign it. It is even more probable that he never saw the letter and that they just "signed" it for him.

That the Soviets—however unsuccessfully—tried to cover up the tragedy, originating in their own press release, will surprise no one. It is completely in line with the old Soviet practice never to admit failures not witnessed by people from the free world. Far more surprising is the fact that American authorities conspired with the Soviet authorities to conceal the truth from the American people. The same goes for all the other Soviet failures (with the exception of six deep-space failures, revealed by NASA for very particular reasons as we shall see later). This consistent American policy of silence and even outright denials has severely been criticized by Congress. Whenever such criticism was made by members of the House Space Committee, the stereotype answer was always the same: "classified matter, ask the Department of Defense, NORAD, the C.I.A. etc." But these agencies formed a stone wall of silence—with the unofficial exception of the C.I.A. which leaked a story about the evidence of at least 11 Soviet deaths in space or on launching pads early in 1967, a story with which I shall deal later.

The London Daily Worker story with its clear implication of tragedy was immediately recognized as such by the New York Times of April 13, 1961, one day after Gagarin's successful one-orbit flight.

In an article by Walter Sullivan, entitled "... Experts Doubt Russian Flew 3 Orbits Friday and Returned..." the Times write:

"According to the London Daily Worker, the son of a Soviet aircraft designer orbited the earth three times that day (Friday, April 7, 1961) and was recovered, somewhat the worse for his experience.

"This seemed unlikely to specialists, since after three orbits the flight path would not cross the expected recovery areas..."

"If an attempt was made before yesterday's successful operation, it apparently did not place a carrier rocket in a stable orbit. The generally accepted location of the Soviet firing range is such that the first orbit of a satellite launched from there would not pass near the United States.

"However, after having detached the manned capsule, the launching vehicle

would continue in an orbit that eventually would span most of the world . . .

"The apparent failure of such a rocket to cross American territory in the preceding days does not rule out an abortive launching attempt.

"If Washington has evidence of a try that failed to achieve an orbit, it is keeping it secret."

It is exactly this policy of unnecessary secrecy which aroused Congress and resulted in the hearings before the Foreign Operations and Government Information Subcommittee.

Before I deal with the hearings I want to point out one of the basic roots of the Washington policy concerning Soviet manned and unmanned space failures. I am speaking of an agreement between the Department of Defense (DOD) and the National Aeronautics and Space Administration (NASA), an agreement which went into effect on January 13, 1961.

According to this agreement, NASA publishes information on Soviet satellites in the Satellite Situation Report, based on the following criteria:

"(a) Data on foreign space activities which have been authorized for public release through the Office of the Assistant Secretary of Defense (Public Affairs).

"(b) Data on foreign space activities officially reported to the United Nations Registry if NORAD orbital elements generally confirm the registry.

"(c) Data on foreign space activities (including failures) which have been publicly announced by the foreign government concerned and which are generally confirmed by NORAD data."

It is this DOD-NASA Agreement and especially its paragraph c which is the source of innumerable complaints by congressmen, scientists and newspapermen who maintain that this stipulation violates the law of NASA under which it is obligated to inform the American people about all space activities, domestic as well as foreign.

Paragraph c shows that it does not matter whether the Soviets had one or one-hundred failures; they could not be released to the American people unless they had been "publicly announced" by the Soviet Government and unless they had been at the same time "generally confirmed" by NORAD. This regulation amounts to a complete news blackout on Soviet failures in space and/or on launching pads and was as such recognized in as well as out of Congress.

To illustrate the general character of the host of complaints on record the following two statements may be quoted:

(1) Mr. Gene Robb, Publisher, Albany Time-Union and vice president, American Newspaper Publishers Association and a participant at a panel discussion on the failure of the U.S. Government to promptly inform the American public of Russian space activities—particularly, space efforts which have resulted in failures and which the U.S. Government knows of but the Russians have not announced" stated:

"In early 1962, it became known that the Defense Department had issued a secret order imposing a news blackout on all military satellite activity. Some of the Russian space-probe failures went unreported for more than two years because of 'policy reasons.' A satellite situation report, supposed to be issued every 2 weeks, was delayed 40 days between August 21 and October 10, 1962, and then failed to include promised details on Soviet failures."

(2) Congressman John E. Moss, Chairman, Foreign Operations and Government Information Subcommittee, speaking before the California Press Association Conference in November of 1962, said:

"Apparently we are applying a system of selective secrecy directive to tracking infor-

mation we gather about Russian satellites. Our Government releases information about Russian satellites when it fits national policy but the lid is closed at all other times, and the American public has no reliable U.S. information to match against Russian claims of space achievements. Certainly, we are not fooling the Russians—they know where their satellites are—we are only confusing the American people."

The most violent debate about Soviet failures in space probably erupted during the hearings before the Subcommittee of the Committee on Government Operations, House of Representatives, the so-called Foreign Operations and Government Information Subcommittee, on May 23, and June 6, 1963. The Subcommittee's chairman was and still is Congressman John E. Moss, the author of the Moss Act aimed at the prevention of unnecessary classification by Government departments.

In his opening statement, Congressman Moss said:

"During the forthcoming hearings the subcommittee will continue its investigation of the Department of Defense space secrecy directive which clearly has resulted in the withholding of information vital to public understanding of United States and Russian space activities."

Congressman Moss reminded the Subcommittee that it "has received numerous complaints about the information policy which stems from the Department of Defense space secrecy directive. There have been charges that the directive has the effect of keeping the public almost totally in the dark on Russian space activities, and to some extent our own. The taxpayers certainly should not be called upon to spend billions of dollars on our own space programs without being given all the facts necessary to make an intelligent judgment as to whether we are behind, ahead, or at least keeping pace with Russian space efforts . . . The subcommittee has been told that, following the Department of Defense directive, official space information has dwindled to the point where a true perspective of where we stand, in relation to the Russians, scarcely exists as far as the general public is concerned."

The first witness to give testimony on May 23, 1963, was Dr. George Simpson, Assistant Administrator for Technology Utilization and Policy Planning, who had the function within NASA to supervise the satellite reporting publications.

In his opening statement, Dr. Simpson explained to the subcommittee the nature of the Administration's information policy concerning American and Soviet space activities. He referred to the Satellite Situation Report which is an "unclassified document issued by the National Aeronautics and Space Administration (NASA) through its Space Operations Control Center, Goddard Space Flight Center, Greenbelt, Md." However, NASA did not originate the satellite situation report. Originally, the Department of Defense had "experimented" with techniques for keeping track of objects in space. As Dr. Simpson testified: "By 1960 Defense was ready to move the project into an operational phase under the Control of Norad (North American Air Defense Command). At that time Defense approached NASA with the proposal that NASA assume responsibility for reporting on all unclassified space launching and orbital information to the scientific and civilian community."

With this statement, Dr. Simpson opened a Pandora Box of discussion and criticism of what is unclassified and what classified, especially relating to Soviet failures in space and on launching pads.

As it turned out, practically all information about Soviet failures was and still is classified, including Soviet failures admitted by the Soviet Government. On that point, this exchange developed:

Mr. MEADER: "... does NASA recognize the right of the Defense Department to prohibit NASA from publishing information about foreign space activities which have been made public by those foreign governments themselves?"

Dr. Simpson: "Yes, sir. I mean that is the record. We have not done this because we publish only information on foreign space activities furnished to us through NORAD, and the record I am sure will show that on occasion announcements made by foreign governments have not been included in the NORAD reports, so I have to say 'Yes.'"

Another example of the nature of congressional criticism of Washington's information policy in respect to Soviet failures in space adventures was the exchange between Congressman Ogden Reid (R., N.Y.) and Dr. Simpson. It went like this:

Mr. Reid: "Am I to understand from your response to the chairman that there is no area here this morning, on behalf of NASA, that you can report to the American people on, with regard to Soviet space failures?"

Dr. Simpson: "There is no area that we can report on?"

Mr. Reid: "Here this morning on Soviet space failures."

Dr. Simpson: "No, sir."

Mr. Reid: "So, to put the question the other way, any space failure in your judgment at this time is classified?"

Dr. Simpson: "Yes, sir, unless released by the appropriate agency."

Mr. Reid: "Now, that is a technical judgment as to the authority, and whether it is national security, and so on."

"But, I think the American people might infer from your comment here this morning that there is nothing that they can be told about Soviet space failures at this time. Is that a correct implication, or isn't it? Either it is classified or it isn't."

Dr. Simpson: "It is classified; yes, sir."

Mr. Reid: "Then there is nothing on Soviet space failures here this morning you can report to the American people that is not classified?"

Dr. Simpson: "Any Soviet failure that is unclassified has appeared in the satellite situation report. I don't know exactly how many. I know the two that you referred to last August and September (1962) are in the satellite situation report. . . ."

Mr. Reid: "Can we ask you another question here? Do you know of any Russian launches—more particularly, Russian failures—that have not been reported to the American people?"

Dr. Simpson: "I will be happy to answer that question in executive session, sir."

Mr. Reid: "This isn't a classified query, in my judgment. You merely have to say there are Russian failures that have not been reported, and you think, for reasons of classification, they shouldn't be."

Dr. Simpson: "No, sir."

Mr. Reid: "What I am trying to get is a yes or no."

Dr. Simpson: "Please, sir, you are asking me to report in open session on information which I received through classified sources. I will do whatever the chairman directs me to do. If he thinks it is proper for me to do it, I will. I don't think so."

Mr. Meader: "I don't understand that answering that question yes or no would in itself be a release of classified information."

Mr. Hardy: "It could be."

Mr. Moss: "The chairman is very, very sympathetic to the convictions of the gentleman from New York and shares his concern over the inability to get an answer."

"But having worked with classified information for a period of some 8 years, I recognize that, on occasion, it may not be proper for a witness to respond to a question, in an open hearing, and therefore the Chair will not direct an answer; but we will request that the next witness from NASA be prepared to respond fully to that when the gentleman



places the question to him again in executive session."

Mr. Reid: "Thank you. And just to keep the record clear, let me just add a clearly unclassified question in open session on behalf of this committee, my colleagues, the American people. Is there anything that you can comment on, that you want to add to your comments or to the record, on Soviet space failures?"

Dr. Simpson: "No sir, I don't have any."<sup>21</sup> Thus, while desperately struggling not to violate security classifications, Dr. Simpson let the cat out of the bag. He did reveal the truth: that there are Soviet failures in space adventures which he cannot reveal in open session. That clinched the case.

Some time after Dr. Simpson had given his testimony, he was abruptly dismissed by NASA. It is my guess that his dismissal was the result of having revealed too much.

The hearings before the subcommittee also dealt with the Soviet deep-space-probe failures. The New York Times reported on September 1, 1962, the Soviet failure of their Venus probe in an article by John D. Pomfret, Washington correspondent of the New York Times.

The lead read as follows: "Washington, Aug. 31—The Soviet Union made an unsuccessful attempt at a Venus space probe last Saturday (August 25, 1962), Government sources said tonight."

It continued: "Its payload broke up and three of the pieces are orbiting the earth the sources said."

This total Soviet failure occurred about 48 hours before the United States launched Mariner 2 to the vicinity of Venus. The American Venus probe of August 26, 1962 was a full success. It passed Venus within 21,594 miles and returned interplanetary data from a distance of more than 53 million miles until January 3, 1963.

As usual, the Soviet Government had neither reported the launching nor the complete failure of the Venus probe. Nor had NASA made a clear and open statement. Somebody else must have leaked the story to Mr. Pomfret. When reporters wanted confirmation of the story from NASA, all they got was the statement which confirmed reports in the press as "knowledge that is available within the Government."<sup>22</sup>

Annoyed by the press reports and the official silence of NASA, the two chairmen of the House and Senate Space Committees, George P. Miller and Robert S. Kerr respectively, wrote together a letter to James E. Webb, then as now, Director of NASA. The date of this letter was September 4, 1962. It read as follows:

"DEAR DIRECTOR WEBB: In the past weeks there have been two reports in the press which have troubled us as chairmen of the House and Senate Committees on Space: (1) The Saturday morning newspapers carried an article reporting that the Soviet Union failed in an attempt to successfully send a space vehicle to Venus on August 25, 1962. (2) On August 30, 1962, Dr. L. I. Sedov, a leading Soviet space expert was interviewed by a professor of Tokyo University. The question was asked: 'Since the Soviet Union has never made an advance announcement of launchings, some people suspect that there have been unsuccessful launchings in the past; would you tell me the truth, say confidentially?' Sedov: 'The Soviet Union makes an announcement as soon as a rocket is launched. There is no substantial difference between the Soviet Union and the United States in the way of announcement. If there is any failure, it must be known to the world.'

"It is our clear understanding that the Soviet Union does not announce all of its shots and therefore Dr. Sedov's answer appears to be in conflict with the information in our possession. Dr. Sedov's statement and

the report of the Venus shot failure are so patently at variance that we feel it is important that if the United States Government possesses any information relative to unsuccessful attempts by the Soviet Union to launch a spacecraft to Venus, or other planetary probes, that this information should be made available to our committees and to the American people.

"The world must of necessity admire the remarkable achievements of the Soviet Union in the field of space. A shadow is thrown over the entire space through their refusal to admit failures. The United States is not without its failures, but we operate in a free society and our failures, as well as our successes, are made known to all.

"We would appreciate an answer to this letter promptly.

"Sincerely yours,

"GEORGE P. MILLER,  
"Chairman, House Committee on Science and Astronautics.

"ROBERT S. KERR,  
"Chairman, Senate Aeronautical and Space Sciences Committee."<sup>23</sup>

Less than 24 hours after reception of this letter, the two space committees chairmen received Mr. Webb's answer, an answer which is in more than one respect remarkable. It read:

"Gentlemen:

"I agree. The Soviet's broad policy of announcing successes but declining to admit failures does cast a shadow over their entire space effort—remarkable as it might be.

"You jointly proposed that if the U.S. Government possesses any information relative to unsuccessful planetary probes by the Soviet Union, that this information should be made available to your committees and to the American people.

"In response to this proposal, inquiry was made of appropriate agencies of this Government. The response was as follows:

"The Soviet Union has pursued a vigorous but unsuccessful program to send instrumented space probes to the planets. Thus far two attempts have been made to send spacecrafts to Mars and four to Venus. Of these six attempts, only one probe was successfully launched on an interplanetary path, the Venus probe of February 12, 1961. However, it was only a qualified success because its radio transmission failed after several days, long before it reached Venus.<sup>24</sup> None of the five remaining attempts achieved a successful trajectory because of rocket vehicle malfunctions.

"The same mission-planning philosophy and vehicle combination was used on each of the Soviet interplanetary series. A parking orbit technique is consistently exploited, whereby the first three stages attempt to launch the payload into a low Earth satellite orbit as in the U.S. Mariner program. After one passage around the Earth, the fourth or ejection stage is fired over Africa. If successful, this sends the instrumented probe on a ballistic path to the planets. Had the launching been successful in each of the six cases listed below, the probe would have arrived at Venus or Mars with too high a velocity to have been orbited around either planet. Optimum conditions were chosen for each launching attempted thus far so as to simplify the task of either guidance or performance—or both.

"(1) October 10, 1960: An unannounced attempt to send a probe to Mars failed before a parking orbit was achieved. Had this probe been successful, it would have reached Mars in about 230 days.

"(2) October 14, 1960: A second attempt to send a probe to Mars using virtually the same trajectory also failed before a parking orbit was achieved.

"(3) February 4, 1961: The first attempt to send a spacecraft to Venus was successfully placed in its Earth-parking orbit, but could not be ejected into its planned Venus

trajectory. The Soviet Union announced the launching as successful Earth satellite Sputnik VII and claimed for it a new weight in orbit record of 14,300 pounds. Had this probe been successfully ejected, it would have taken 105 days to reach Venus.

"(4) February 12, 1961: A partially successful attempt to send a 1,400-pound spacecraft to Venus was made on this date. All vehicle stages functioned normally, and the probe was correctly placed on its interplanetary path. The Soviet Union correctly announced that this was the first time that a spacecraft was successfully outward from orbit. The probe took 97 days to reach the vicinity of Venus. The Soviets apparently experienced a failure in the power supply or radio transmitter, and the probe was last heard from at a distance of 4.5 million miles from the Earth.

"(5) August 25, 1962: A third attempt to send a probe to Venus was made on this date. The payload was successfully placed into its satellite parking orbit, but apparently could not be ejected. Had this shot been successful, the probe would have arrived at Venus on about December 7, 1962, ahead of the U.S. Mariner II. It appears that the normal flight time of 112 days was intentionally shortened to 104 days by sacrificing spacecraft weight. This launching attempt has not yet been announced by the Soviet Union.

"(6) September 1, 1962: The fourth attempt to reach Venus was also successfully placed into a satellite parking orbit, but could not be ejected. The Soviet Union has not yet announced this attempt nor the presence of the unused components in orbit."

"Sincerely,

"JAMES E. WEBB,  
Administrator."<sup>25</sup>

The puzzle this remarkable document created was not lost on the Congressmen. The chairman of the subcommittee, Mr. Moss, asked the witness, Assistant Administrator, NASA, Dr. Simpson: "Now we have here an instance where, in response to the demands of the chairman of the House and Senate committees, an immediate release was made. Therefore, we could reasonably assume that there was a very quick conference, and the material was declassified or that it had never been classified. Can you tell me which was the case?"<sup>26</sup>

Dr. Simpson's answer was: "I do not know, sir. I had just got to town that very day, and I was not involved in this at that time at all."<sup>27</sup> This answer from the Assistant Administrator For Technology Utilization and Policy Planning, NASA, seems to be strange. Even if he was not in Washington the day Mr. Webb sent off his revealing letter to the two chairmen of Congress' Space Committees, it is hard to believe that he would not have learned of this event after his return. Congressman Moss ignored Dr. Simpson's answer and, fully aware of the implications Webb's letter offered, stated: "Now, if security was not breached in this instance, then why cannot similar information be publicly disclosed now? Whereupon, Dr. Simpson said: "That is a classified matter, sir."<sup>28</sup>

Indeed, Mr. Webb's letter raises certain questions. It is most unusual to find a letter from members of Congress to be answered within 24 hours. It is equally rare that the agency, answering the letter fully complies with the request of the Congressmen to give immediately classified information. (The possibility, implied by Mr. Moss, that the material had not been classified can be dismissed as a rhetorical politeness.) Mr. Webb's letter was not only sent to the two chairmen within 24 hours since it was received, it also contained all the requested answers about Soviet failures in space.

The experience shows that Washington was able to declassify information concerning six Soviet failures which had been classified secrets, partly for two years. For two

Footnotes at end of article.

years, Washington authorities maintained the position that the information about the Soviet deep-space-probe failures was "too sensitive" to be revealed to the American people.

Suddenly, within a few hours, the same authorities (Department of Defense, NORAD, C.I.A., NASA and the White House) decided to throw overboard the pseudo-justification and to release the whole truth!

It would be foolish to believe that the reason for such a reversal of information policy was the demand from Congress. As we know from the hearings, spokesmen for the Government answered pertaining questions time and time again with the stereotype: "Sorry, classified matter."

Why not in this case?

The answer to this question lies in the fact that the failure of the Soviet Venus shot of August 25, 1962 was published by the world press, e.g. by The New York Times of September 1, 1962. It was this publication which caused the two chairmen of the two Congressional Space Committees to ask Mr. Webb for an official clarification. Thereupon, Mr. Webb consulted the agencies concerned and—with full approval of the White House, it was decided that to deny Congress information already revealed to the whole world would be inappropriate. It was then decided not only to declassify the Soviet failure of August 25, 1962, but—just for good measure—also the remaining failures of Soviet attempts to reach Mars and Venus.

In fact, Mr. Webb's letter of September 5, 1962, contained only three "scoops" concerning Soviet failures in space:

The items (1), Mars probe of October 10, 1960, (2), the Mars probe of October 14, 1960 and item (6), the unsuccessful fourth attempt to reach Venus of September 1, 1962.

The remaining three items: (3), the first Russian Venus shot of February 4, 1961, (4), a "partially successful attempt to send a 1,400 pound spacecraft to Venus" of February 12, 1961, and item (5), the third Soviet Venus-probe of August 25, 1962, a complete failure, had been reported world-wide and especially by the New York Times.

Since Washington was of the opinion that no damage to national security could be done by revealing space secrets, Congressman Moss' question, "Why cannot similar information be publicly disclosed now?" was fully justified as Dr. Simpson's answer "that is a classified matter," was unsatisfactory.

It is hard to understand Dr. Simpson's answer to Mr. Moss' simple question. He could have answered: "The reason why similar information cannot be disclosed now is national security" but he preferred to extend classification even to the reason why a subject is classified, in spite of the fact that a Presidential Executive Order had spelled out long ago the only reason for classification of Government documents, namely the possible endangering of our national defense.

In connection with Mr. Webb's letter of September 5, 1962, it is interesting to note that the Administration did not only release long classified space secrets, it also enabled the New York Times writer John W. Finney to publish an article in the editorial section of the Sunday Times of September 6, 1962 under the eight-column headline: "How U.S. Checks the Soviet Space Shots and Military Power" which revealed most interesting details concerning American tracking systems, including details on SPADATS (Space Detection and Tracking System) and a world map showing the monitoring and tracking system, the spotting and tracking system and the precision tracking system. All this could now be revealed without any damage whatsoever to American interests!

John W. Finney had this to say about our own secrecy policy on Soviet space adventures and especially Soviet failures in space:

"For the past few years, some of the most highly secret information locked away in

the files of military and intelligence agencies have been reports about unsuccessful space launchings by the Soviet Union. . . .

"With the disclosure (of the Soviet Mars and Venus shots failure) also came confirmation, although indirectly, of a truly remarkable game of electronic espionage that the United States has been playing with considerable secrecy for the last several years to keep track of what the Soviet Union was doing in space research. With huge radars scattered around the world, electronic, 'fences', strung across the United States, sensitive radio receivers hidden along the periphery of the Soviet Union, the United States has been watching and eavesdropping on Soviet rocket developments. As the Soviet Union must know now, if it didn't before the United States announcement, no Soviet space booster can leave the launching pad without the fact being known in a few minutes in command headquarters in Washington. . . .

"Within minutes after each launching, the new objects in space had been detected by United States tracking stations around the world and the information flashed to the North American Air Defense Command in Colorado and thence to the Pentagon, the Central Intelligence Agency and the White House. After the tracking of a few orbits and the processing of the information through large electronic computers, it was possible not only to extrapolate backwards and forward and determine the specific time and place of the launchings but also to establish that they had been sent with a velocity and aim obviously intended to take them in the direction of Venus. . . .

"Thus far, the Administration has opened but one drawer on the information about space and missile activities obtained by SPADATS and other intelligence channels. In the other drawers are additional reports about Soviet launching failures that have never been publicized by the United States or announced by the Soviet Union.

"The reasons for the Soviet reluctance to publicize its failures are obvious. Not so obvious is why the United States has refused to disclose the failures, if the Soviets won't. The standard explanation is that such disclosures might compromise intelligence activities. For some highly clandestine intelligence operations watching Soviet missile developments, this explanation has validity. But the nature of the electronic surveillance system is well known to the Soviet Union, just by reading past Defense Department announcements, and it could come as no great revelation to the Kremlin to learn that the United States had detected its space failures.

"Another reason for the past secrecy about the Soviet failures has been the general policy of the Kennedy Administration to impose even tighter controls over the release of military information. It is a policy that had led the Administration into a contradictory position as far as the space surveillance system is concerned. In the early days, the Kennedy Administration would confirm that a Soviet missile or space shot had been tracked even before it was announced by the Soviet Union. But in recent months the Administration had been reluctant to admit that a successful shot has been observed, even after the Soviet announcement.

"There is a certain comfort in the wealth of the information that has been obtained by the SPADATS system and an irony in its secrecy. If the information were made public, it would show that percentage-wise the Soviet Union has had about as many failures as the United States in missile and space launchings.<sup>29</sup> And yet by keeping the failures secret, the United States is helping to perpetuate the image of inferiority in the space race."

Footnotes at end of article.

The fact that this much could suddenly be revealed in the article by Finney without any visible damage to our national security and the fact that it could be revealed on the sole ground of "overriding political reasons" seems to prove the veracity of Congressman Moss' assertion that "about 90 per cent of the material . . . of a classified nature was either needlessly classified or overclassified."<sup>30</sup> Neither Dr. Simpson nor Dr. Dryden ever dared to reveal 10% of the facts published with impunity in Finney's article.

The assumption of quite unnecessary classification of Soviet space failures is appropriate, can be seen by the next witness' testimony of June 6, 1963. Then, Dr. Hugh Dryden, Deputy Administrator, NASA was on the stand:

Mr. Meader: "You apparently feel that in these instances which were released on September 5, 1962, there was no danger of revealing your monitoring techniques?"

Dr. Dryden: "Because there was something in space which everybody knows our NORAD tracking system can see."<sup>31</sup>

If it could be revealed on September 5, 1962 because "there was something in space which everybody knows our NORAD tracking system can see," it certainly could have been revealed on October 10, 1960, October 14, 1960, February 4, 1961, February 12, 1961, August 25, 1962, and September 1, 1962, because there was on these original dates "something in space which everybody knows our NORAD tracking system can see." Why was it not? Unfortunately, the interrogation of Dr. Dryden was not pursued along such lines.

Dr. Dryden made it clear right in the beginning of his testimony, that NASA "has no intelligence function." He pointed out that NASA does not set up any instrumentation and intelligence activities "in order to discover what the Russian program is." As he put it: "This is a function essentially of the Central Intelligence Agency, assisted by the Defense Department and other agencies of the Government."<sup>32</sup>

Regarding the clearance policy of the Government, Dr. Dryden pointed out that the "very limited number (of NASA employees) who do receive regular intelligence briefings and daily information 'have to sign a statement that . . . they will not reveal information to other people in their own organization or anywhere else, and that they will not discuss it except with people who have the required clearance.' To foreclose any too indiscreet questions, Dr. Dryden stated right in the beginning of his testimony: "We cannot spell out by chapter and verse the details which we get from the intelligence agency. The Congress has available to it the power to ask the CIA to give you a briefing directly on these matters, but I am not free to transmit the information in detail."<sup>33</sup>

When Congressman Reid (R., N.Y.) asked Dr. Dryden about Mr. Webb's letter to the two chairmen of the Space Committees, just dealt with, Dr. Dryden answered: "The matter of the declassification of this particular information was handled at the highest levels of Government. NASA was represented in the discussions. The group dealing with the release decided to release it in this particular way. Now, I might tell you that today I believe there will be a second exception, and a release of information on Soviet failures, in this case, connected with the U.N. registration problem. The Soviet have failed to announce certain launches which have left objects in earth orbit."<sup>34</sup>

When Mr. Reid asked Dr. Dryden whether he could give the committee some more specific information on the number of Soviet peaceful launches that were failures, Dr. Dryden said: "I am afraid that this information that you can get from a presentation from the CIA, but when I get such information I am not authorized to pass it even to members of NASA. There are about



a dozen people in NASA who are cleared to receive this type of information."<sup>28</sup>

This was another admission—this time under oath—that there are Soviet failures in space kept secret by the Government. It was a reference to what Finney in his article in the New York Times had called "the other drawer."

Ultimately, Congressman Reid, angered by the endless evasions and gobbledygook in Dr. Dryden's answers, summarizing the feeling of the subcommittee and the American people, categorically stated that the American people "could be told and should be told much more. But leaving that question aside for the moment, in my judgment NASA may not have fulfilled its full responsibilities. It may have been derelict and indeed it may have damaged the administration and the effectiveness of our foreign policy to the extent it has not assessed or assessed in conjunction with the President the shortcomings of the Soviet effort, because if you make the Soviets 10 feet tall, and you know that they are not, then you have advanced Soviet foreign policy unwittingly." It seems to me that serious consideration should be given to fully informing the American people and the rest of the world that the Soviets had had, from your testimony today, very real and serious space failures."<sup>29</sup>

The crucial question of manned failures, suffered by the Russians, came up during Dr. Dryden's testimony only once:

Mr. Moss: "They (the American people) have been told very recently that Russia had a number of manned failures."

Dr. Dryden: "Not by an official of the Government."

Mr. Moss: "That is right, not by any official of the Government."

Dr. Dryden: "And to the best of my knowledge I might say there have been no such failures."

Mr. Moss: "That is fine, but now you have an interesting—"

Dr. Dryden: "I so stated to the press when asked about it."

Mr. Moss: "Yes, I realize that. I have followed that."

Dr. Dryden: "We have no information that they have had a manned failure. This is a story which originated in Czechoslovakia. It has been repeated every few months."<sup>30</sup>

Unfortunately, Dr. Dryden's statement that "to the best of my knowledge . . . there have been no such failures" has not been questioned by the subcommittee. Nobody asked Dr. Dryden what he meant by the phrase "to the best of my knowledge." Did it imply that even he did not necessarily get all the information available to the C.I.A. about Soviet failures? Nobody pressed Dr. Dryden in respect to the indications of Soviet manned failures as suggested by the events of 1960, while Khrushchev was in New York and of 1961, as revealed by the prematurely published Soviet news release in the London Daily Worker. Nobody cared to confront Dr. Dryden with the statements on "Soviet Murder in Outer Space" by people in the know as Overton Brooks, Senator Henry M. Jackson, Ltd. Col. Paul D. Hickman and others. What would his answers have been? Nobody even cared to ask Dr. Dryden why he implied that the news release by the Italian Continental Agency should necessarily be considered as a lie. It is well conceivable that some high-ranking Czech Communist, disgruntled over Moscow's tutelage and censorship, leaked not a lie but the truth to the Italian agency. (As even the notorious liar Dr. Joseph Goebbels did not lie when he declared in April 1943, that the Soviets had killed the Polish officers found in the mass graves at Katyn. The veracity of this statement had been for many years emphatically denied by President Roosevelt and the Department of State.)

More indications of Soviet manned space failures came to light in 1965. On October 4,

1965, the "Electronic News" printed a statement "Death in Space" in which it said: "The Russians have lost 10 cosmonauts, including one woman, in faulty space shots, a top NASA official said last week."

In the same year the celebrated "Penkovskiy Papers" appeared. This book was based upon the intelligence reports transmitted by Oleg Penkovskiy, a high official in the Soviet military intelligence (GRU), a man whom President Kennedy apostrophized during the Cuban missile crisis, as our best informer about Soviet military affairs inside the Soviet Union, and upon whose information about the workability or non-workability of the Soviets' rocket systems President Kennedy based his nuclear ultimatum to Khrushchev, a man who had paid with his life when he was sentenced to death and shot in Moscow on May 11, 1963.

"The Penkovskiy Papers" was undoubtedly checked and double-checked not only by British Intelligence but also by the C.I.A. before its publication was okayed.

What has Penkovskiy to say about Soviet space failures?

On page 339, we can read: "Several sputniks were launched into the stratosphere and never heard from again. They took the lives of several specially trained astronauts."

And again on page 342: "There were several unsuccessful launchings of sputniks with men killed prior to Gagarin's flight. Either the missile would explode on the launching pad, or it would go up and never return."<sup>31</sup>

As the ultimate indication of Soviet manned space failures, I rely upon a document which was leaked by the C.I.A. to the two Washington correspondents Robert S. Allen and Paul J. Scott and published in their widely distributed column "The Allen-Scott Report."

Before dealing with this document, I want to say a few words about Washington "leaks" in general and Allen-Scott in particular.

The "leak" is a legitimate instrument of the Administration to convey a certain truth to the people which for one reason or another, justified or unjustified, will not be officially released. President Roosevelt was a master in using this instrument. So was President Kennedy. I believe that a "leak" from any Washington high official has very rarely, if ever, turned out to be a lie. In fact, I do know a single case. But I know of many cases when the leak was later officially confirmed by a Government statement. In contradistinction to such a "leak", official pronouncements by Government spokesmen often contain pure lies as it was shown in the celebrated case of Mr. Arthur Sylvester, Assistant Secretary of Defense for Public Affairs who even publicly maintained that the Government has sometimes the duty to lie.

As to the Washington Reporters Allen and Scott: I have followed their column for many years without having discovered a single report of a non-existing fact. However, many of their astounding scoops have been confirmed by the Government, some two or three years after they had appeared in the "Allen-Scott Report," solely due to "changed circumstances." I, therefore, do not doubt that they have seen a genuine C.I.A. document before they wrote their column which appeared in so many American newspapers, early in February 1967.

I am fortunate to report on good authority that the C.I.A. memorandum to the President, informing him that the Soviets had lost 11 cosmonauts in orbit or on launching pads—before the Komarov tragedy of April 24, 1967, a failure, admitted by the U.S.S.R.—was made available to Allen-Scott by the same C.I.A. high official who had "leaked" to them in 1962 all the information about the Soviet missiles in Cuba, weeks before these facts were publicly revealed by President Kennedy. Therefore, I do not see any reason to doubt in the least the authenticity

and veracity of the statements made in this document.

With the permission of the Hall Syndicate, distributor of the "Allen-Scott Report", I quote the following parts:

"On the basis of the latest U.S. intelligence data, the Soviet has lost at least 11 Cosmonauts since its first space flight in 1960, which was unsuccessful. This has never been publicly admitted though all the pertinent facts are known to U.S. authorities."

"Significantly, five of the Russian Cosmonauts were killed when their spacecrafts failed to go into orbit after reaching heights of several hundred miles."

"The six other Soviet Cosmonauts lost their lives in a series of mishaps ranging from missiles exploding during countdowns to training incidents involving helicopter crashes."

"These and other details of the Russian facilities are highlighted in a Central Intelligence Agency report prepared for the White House several weeks before the Cape Kennedy disaster that took the lives of Astronauts Virgil Grissom, Edward White and Robert Chaffee."

"The CIA study reveals that the U.S. has radio intercepts of the frantic efforts of Soviet ground controllers to contact their Cosmonauts after their spacecraft failed into orbit."

"These voice recordings, as well as records of the simultaneous tracking of the spacecrafts, have given the United States indisputable proof of the tightly guarded fatal Russian space accidents."

"Several of the cosmonauts' deaths have further been confirmed by scientists in Iron Curtain countries, and a CIA source who is described as 'our most accurate informer on the Soviet space program.'"

"While it has been U.S. policy not to make official announcements regarding fatal Soviet space accidents, the Cape Kennedy tragedy may change this."

"Under discussion by an inner Administration intelligence committee is a proposal to provide the House and Senate Space Committees with publishable CIA findings of such Russian mishaps."

"Also being deliberated in submitting to these committees during their inquiries of the Cape Kennedy tragedy a report on the 11 Soviet space deaths. One purpose would be to demonstrate that the U.S. space program is still by far the safest."<sup>32</sup>

Concluding this article, I should like to state that I believe that the indications of Soviet manned failures in space, in orbit or on launching pads, fully justify either a Congressional investigation into the subject or a reconsideration by our Government of its secrecy policy concerning Soviet space failures. Such long overdue reconsideration should result in opening the secret files to the American people who, after all, pay the billions of dollars for our own space program and who have the right to know the truth.

#### FOOTNOTES

<sup>1</sup> "Space Log," compiled by Thompson Ramo Wooldridge Space Technology Laboratories, Redondo Beach, California, published in *Space Horizons*, Vol. 1, No. 1, 1965, p. 90.

<sup>2</sup> *The New York Times*, May 15, 1960.

<sup>3</sup> James Mills, "Russian Murders in Outer Space," *True*, June, 1961.

<sup>4</sup> *Ibid.*

<sup>5</sup> *Ibid.*

<sup>6</sup> *The New York Times*, September 26, 1960.

<sup>7</sup> J. Gordon Vaeth, "When the Race for Space Began," *Congressional Record*, vol. 113, pt. 12, p. 15657.

<sup>8</sup> *The New York Times*, September 27, 1960.

<sup>9</sup> James Mills, *Op. cit.*

<sup>10</sup> *Ibid.*

<sup>11</sup> Emphasis mine.

<sup>12</sup> James Mills, *op. cit.*

<sup>13</sup> *Satellite Information from the National Aeronautics and Space Administration*, Ninth Report by the Committee on Government

Operations, U.S. Government Printing Office, Washington, 1965, p. 4.

<sup>14</sup> Ibid., p. 3.

<sup>15</sup> Ibid.

<sup>16</sup> Ibid., pp. 3, 4.

<sup>17</sup> *Government Information Plans and Policies*, National Aeronautics and Space Administration, Hearings Before A Subcommittee Of The Committee On Government Operations, First Session, May 23 and June 6, 1963 (henceforth quoted as "Hearings"), p. 421.

<sup>18</sup> Ibid., p. 422.

<sup>19</sup> Ibid., pp. 423, 424. Emphasis added.

<sup>20</sup> Ibid., p. 427.

<sup>21</sup> Ibid., pp. 448, 449.

<sup>22</sup> *The New York Times*, September 1, 1962.

<sup>23</sup> Hearings, p. 450.

<sup>24</sup> According to the space log, compiled by TRW Space Technology Laboratories, Redondo Beach, California, as published in *Space Horizons*, Vol. 1, Issue No. 1, 1965, p. 90, the radio contact was lost at 4.7 million miles. Decayed on February 25, 1961. The Venus probe was launched from a parking orbit.

<sup>25</sup> Hearings, pp. 450, 451.

<sup>26</sup> Ibid., p. 451.

<sup>27</sup> Ibid.

<sup>28</sup> Ibid.

<sup>29</sup> Not counting the Soviet manned space failures, of course.

<sup>30</sup> Hearings, p. 442.

<sup>31</sup> Ibid. p. 474.

<sup>32</sup> Ibid., p. 463.

<sup>33</sup> Ibid.

<sup>34</sup> Ibid.

<sup>35</sup> Ibid., p. 465.

<sup>36</sup> Ibid., p. 466.

<sup>37</sup> Maybe, wittingly.

<sup>38</sup> Hearings, p. 490.

<sup>39</sup> Ibid., p. 493.

<sup>40</sup> Heg Penkovskiy, *The Penkovskiy Papers*, Introduction and Commentary by Frank Gibney, Foreword by Edward Crankshaw, Translated by Peter Deriabin, New York, Doubleday & Company, 1965, pp. 339, 342.

<sup>41</sup> From the "Allen-Scott Report" as published under the title: "U.S. Intelligence Reveals 11 Cosmonauts Dead" in *Human Events*, February 18, 1967.

## PROPERTY TAX RELIEF FOR THE LOW-INCOME ELDERLY

The SPEAKER. Under a previous order of the House, the gentleman from Wisconsin (Mr. REUSS) is recognized for 30 minutes.

Mr. REUSS. Mr. Speaker, I introduce today, for appropriate reference, H.R. 6883, the Property Tax Relief Act of 1971.

Low-income elderly are probably the hardest hit in the Nation by inflation and rising taxes. The homes they live in were purchased many years ago, when property taxes were low and job income was coming in regularly. But now they are retired on small, fixed incomes, supplemented inadequately if at all by social security payments, while property taxes and living expenses have risen drastically, especially in urban areas. The result is excessive taxes, often as much as one-third of total income.

Yet, moving away from a heavily taxed home is not always a feasible solution. There is often a sentimental attachment to the old familiar property. The task of moving is a burdensome one for the elderly. And at the present time decent yet inexpensive housing is often simply not available.

To meet this problem, H.R. 6883 provides property tax relief to those over 65 with a total yearly income of \$3,700 or less. The relief extends to elderly renters

as well as homeowners—it is assumed that 25 percent of rent payments are in effect for property taxes.

Normally, the relief comes as a credit against Federal income tax. But for those eligible persons whose income is so low that they owe less income tax than the amount of relief due to them, a direct cash refund is substituted for the credit.

The refund or credit is intended to offset only that portion of the property tax that is well in excess of what can be considered a fair burden. It works like this:

Property taxes are considered unusually high if they exceed a certain percentage of household income. This percentage increases as household income increases. After determining the amount of the tax which is excessive, 75 percent of this amount is credited or refunded.

To insure that only truly needy persons receive relief, applicants must list all forms of money income, including nontaxable income such as social security, veteran's disability benefits, public assistance payments, and railroad retirement benefits. In addition, the bill limits the amount of property taxes that can be used in computing relief to \$330. Thus, if a householder has property tax payments of \$400 he can only use \$330 of that in computing his refund or credit.

As one might expect, the upshot of all this is a rather complicated formula. For those who are curious, the formula is in section 1603 of the bill, the text of which follows. The following table lists the size of the credit or refund which is available in some representative cases:

Property tax	Total household income	Credit or refund
\$100	\$1,000	\$63.75
\$200	1,000	138.75
\$300	1,000	213.75
\$100	2,000	7.50
\$200	2,000	82.50
\$300	2,000	157.50
\$100	3,000	0.00
\$200	3,000	0.00
\$300	3,000	56.25

Because the bill is closely modeled on Wisconsin's Homestead Relief Act, a brief look at Wisconsin's experience with the law may be helpful.

The Wisconsin law was passed in 1964 and liberalized in 1966 and 1968. In fiscal year 1970 it provided tax relief of \$7.2 million to 74,000 low-income elderly families, an average payment of about \$97. The total relief granted was less than 1 percent of total property tax collections in the State.

Very few of those eligible had incomes high enough to make them subject to the State income tax, so that 98 percent of the relief was in the form of a direct cash refund.

In addition to relieving the elderly of the burden of excessive property taxes, the law has had important side effects. It has reduced the tendency of local property taxes to force those with less money to pay a higher proportion of their income for taxes. The law has also had a beneficial effect on income distribution, since it in effect transfers income from the general taxpaying population to those who are very poor.

The Wisconsin experiment has been so

successful that the Advisory Commission on Intergovernmental Relations has recommended that all States follow Wisconsin's lead. Minnesota, California, Vermont, and Kansas have done so, and other States have considered similar measures. But there is no need to wait for State legislatures to act. We can make this relief available now by using the Federal income tax system.

## CRISIS IN THE TEXTILE INDUSTRY

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

Mr. MIZELL. Mr. Speaker, in the past few weeks, I have been attempting to keep my colleagues informed of developments in the ever-growing crisis in the American textile industry.

I have cited an instance in Winston-Salem, N.C., a city within my congressional district, in which a textile industry, and its workers, were ruled eligible to apply for Government assistance because the plant had been shut down as a direct result of foreign textile importation.

I have cited another example, in Greenville, S.C., in which a company announced it will close its doors by the first of May, throwing 500 men and women out of work.

I have quoted statistics showing the loss of textile jobs in recent years running in remarkable proportion to the increasing level of foreign textile imports allowed to be brought to this country.

In these and other ways, I have sought to show my colleagues the mounting danger that accompanies this Nation's totally unrealistic present policy of textile trade with such partners as the Japanese, and to show further that the recently announced voluntary restriction proposed by the Japanese textile industry amounts to no restriction at all.

Today, I want to share with my colleagues further evidence of the injury being inflicted on American textile industries, and, indeed upon whole American communities.

The case in point, as reported in the New York Times of Sunday, March 28, 1971, is the community of Roanoke, Ala.

Roanoke was once a thriving community with a firm economic foundation centered on the town's two largest industries, both of them producers of textile products.

Roanoke today is the scene of unbelievably high unemployment, a greatly reduced flow of commerce and trade, and a citizenry gripped with pessimism and despair.

The worst of it, Mr. Speaker, is that the future of Roanoke is going to be even worse. Roanoke is dying, and foreign textile imports are killing it.

Last November, Roanoke's principal industry for the past 70 years—a textile industry—closed its doors after going bankrupt. A total of 844 people lost their jobs.

At the end of this month, another textile industry will cease production—the victim of import competition—and another 440 people will be out of work.



The New York Times reports that 62 percent of all the jobs in Roanoke were eliminated by the closing of these two plants. Roanoke, Ala., at the end of this month will have a 62-percent unemployment rate. It seems like a bad dream to us, but it is a nightmare of shocking reality for the people of Roanoke.

I insert at this time in the RECORD of today the article by Times staff writer Ray Jenkins, and I ask my colleagues to read it carefully and know that textile quota legislation such as I have proposed is imperative. There is no other recourse. The article follows:

**TWILIGHT OF A TEXTILE TOWN—MILLS SHUT,  
62 PERCENT OF JOBS ELIMINATED IN ALABAMA  
COMMUNITY**

(By Ray Jenkins)

ROANOKE, ALA.—While the United States and Japan debate the complex issues of trade quota agreements, this Alabama city of 5,000 is feeling the economic squeeze on the American textile industry in more dramatic and human terms.

Roanoke's second largest industry, the Rolane Manufacturing Company, will cease production of women's panty hose at the end of this month. A total of 440 workers will be out of jobs.

Rolane's closing comes only a few months after an even more devastating blow struck Roanoke, which is in east-central Alabama near the Georgia line. Last November, Handley Mills, Inc., which had been the town's leading industry for 70 years, went bankrupt and put 844 textile workers out of work.

One source estimated that 62 per cent of all jobs in Roanoke had been eliminated by the double blow. And many of the Rolane workers were the wives of men who worked at Handley.

Handley and Rolane are among 50 textile plants in the South that have shut down since 1969 because of bad market conditions, higher prices, high interest, but, above all, competition from foreign textile producers. The Department of Labor has estimated that 27,200 Southern textile workers lost their jobs in 1970 alone.

"And a hundred more plants will close next year if something isn't done," a Handley executive predicted.

Clyde Hartley, manager of the local state employment service, predicts that when Rolane is shut down, the joblessness rate may go above 25 per cent here.

Clyde Pike, 56 years old, is typical of Roanoke's unemployed, except that his situation is complicated by illness. Mr. Pike went to work at Handley Mills in 1930 at the age of 16. At the time the mill closed he was a "slubber tender"—mill jargon for a worker who tends a machine in the yarn-making process.

Mr. Pike was paid according to his output, earning about \$18 a day. For almost 2 years he had worked 7 days a week. "I didn't take off but four Sundays in 20 months," he said.

As did many of his fellow workers, he sought employment in a mill in a nearby textile town. But it was discovered that he was suffering from a hernia, and had to have surgery. As a result, he lost his \$50-a-week unemployment compensation because he was no longer available for work. His savings are now down to about \$100. He thinks his two sons—both of whom have moved from Roanoke—will help out if it becomes necessary.

As do many of his fellow employees, Mr. Pike lives in a small white frame house that was once owned by the mill. He bought the house in 1954 and since then he and his wife have added two rooms, working in their spare time.

Since 1920, financial control of Handley Mills has been in New York. Its last owner was Frank B. Cavanagh, who acquired the

mill in the early nineteen-sixties and began to modernize its machinery and marketing policies.

In 1966 Mr. Cavanagh brought James R. Eichelberger to Handley as general manager. Mr. Eichelberger, whose parents had worked in the mill, went to Auburn University, where he earned a degree in textile engineering.

Mr. Cavanagh spent \$6.5 million over a 6-year period upgrading the mill's antiquated machinery. At times the interest cost was as high as \$800,000 a year.

"We did real well in 1966 and 1967," Mr. Eichelberger said. "But we began to hurt in 1968. It was always a struggle to stay a jump ahead of the import competition. Then in 1969 the bottom sort of fell out. We took a real bath."

Last October the bank notified Handley Mills that no more money would be advanced. The corporation went into bankruptcy in New York, listing debts of \$8,440,188 and assets of \$4,996,328. Mr. Cavanagh, the company president, also filed personal bankruptcy, having put up some \$3.5-million of his own to guarantee the obligations of the mill.

As Prof. Cleveland L. Adams, head of the department of textile engineering at Auburn, sees it: "Our mill owners are trapped. If they don't modernize, they can't compete. If they do modernize, they can't bear the high interest rates of short-term loans."

Mr. Eichelberger said he felt Handley had "turned the corner" and was on its way back to prosperity when the closing came. "But I guess everybody just sort of lost faith." And he added a rueful footnote: "We were just getting ready to move the corporate headquarters down from New York. It would have been the first time in fifty years that control of the mill would have been in the hands of the people living in Roanoke."

The import situation is blamed for the closing of both plants. "Indian imports and put us out of business," a Handley executive said. "There was one big mill in India putting out the same duck [a heavy cotton fabric similar to canvas] that we were making—the duck used in tennis shoes and sneakers. And it's beautiful duck, better even than we made. It's made with better cotton. Our Government gives them the cotton, by the way."

"I predicted nine months ago that Rolane would close," the Handley executive continued, "because I knew Germany was getting into the panty hose production in a big way."

Recently Jonathan Logan Company announced it would open a plant in Roanoke to manufacture women's wear, but it will employ less than 300 and will not be in operation for another three months.

As the expiration of unemployment compensation in May approaches anxiety is growing. "If I walk downtown to get a haircut, it takes me two hours to get back," said Roy Reeves, president of the City Bank of Roanoke. "Everybody's asking, 'What can we do? When will the mill reopen? I tell them we're doing everything we can.'"

Almost every institution has felt the economic disaster. Church collections are down; savings accounts are rapidly being depleted; city revenues are short, and some businesses are closing.

Churches in neighboring towns have organized a "Samaritan Fund," which now stands at more than \$3,000, to handle emergencies among Roanoke's unemployed. Alabama has no general welfare assistance for such people. Moreover, Roanoke has no food stamp program, but does distribute surplus commodities.

Among the mill people one finds a calm, austere fortitude and a stubborn faith that the mill will somehow run again.

One such man is Lumos Looser, who spent his life in Handley Mills. He went to work

there in 1918 at the age of 14. His pay was around \$9 a week for 60 hours, "and you never really did know when you were going to get paid," he said.

"Sometimes we had to go to the office two or three times a week to get our pay," he recalled. Mr. Looser was among those working at Handley when the mill closed for 13 months in 1920. Although his own future is now secure because he draws Social Security, he shares the faith that the mill will reopen soon. "I just don't believe the mill will be closed as long as it was in '20," he said. "I just got that feeling."

The Rev. Ralph Worley, whose Congregational Christian Church is made up largely of unemployed mill workers, thinks the experience "has drawn people closer together." He said: "In all this crisis the greater concern has been for the other person. It seemed like everybody was concerned about somebody else. Of course there has been anxiety, but there hasn't been any despondency. It caused people to become more spiritually minded."

"You know, it might not be a bad experience for the whole country. I don't mean a depression, mind you. But just a little reminder that we can become too dependent upon material things."

**SUBCOMMITTEES NAMED FOR  
BANKING AND CURRENCY COM-  
MITTEE**

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

Mr. PATMAN. Mr. Speaker, the Banking and Currency Committee is now fully organized and I am today releasing the lineup of the committee's seven subcommittees for the 92d Congress. The list includes three new subcommittee chairmen—FERNAND J. ST GERMAIN of Rhode Island, chairman of Bank Supervision and Insurance Subcommittee; HENRY B. GONZALEZ of Texas, chairman of International Finance Subcommittee; and ROBERT G. STEPHENS of Georgia, chairman of Small Business Subcommittee.

Mr. Speaker, I place in the RECORD a copy of the subcommittee assignments for the Banking and Currency Committee for the 92d Congress:

**THE 92D CONGRESS: SUBCOMMITTEES OF THE  
COMMITTEE ON BANKING AND CURRENCY**

**DOMESTIC FINANCE**

Wright Patman, Texas, Chairman.  
Joseph G. Minish, New Jersey.  
Richard T. Hanna, California.  
Tom S. Gettys, South Carolina.  
Frank Annunzio, Illinois.  
Thomas M. Rees, California.  
James M. Hanley, New York.  
Frank J. Brasco, New York.  
Parren J. Mitchell, Maryland.  
William B. Widnall, New Jersey.  
Benjamin B. Blackburn, Georgia.  
Philip M. Crane, Illinois.  
Garry Brown, Michigan.  
Lawrence G. Williams, Pennsylvania.  
Bill Frenzel, Minnesota.

**HOUSING**

William A. Barrett, Pennsylvania, Chairman.

Leonor K. Sullivan, Missouri.  
Thomas L. Ashley, Ohio.  
William S. Moorhead, Pennsylvania.  
Robert G. Stephens, Jr., Georgia.  
Fernand J. St Germain, Rhode Island.  
Henry B. Gonzalez, Texas.  
Henry S. Reuss, Wisconsin.  
Joseph G. Minish, New Jersey.  
William B. Widnall, New Jersey.

Florence P. Dwyer, New Jersey.  
Garry Brown, Michigan.  
J. William Stanton, Ohio.  
Benjamin B. Blackburn, Georgia.  
Margaret M. Heckler, Massachusetts.

## CONSUMER AFFAIRS

Leonor K. Sullivan, Missouri, Chairman.  
Robert G. Stephens, Jr., Georgia.  
Henry B. Gonzalez, Texas.  
Joseph G. Minish, New Jersey.  
Richard T. Hanna, California.  
Frank Annunzio, Illinois.  
James M. Hanley, New York.  
Bill Chappell, Jr., Florida.  
Edward I. Koch, New York.  
Florence P. Dwyer, New Jersey.  
Chalmers P. Wylie, Ohio.  
Lawrence G. Williams, Pennsylvania.  
Margaret M. Heckler, Massachusetts.  
Bill Archer, Texas.  
Stewart B. McKinney, Connecticut.

## INTERNATIONAL TRADE

Thomas L. Ashley, Ohio, Chairman.  
Fernand J. St. German, Rhode Island.  
Tom S. Gettys, South Carolina.  
Thomas M. Rees, California.  
Tom Beville, Alabama.  
Charles H. Griffin, Mississippi.  
Richard T. Hanna, California.  
Edward I. Koch, New York.  
Parren J. Mitchell, Maryland.  
Benjamin B. Blackburn, Georgia.  
Garry Brown, Michigan.  
Albert W. Johnson, Pennsylvania.  
John H. Rousselot, California.  
Stewart B. McKinney, Connecticut.  
Norman F. Lent, New York.

## SMALL BUSINESS

Robert G. Stephens, Jr., Georgia, Chairman.

William A. Barrett, Pennsylvania.  
Leonor K. Sullivan, Missouri.  
Tom S. Gettys, South Carolina.  
Tom Beville, Alabama.  
Charles H. Griffin, Mississippi.  
Bill Chappell, Jr., Florida.  
William R. Cotter, Connecticut.  
Parren J. Mitchell, Maryland.  
J. William Stanton, Ohio.  
Lawrence G. Williams, Pennsylvania.  
Chalmers P. Wylie, Ohio.  
Margaret M. Heckler, Massachusetts.  
John H. Rousselot, California.  
Stewart B. McKinney, Connecticut.

## BANK SUPERVISION AND INSURANCE

Fernand J. St. Germain, Rhode Island, Chairman.

William S. Moorhead, Pennsylvania.  
Frank Annunzio, Illinois.  
Tom Beville, Alabama.  
Charles H. Griffin, Mississippi.  
Frank J. Brasco, New York.  
Bill Chappell, Jr., Florida.  
Edward I. Koch, New York.  
William R. Cotter, Connecticut.  
Albert W. Johnson, Pennsylvania.  
Chalmers P. Wylie, Ohio.  
Philip M. Crane, Illinois.  
John H. Rousselot, California.  
Bill Archer, Texas.  
Norman F. Lent, New York.

## INTERNATIONAL FINANCE

Henry B. Gonzalez, Texas, Chairman.  
Henry S. Reuss, Wisconsin.  
Thomas L. Ashley, Ohio.  
William S. Moorhead, Pennsylvania.  
Richard T. Hanna, California.  
Thomas M. Rees, California.  
James M. Hanley, New York.  
Frank J. Brasco, New York.  
William R. Cotter, Connecticut.  
Albert W. Johnson, Pennsylvania.  
J. William Stanton, Ohio.  
Philip M. Crane, Illinois.  
Bill Frenzel, Minnesota.  
Norman F. Lent, New York.  
Bill Archer, Texas.

## PENN CENTRAL STOCK SALES CALL FOR LEGISLATIVE ACTION ON BANK TRUST DEPARTMENTS

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

Mr. PATMAN. Mr. Speaker, It is urgent that the Congress provide regulatory legislation which will prevent the American public from being duped by bank trust departments and other institutional investors.

Bank trust departments—such as the one operated by Chase Manhattan Bank of New York—were able to unload hundreds of thousands of shares of Penn Central stock on the unsuspecting public because of Congress failure to provide any regulation of trust accounts.

We plan to call up H.R. 5700 for hearings on April 20 in the Banking and Currency Committee as part of the effort to deal with the kind of situations revealed in the Penn Central stock trading.

The shenanigans surrounding the Penn Central collapse are now part of history but it is incumbent on the Congress to make sure that there are not other "inside" operations going on involving the stock of other corporations.

H.R. 5700 has been labeled as the Bank Reform Act of 1971 and it covers a wide range of current banking problems.

It would prohibit interlocking directorates between a corporation and a bank which maintained substantial loan relationships. It also would prohibit individual bank trust departments from holding more than 10 percent of a corporation's stock and would require full disclosure of securities holdings by the bank. It would also prohibit any officer, director, or employee of a bank from serving as an officer or director of any corporation in which the bank controlled more than 5 percent of the stock.

These provisions were drafted before the full report was prepared on the Penn Central stock dealings.

From the extremely serious revelations of the Banking and Currency Committee's report, I now believe that the legislation may have to be strengthened to provide the public sufficient protection. If this is the type of trading engaged in by Chase Manhattan and other bank trust departments, it may very well be necessary to firmly and finally separate trust departments from commercial banking activities.

My suspicion about the bank trust departments was heightened by the type of replies issued to the Banking and Currency Committee study by Chase Manhattan and others.

Chase's answer must be regarded as completely unresponsive to the issues raised in the report and I predict that the Securities and Exchange Commission and the Congress will demand a more direct answer from that institution. It is significant that Chase's public answer did not deal with the timing of the trading outlined in the report but simply listed a number of unrelated events far removed from the dates of the bank's sales of railroad stock.

Chase Manhattan had no explanation for the heavy trading its trust depart-

ment engaged in from May 22 through May 28 of 1970. The bank disposed of 286,600 shares of its stock on these dates, but its public reply contains not a single word of explanation concerning these specific dates and trades. One can only assume that the bank has no explanation.

Comments made by spokesmen for the Continental Illinois National Bank of Chicago came close to topping the nonsensical nature of Chase's response.

Continental tries to explain away its trading by listing events which occurred a month or more ahead of the bank's biggest sales. Surely a sophisticated institution like Continental Illinois is not trying to tell the American public it waited 30 days after what it describes now as "adverse public information."

The public interest would be ill served if the bank trust departments are allowed to make their defenses only in self-serving news releases which dodge the facts of the Banking and Currency Committee report.

Mr. Speaker, I hope that Chase Manhattan—and the other bank trust departments involved in questionable Penn Central stock trading—will be willing to voluntarily come before the Banking and Currency Committee and make their case in open session. In any event these institutions will be given the fullest opportunity to testify on H.R. 5700 next month.

Mr. Speaker, I place in the RECORD a series of newspaper articles based on the Banking and Currency Committee's report which was released yesterday:

[From the Washington Daily News, Mar. 29, 1971]

PENN CENTRAL UNLOADING: MANY SHARES WERE SOLD WITH EITHER THE GREATEST CLAIRVOYANCE OR ON BASIS OF INSIDE INFORMATION

(By Robert Dietsch)

A House Banking committee report today suggested the "strong possibility" that seven institutions—including some of the nation's largest banks—used inside information to sell 1,825,158 shares of Penn Central stock just before the giant railroad went bankrupt.

During the 82 days before the bankruptcy was revealed to the public, Penn Central stock sold for between \$23.375 and \$11.125 a share. One the day of the public announcement the price plunged to \$6.50 a share.

The committee report, the fifth in a series of investigations into the Penn Central failure, stopped short of directly accusing the institutions of using confidential information to their advantage.

But Committee Chairman Wright Patman, D-Tex., said: "It is obvious that many of these sales were undertaken with either the greatest clairvoyance or on the basis of inside information about the (railroad's) future prospects."

## PUBLIC IN DARK

Rep. Patman said the "investing public"—which presumably bought most of the shares sold by the institutions—"was kept in the dark while bank trust departments and other institutional investors unloaded hundreds of thousands of shares of stock in the now-bankrupt Penn Central."

The sales discussed in the committee report took place between April 1 and June 19, 1970. During this period, according to the committee report, Penn Central officials met privately with administration officials and bankers in unsuccessful attempts to keep the railroad solvent.

The public learned of the bankruptcy on



Monday, June 22, 1970. There was no stock trading on June 20 and June 21—a Saturday and Sunday.

The report said that between May 1 and June 19 the institutions accounted for 53 per cent of the total Penn Central stock sales on the stock exchanges. (A few shares were traded in the over-the-counter markets).

The report cited large stock sales by nine institutions, but said investigations failed to show any direct relationships between two of the institutions and Penn Central or that these two institutions—Security Pacific National Bank of Los Angeles and United States Trust Co., a New York bank—had any unusual access to inside information.

The other seven institutions discussed in the report were Chase Manhattan Bank and Morgan Guaranty Trust Co., both of New York and the second- and fifth-largest banks in the country, respectively; Continental Illinois National Bank of Chicago, the nation's eighth-largest bank; Provident National Bank of Philadelphia (Penn Central is headquartered in Philadelphia and Provident National is sometimes known as the bankrupt carrier's major banker); Alleghany Corp., a Minneapolis-based holding company; Investors Diversified Services, a mutual fund controlled by Alleghany Corp., and Investors Mutual Inc., another mutual fund linked to Alleghany and IDS.

#### AGENCIES ASSAILED

Rep. Patman criticized the Securities and Exchange Commission the Interstate Commerce Commission and the administration for not keeping a better watch on Penn Central's deteriorating money troubles and for not alerting the "investing public" to the troubles known only to insiders.

And he recommended that the SEC, ICC and congressional committees investigate the Penn Central stock sales by alleged "insiders."

"The trading in stock of a company on the basis of nonpublic events involves very serious legal and ethical questions that must be resolved," the report concluded.

The report said the seven institutions doing the heaviest stock selling had financial ties with Penn Central, had their own officers sitting on Penn Central's board or other railroad committees and "participated in endless negotiations in which the innermost secrets of Penn Central were revealed."

"The (stock) trading patterns make it very plain that these institutional investors knew something that the general public did not in the critical hours of Penn Central's demise," it added.

#### SHARP TRADING INCREASE

The study showed that trading in Penn Central stock picked up sharply when word began to spread behind the scenes that the giant carrier was in deep financial trouble. In May 1970, 2,758,426 shares were traded, more than four times the usual monthly volume. Between June 1 and June 19, 1970, 2,252,730 shares were traded.

The report said that between May 1 and June 19, the seven institutions with special ties to Penn Central sold 1,825,158 shares of the railroad's stock. The other two institutions, Security Pacific and United States Trust, sold 66,517 shares. During April, 1970—before Penn Central's troubles really began to be known even to insiders—these nine institutions sold only 74,500 Penn Central shares.

The report said between May 19 and May 27, Penn Central officers were busy backstage outlining their money woes to government officials and bankers. Penn Central had sought a loan or loan guarantees from the administration but was turned down.

On the morning of May 27, the study said, Penn Central directors learned of management's decision to call off the sale of \$100 million worth of securities. Penn Central's finances were so shaky that the securities

just couldn't be marked without government guarantees. It was the cancellation of the securities sale, coming on top of Penn Central's other financial troubles, that brought on the bankruptcy.

But the public, according to the study, didn't learn of the security sale cancellation until 1:20 p.m. the next day, May 28. Between the private and public announcements, the report said, there were "massive" stock sales by the institutional insiders.

#### SOLD IT ALL

By the end of stock trading on May 27, the report said, Alleghany Corp., Investors Mutual and IDS "had disposed of all of their stock in Penn Central. Together, they sold 330,600 shares that day."

On May 27, Chase Manhattan sold 31,700 shares, Continental Illinois 9,500 and Security Pacific 600 shares. All told, the institutional selling, the report said, "accounted for 100 per cent of Penn Central stock sales on stock exchanges for May 27."

Rep. Patman, a long-time critic of banks, was particularly critical of Chase Manhattan. He said in a statement accompanying the report:

"Chase Manhattan maintained an interlocking directorate with Penn Central, held \$50 million of the company's debt and was a member of one of the bank steering committees involved in the negotiations for government financing of the railroad."

"The first big bloc of stock sold by Chase Manhattan was on May 22, 1970, when it dumped 134,300 shares. These transactions came 24 hours after David Bevan, chief financial officer of Penn Central, had met with representatives of various banking institutions to discuss Penn Central's financial condition and to reveal the corporation's intention to postpone the \$100 million debenture offering."

"Chase Manhattan disposed of 309,200 shares of Penn Central stock in May, 1970, and 109,700 in the first two and a half weeks of June. In contrast, Chase had sold only 17,400 shares in April."

The report said two directors of Morgan Guaranty Trust also were directors of Penn Central and that the bank was a big Penn Central debt holder. The report said Morgan Guaranty sold 335,700 Penn Central shares between May 29 and June 10.

Continental Illinois in mid-1970 held more than \$23 million of Penn Central debt and—like the two New York banks—was a member of a bank steering committee whose members held considerable railroad debt and met frequently with Penn Central officers.

Fred M. Kirby, who until March, 1970, was chairman and president of Alleghany Corp., was also a director of Penn Central. Mr. Bevan, Penn Central's financial chief, was on the boards of both Penn Central and Provident National Bank. So was John Seabrook, chairman of International Utilities Corp. William Gerstnecker, a former Penn Central officer, was vice chairman of Provident until January, 1971.

In criticizing the administration for not making public the results of its meetings with Penn Central, Rep. Patman said:

"On one occasion, more than 100 officials from several score commercial banks, representatives of Penn Central, Federal Reserve Board officials and Treasury Under Secretary Paul A. Volcker gathered together to discuss the financial future of the now rapidly declining railroad. These meetings created great opportunities for the transmission of the most vital inside information about the Penn Central complex."

"Despite these meetings and discussions, members of the administration made no attempt to warn the investing public about the true nature of Penn Central's condition. At the same time, it is obvious that institutional investors holding hundreds of thousands of shares of Penn Central stock were given a complete rundown of Penn Central's

finances and future prospects in these meetings."

[From the American Banker, Mar. 29, 1971]  
HOUSE BANKING REPORT SAYS BIG BANKS SOLD PENN CENTRAL STOCK JUST BEFORE BANKRUPTCY

(By Robert Dowling)

WASHINGTON.—Accusations of large sales of Penn Central Co. stock by major financial institutions just before the corporation filed for bankruptcy last June 21, were leveled Monday in a study prepared by the staff of the House Banking and Currency Committee.

The report did not charge outright violations of insider trading rules, but it did contend that the stock sales were made "on the basis of either great clairvoyance or inside information."

(The institutions involved categorically denied any violations—see adjoining story.)

The report, which analyzed the transactions of nine institutional investors, charged that at least seven, including four banks, had participated to varying degrees in "questionable" sales of stock of the company, which correlated closely with key "non-public events" of the type that produced valuable "insider" information.

Those critically named were the \$21.2 billion-deposit Chase Manhattan Bank, NA, the \$9.5 billion deposit Morgan Guaranty Bank & Trust Co., both of New York, the \$1 billion-deposit Provident National Bank, Philadelphia/the \$7.1 billion-deposit Continental Illinois Bank & Trust Co., Chicago; Allegheny Corp., an investment holding company; Investors Mutual, Inc., and Investors Diversified Services, two mutual funds closely related to Allegheny.

Two other banks, studied but not criticized, were the \$7 billion-deposit Security Pacific National Bank, Los Angeles and the \$388.1 million-deposit United States Trust Co., New York.

The study, which used figures obtained from Securities and Exchange Commission survey of 250 brokers on Penn Central trading and other data from subpoenaed records, singled out for its sharpest criticism the Chase Manhattan Bank, which it said at times accounted for nearly all the sales by the nine institutions during periods in question.

From May 19 to May 27, a period in which the company made no disclosures to the investing public of its worsening financial condition, Chase Manhattan alone, through sales by its trust department, sold 262,300 shares Penn Central stock, the report charges.

The sales, the study said, occurred amid a series of non-public events that were "critical" to the future of the company. The non-public classification is a Securities and Exchange Commission designation for a development not made known to the general investing public through the news media, letters to shareholders, and so forth.

From May 19 to May 27, four such events took place, the report says, all of them involving meetings between banking and government officials and officers of the Penn Central. The first on May 19, was a meeting between the Penn Central's chairman, Stuart Saunders, and then Treasury Secretary David M. Kennedy, at which a government loan guarantee for the company was discussed.

The second, two days later, involved another Penn Central official, David Bevan, the company's chief financial officer, who met in New York with officials of two New York banks, the \$21 billion-deposit First National City Bank and the \$9 billion-deposit Chemical Bank. This time, both the worsening financial condition of the railroad and postponement of a proposed bond offering were topics, the report said.

A third meeting, the report said, occurred on May 26, when Mr. Bevan returned to discuss the company's position with Chemical

and FNGB officials once again, but this time included in the discussion lawyers for 53 banks participating in a \$300 million revolving credit agreement with the company.

The last non-public meeting of the series, which occurred the following day, saw directors of the Penn Central agree to withdraw a proposed debt offering of \$100 million, a move of great significance to investors when they finally learned of it the following afternoon, May 28.

Between May 19 and May 28, however, the study said a "handful" of nine institutions, most with close ties to the Penn Central through either director interlocks or credit agreements, accounted for at least 53% of all sales of Penn Central stock sold on the nation's stock exchanges.

The heaviest seller of the group and the one with the closest correlation to the non-public developments, it said, was Chase Manhattan, which had, among other ties, Penn Central's chairman, Mr. Saunders, on its board.

Although the study does not directly accuse the bank of insider trading violations, "it becomes apparent that the trust departments of such banking institutions as Chase Manhattan conducted their massive sales of Penn Central stock on the basis of either great clairvoyance or inside information" and "it is also obvious that Chase Manhattan did not need to be clairvoyant to obtain crucial information about the railroad," the Banking Committee's chairman, Wright Patman, D., Tex., said in foreword to the study.

"Nor should it be forgotten," he said, that sales by Chase and other institutions, which eventually came to 1,861,000 shares before the railroad went bankrupt June 21, were, "in many cases, if not most, made to unsophisticated and unsuspecting members of the investing public" who "can rightfully feel that they were victims of a massive shell game carried on by financial entities in a position to know the innermost financial secrets of the Penn Central organization."

The report, which sharply criticized government regulatory agencies, the White House and members of the financial press for laxity in protecting the public, breaks down institutional investor selling in Penn Central in the following manner:

The broadest period surveyed was from April 1 to June 21, the day the company's railroad subsidiary and chief operating divisions, the Penn Central Transportation Co., gave up attempts to get a government guarantee for new bank financing and began bankruptcy proceedings.

Within this period, all nine institutions studied, including Chase, accounted at various times for large block trades, sometimes individual, making up as much as 77% of all Penn Central shares sold on a given day. Altogether, from April 1 through June 19, these institutions accounted for at least 33% of all Penn Central stock sold, the report said.

Within this group, there is a strong possibility at least four institutions traded on the basis of certain non-public events based on sales surrounding days on which they had access to important but privileged financial information about the company, the study says.

The four—Chase Manhattan, the Allegheny Corp., a diversified investment holding company, and two mutual funds in which Allegheny has large interests, Investors Diversified Services and Investors Mutual, Inc.—accounted for the bulk of the trading during the May 19-27 period, it notes. All four were in key positions to learn what was going on with Penn Central, it was added.

Allegheny, and its two funds, which emptied their portfolios of the stock during the period had a director interlock with the \$11 billion-deposit Manufacturers Hanover Trust Co. of New York, a major

Penn Central creditor participating in the railroad's credit agreement meetings. Also, until last March, Allegheny's president, Fred M. Kirby, was on the board of Penn Central.

On May 27, the day the Penn Central board withdrew its debt offering, thus signaling the financial community the following day that it was in trouble, Allegheny and its related companies sold 330,600 shares, an amount equal to 92% of all Penn Central stock sold that day, the study said.

Chase, although not at the May 21 meeting of banker creditors with the railroad, likewise managed to sell much of its holdings in the company during the same period. Altogether, its sales during the trading period of May 19-27 amounted to 60% of all selling by the banks from April 1 through June 19, the analysis showed. Further comparison of selling from discretionary accounts with that from accounts over which the bank exercises no control, showed non-discretionary selling almost static during the period—275,997 shares in April against 276,198 shares in June.

During this time, the study said, Chase had at least four ties to the company. One was through a director interlock with Mr. Saunders, Penn Central's chairman, who served on Chase's board. Another was through its loans to the company, totalling \$50 million. A third was its membership on a bank steering committee aiding the railroad in its quest for government-backed financing. Another was through its deposit relationship with the company, reflected in an account Penn Central kept with the bank totalling about \$5 million.

Three other banks, the report said, raise "serious questions" regarding their trading activity, although "the exact basis" for some of the stock sales "is not discernible from available information." The banks—the \$7.1 billion-deposit Continental Illinois National Bank and Trust Co., Chicago, the \$9.5 billion-deposit Morgan Guaranty Trust Co., New York, and Provident National—all had various ties to the railroad and could have benefited from privileged information, however, the report said.

Mr. Bevan, Penn Central's former head of finance, was a director of Provident until two weeks before the company filed for bankruptcy. Another interlock, the study said, was through John Seabrook, chairman of International Utilities Corp., who is a director of both Penn Central and Provident.

In the case of Continental Illinois, the report said, heavy stock sales occurred in early June after a recommendation from the bank's stock selection committee urged dumping Penn Central shares. Although Continental Illinois had no director interlocks with the company, it was a member of a 10-bank steering committee guiding the railroad and had loans outstanding to the company of \$23 million.

Morgan, the study said, had two common directors with Penn Central—John T. Dorrance, chairman of the Campbell Soup Co. and Thomas L. Perkins, a lawyer. Morgan had about \$35 million in Penn Central debt, was a member of the steering committee of banks and held about the \$6 million of Penn Central funds in various deposit accounts. From May 29 to June 10, Morgan sold 335,700 shares of its Penn Central's stock, in procedure that bypassed the approval of its committee on trust matters.

Material subpoenaed from the bank did not clearly show the basis for these sales, however, nor did it reveal whether the stock was held in a discretionary or non-discretionary account, the report said.

Two other banks were generally absolved in the study. One, the \$7 billion-deposit Security Pacific National Bank, Los Angeles, showed no "apparently noticeable relationship" between its large sales and non-public events in material submitted, the study

said. The other, the \$388.15 million-deposit United States Trust Co., New York, actually increased its holdings in the company from April through June by 2,500 shares although it did not indicate whether these were bought on its own judgment or for a non-discretionary account, the report showed.

[From the New York Times, Mar. 29, 1971]

TRADING IN STOCK OF PENN CENTRAL DRAWS CRITICISM—PATMAN CALLS FOR AN INQUIRY INTO NINE INSTITUTIONS' SELLING AS BANKRUPTCY NEARED

(By Robert E. Bedingfield)

Wright Patman, chairman of the House Banking and Currency Committee, has called for an investigation by Congress and by Federal regulatory agencies into the propriety of trading in the stock of the Penn Central Company by nine leading institutions during the period from April 1, 1970, to June 19, 1970.

June 19 of last year was a Friday. The following Sunday, June 21, the company's railroad-operating subsidiary, the Penn Central Transportation Company, filed for reorganization under Section 77 of the Federal Bankruptcy Act.

The institutions whose trading in Penn Central stock Mr. Patman questions because they "knew something" that the general public did not in the critical hours of the Penn Central demise are the Chase Manhattan Bank, the Morgan Guaranty Trust Company, the Continental Illinois National Bank and Trust Company, Investors Diversified Services, Inc., the Allegheny Corporation, the Provident National Bank (Philadelphia), the Security Pacific National Bank (Los Angeles) and the United States Trust Company.

#### STATISTICS GIVEN

In a 27-page report, which Mr. Patman is releasing this morning, the Texas Democrat discloses that these nine institutional investors alone disposed of 1,861,000 Penn Central shares between April 1, 1970, and the giant railroad's collapse last June 21.

"It is obvious that many of these sales were undertaken with either the greatest clairvoyance or on the basis of inside information about the corporation's future prospects," Mr. Patman charges.

He says that the sales were "undoubtedly to unsophisticated and unsuspecting members of the investing public."

#### SHELL GAME SEEN

The purchasers of the shares, "can rightfully feel that they were victims of a massive shell game carried on by financial entities in a position to know the innermost financial secrets" of the Penn Central organization.

Mr. Patman finds a broad range of culprits in his charge that too many investors were in an "unsuspecting" state for so long over the Penn Central's problems. His report, the fifth in a continuing series, lists the culprits this way: the Securities and Exchange Commission, the Interstate Commerce Commission, the Nixon Administration and the press.

In citing examples of how "a number of private and public institutions failed the public miserably," the Patman report asserts there is no evidence that the S.E.C. "either collected or disseminated" information to the public about unusual trading in Penn Central stock during the spring of 1970.

#### COMMENT ON ICC

The I.C.C., the Congressman contends, was certainly in the best position to know the internal problems of Penn Central and to be aware of its close association with key institutional investors.

If the I.C.C. did not have the information, Mr. Patman asserted, "the agency must be changed with gross incompetence." He continues that, if the I.C.C. had the information but "failed to act and failed to inform the



public, it was sadly remiss—if not legally negligent."

As to the Nixon Administration—which offered last June 9 to put the Government's credit behind the Penn Central by guaranteeing its bank loans but which 10 days later withdrew that pledge—Mr. Patman criticizes the Administration for having "made no attempt to warn the investing public about the true nature of Penn Central's condition."

#### INSTITUTION'S ROLE

At the same time, the Congressman charges, "It is obvious that institutional investors holding hundreds of thousands of shares of Penn Central stock were given a complete rundown of Penn Central's finances and future prospects."

The press is faulted by Mr. Patman and his staff because "until just before the bankruptcy" it had given "little indication" that Penn Central was near collapse or that Administration officials "had been engaged in long negotiations with banks and Penn Central officials."

The Patman report emphasizes the extent of trading in Penn Central stock last spring by the Chase Manhattan Bank which, the report stresses, maintained an interlocking directorate with Penn Central and held \$50-million of its debt. The bank, the report detail, sold 436,300 Penn Central shares between April 1 and the bankruptcy filing of June 21.

#### OTHER SALES CITED

The report also singles out the sale of a total of 590,800 shares during the spring period by the Allegheny Corporation and the two mutual fund organizations it controls—the Investors Mutual Fund and Investors Diversified Services.

Mr. Patman's staff notes that Fred M. Kirby, chairman and chief executive officer of Allegheny, was a Penn Central director until March, 1970, and is chairman of the board of I.D.S. The staff report also observes that Allegheny had other director interlocks with Penn Central.

The report acknowledges that "special emphasis" is placed on Chase Manhattan's trading between April 1, 1970, and last June 21, of 436,300 shares of Penn Central. It notes that, while the Chase bank sold only 17,400 shares of Penn Central during April of last year, it disposed of 309,200 shares in May including 286,000 between May 22 and May 28, and sold 109,700 more shares in the first two and one-half weeks of June.

The Chase Manhattan Bank yesterday issued a statement in which it said it "emphatically denies" that any sales it made of Penn Central shares under its administration for clients was based on "inside" information.

The bank explained that prior to its sale of Penn Central stock, held for its clients, "a number of very significant" development occurred.

It cited the issuance of the company's report on April 22, 1970, of a \$62.7-million loss by the railroad-operating subsidiary in the first quarter of last year; the issuance on April 27 of a preliminary prospectus for a \$100-million debenture issue, which "revealed the need for substantial financing," and the issuance of another prospectus on May 12 "which disclosed that Penn Central was having very substantial difficulties in rolling over its commercial paper."

[From the Wall Street Journal, Mar. 29, 1971]

#### PATMAN CHARGES PUBLIC WAS KEPT IN DARK AS BANKS, OTHERS SOLD PENN CENTRAL STOCK

Chairman Wright Patman of the House Banking Committee charged that the investing public was "kept in the dark" while banks and other institutional investors unloaded hundreds of thousands of Penn Central Co. shares in the weeks before the railroad's financial collapse.

The Texas Democrat's contention was based on a committee staff report analyzing the sale of 1,861,000 Penn Central common shares by nine institutional investors between April 1 and June 21, when Penn Central Transportation Co. filed for reorganization under the federal bankruptcy laws. Penn Central Transportation is the railroad subsidiary of Penn Central Co.

"It is obvious," said Rep. Patman in Washington, "that many of these sales were undertaken with either the greatest clairvoyance or on the basis of inside information about the corporation's future prospects."

He said many of the institutions maintained "interlocking" directors with the railroad, engaged in "massive loan agreements" with Penn Central and "participated in endless negotiations in which the innermost secrets of Penn Central were revealed." Some of the institutions, he said, had access—ahead of the general public—to "the kind of data that would either make or lose millions of dollars in the stock market before the company collapsed."

#### DECLINED OR DENIED COMMENT

The nine institutions whose Penn Central trading patterns were covered by the study are Chase Manhattan Bank, New York; Continental Illinois National Bank & Trust Co., Chicago; Provident National Bank, Philadelphia; Security Pacific National Bank, Los Angeles; U.S. Trust Co., New York; Morgan Guaranty Trust Co., New York; Allegheny Corp., Baltimore; Investors Diversified Services, Minneapolis; and Investors Mutual Inc., Minneapolis.

Several of the institutions denied they had acted on inside information. Some others declined comment until they had a chance to study the report.

The report discusses in some detail the trading activity of Chase Manhattan's trust department, which sold 436,300 Penn Central shares in the period under study. The staff notes that Penn Central's president at the time, Stuart Saunders, was a director of Chase Manhattan; that Chase Manhattan held \$50 million of the company's debt and that the bank was a member of a bank steering committee involved in negotiations for government financial assistance for the road.

Chase Manhattan sold 134,300 shares on May 22, the report said. This was a day after David C. Bevan, then Penn Central's chief financial officer, had met with representatives of various banking institutions to discuss the road's financial condition and to disclose that Penn Central planned to postpone a \$100 million debenture offering, according to the report.

#### DESCRIBED AS "INTERESTING"

The report said that while Security Pacific and U.S. Trust each sold more than 30,000 Penn Central shares during the period, neither of these institutions apparently had any relationship with Penn Central.

Mr. Patman described it as "interesting" that Chase Manhattan, with its ties to Penn Central, disposed of 436,300 shares during the period while U.S. Trust, which hadn't any known ties to Penn Central, "actually had a net increase of 2,500 shares of Penn Central stock" during the period.

According to the report, information supplied by Chase Manhattan shows that almost all the Penn Central shares it sold were from the bank's discretionary trust accounts—those for which the bank makes investment decisions—and that there were almost no Penn Central sales during the period from Chase Manhattan's nondiscretionary trust accounts.

The report said a Penn Central directors meeting last May 27 was a "key incident" affecting the company's financial outlook. It was then that directors were informed that the proposed debenture offering was being withdrawn and that the company would seek government aid.

Withdrawal of the offering wasn't announced publicly until the afternoon of May 28. But on May 27, the report said, Allegheny and its two mutual fund affiliates—Investors Diversified Services and Investors Mutual—sold their entire Penn Central holdings of 330,000 shares.

The report said these sales—combined with smaller sales by Chase Manhattan, Continental Illinois and Security Pacific—accounted for all Penn Central sales that occurred on stock exchanges that day.

#### FAULTS ICC, SEC, PRESS

The report noted that until March 1970 Fred M. Kirby, chairman and president of Allegheny, was a director of Penn Central.

Regarding the Penn Central transactions of Chase Manhattan, Allegheny, and Allegheny's two mutual fund affiliates, the report said the dates of the sales "coincide so closely with the occurrence of certain highly significant nonpublic events that the possibility of 'pure coincidence' appears extremely remote."

Chairman Patman criticized the Securities and Exchange Commission, the Interstate Commerce Commission, the Nixon administration and the press, saying they all appear to have "failed the public miserably" during the time the Penn Central sales were occurring.

The two agencies and the administration didn't warn the investing public of Penn Central's deteriorating conditions, Mr. Patman said. He added that most of the big nonpublic events affecting Penn Central's finances during the period occurred "under the noses of the largest concentration of financial and business writers in the world." But he said that until just before the collapse, the press gave "little indication" of Penn Central's troubles.

In New York, Chase Manhattan emphatically denied it had used inside information in its sales of Penn Central shares. It insisted the bank has "long had an absolute policy against any flow or incidental communication of inside information that might be received in connection with lending activities."

In a formal statement, Chase Manhattan said it recently undertook "a searching examination of our activities in connection with the sale of Penn Central stock and has found absolutely no indication that the policy of the bank . . . had been breached in any respect whatsoever." It stated that prior to the sale of the shares there were a number of very significant developments concerning Penn Central, "all of which were available to the investing public."

#### U.S. TRUST ALSO DENIES

U.S. Trust in New York also denied "having any information on the Penn Central financial difficulties prior to the public bankruptcy announcement." It called the "limited sale activity in its accounts during the April-June 1970 period normal under the circumstances."

A spokesman for Investors Diversified Services asserted in Minneapolis that the company began to liquidate its holdings of Penn Central stock "well over a year before the bankruptcy." At the time the bankruptcy step was taken, it declared, only a "few tag ends" were still held.

Roger S. Hillas, president of Provident National Bank in Philadelphia, said, "We never had any insider information" about Penn Central's intentions.

Continental Illinois, Morgan Guaranty and Security Pacific declined comment.

#### A DATE FOR SURRENDER BY THE UNITED STATES

(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, we are being asked to support a resolution to end the U.S. involvement in Indochina for the withdrawal of all U.S. forces by December 31, 1971. Apparently a phrase about the release of prisoners on the same date was added as an afterthought to sweeten the package. It requires far-fetched reasoning to associate the withdrawal of U.S. forces with the simultaneous release of Americans who are held prisoner by Communist forces. It is time to call this proposal what it is. It is a resolution of surrender by the United States to the North Vietnamese. I will have no part of this.

There is no possibility of achieving any goal which we have set for ourselves or our allies by establishing an arbitrary date for the withdrawal of our forces. Instead we would place the Communists on notice that as of that fixed date, they would be left free to work their will on Indochina. In the meantime, they would avoid military action, accumulate supplies, even roll over and play dead to keep America quiescent and unsuspecting—but only until December 31, 1971. I can think of no greater encouragement to give to Communist forces than to tell them the United States and all its power will be out of their way on December 31, 1971.

No, Mr. Speaker, we would not be helping those who survived among the American prisoners of war. The Communists would simply hold them as pawns for bigger ransom. Nor can we afford to surrender the millions of Indochinese to communism, not at the price we have paid in blood and treasure to help those people maintain self-determination.

We cannot afford to have it shouted to the world that America's commitments, now and in the future, are worthless. I will not help to engender a bloodbath for Southeast Asia. I will not expose retreating Americans to a North Vietnamese onslaught seeking to gain world headlines for the "rout" of American forces.

All of this we are asked to risk for the sake of achieving a questionable goal of ending the war by an arbitrary date, and nothing more. What a fragile thread upon which to hang the foreign policy of the most powerful Nation on the face of the earth.

We are moving steadily and purposely to an end to the fighting and we are accomplishing it in an honorable way. We can lose all we have gained and make a mockery of every American sacrifice by gambling for popular approval at home. Let us tell it like it is.

#### NO JOY IN MUDVILLE IF TELEVISION STRIKES OUT

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

Mr. UDALL. Mr. Speaker, I propose today legislation that will undoubtedly arouse outrage in the breasts of the owners of professional sports teams. But I hope and believe that it will be good for the family, maybe save some marriages,

perhaps give fathers and sons a chance to know each other, possibly promote participation in sports instead of speculating. And perhaps, just perhaps, it will restore to America one of those little things we have lost in the last decade in our headlong rush into the seventies.

Because this subject is so timely, I want to spend some time talking about it in detail. All of us have heard since the Frazier-Ali fight the uproar of protests about the ironhanded control by promoters through closed-circuit broadcasting and the subsequent public black-out of one of the major sports events of the century.

There is forming a broadbased congressional reaction. Some suggest that we order the Federal Communications Commission to step in and control closed-circuit broadcasting. We could go so far as to order, some have proposed, commercial network broadcasting of any televised sporting event, on the basis of the sale of network rights to the highest bidder.

I recognize the dangers that are growing that a few of the big-money boys may take away from us that sports world which the public obviously loves so well.

But I want to warn of another danger, one that has been growing—grew up, in fact, long before that "fight of the century"—and which threatens in very practical terms to turn the public away from that sporting world in a wave of apathy or disgust.

The threat I see is that our badly needed legislative control of these money men may accent that other, more fundamental problem that has grown during the past decade into the greatest crisis in the sports world.

Unless we are very careful, our badly needed cure to that closed-circuit problem could prove to be a killer for the sports world due to the development of that second, more basic ill.

What I have to say today is timely as well because, as all of us have noticed, the National Basketball Association playoffs are now underway. In case the memory has faded with the passage of time, the season got underway half a year ago, on October 13. If we—and the players—are lucky, April will see the crowning of a champion and both players and fans can take a break.

I say this recognizing that sports have been an important part of my life. As a boy and as a man I have known the joy of sports, the sense of participation both as a rank amateur and, briefly, as a second-string professional. I know the feel of the perfectly synchronized swing of the batter, the exhilaration of a fast break and the final loft of a layup, the snap of the fingertips releasing that perfect spiral sailing for the sandlot touchdown.

My breath comes a little shorter now than it did four decades ago in St. Johns, Arizona. The bruises go a little deeper; Mondays are a little longer, a little stiffer than they used to be. The gentlemanly sport of golf has more appeal for me now than it did in the rough and tumble days of my youth.

But the greatest of the joys of my youth remains. It is the delight of the

seasons, the marking of time by the ebb and flow of the athletic equinox. When I was a boy this rhythm was measured by the approach and passing of a seasonal sport. Football was the season of falling leaves, nostalgic homecomings, the first freeze; basketball was invented, I am told, because there was a need for a team sport that could be played indoors during the long winter. Baseball always meant the arrival of spring.

As a boy baseball meant summer, hot-dogs with mustard, broiling doubleheaders on August afternoons, some wholesome sweat in your shirt and maybe a little indigestion by the final inning. In my youth no boy on the block, absolutely no one, played baseball after Labor Day.

That world—the world that should be our sons'—is a rare and beautiful thing, filled with all of these joys and a mystical wonder. My own sons are growing now, well on their way into manhood. But I can remember how it once was, when spring was marked not by the first budding branch or the first trickle of thawing snow on the downward slope.

Spring came suddenly, wonderfully, when a son picked up his ball and glove and reached out to dad to play that first game of catch.

Some inner, natural force within a boy just knew that the season had changed and that spring was here.

That was the way it once was.

Last year I sweltered in the stands in August, and froze in January, watching professional football. The sports pages overflow now with the news of 24 major league baseball teams, not 16. The Grapefruit League moves earlier into the winter and we have lengthened the season to play those extra teams; we have added playoffs and now the World Series is almost an anticlimax. We watch baseball being snowed out in October, when once the first, blustering storm meant the last kickoff and the start of the basketball season. In 1969 there were eight professional basketball teams—now there are 25. And now that season warms up in September and runs down in April. Now we have 25 professional football teams, not the 21 of 1960.

Expanded leagues mean expanded schedules. Baseball a few years ago played a 154-game schedule. Now the teams play 162 games spread over half a year—before entering those drawn out playoffs. Pro football has inbred a system of conferences and cross-schedules that look more like algebraic equations than a system of testing skill and athletic prowess. Baseball, not to be outdone, in this race for longer seasons and more complex scheduling to postpone the dullness of the late season doldrums, is going the same direction. Next year we'll see six divisions in the two leagues.

We have been provided with a slight break in that schedule, to be sure. It is called February—the shortest month of the year. That is when—for now at least—they play neither football nor baseball. But television does bring us basketball and bowling and wrestling and skating and skiing and hockey, to say nothing of the frenetic tours of professional tennis and golf.



A few weeks ago I picked up the weekly television log and started to count. On a quiet February weekend, in just 2 days, I was offered more than 25 hours of sports programming. On that list there was not a single football or baseball game, and I did not bother to count the "outdoorsman's" shows and the sports interviews.

The jokes about the endless football-watching-weekends of the American male are not funny any more. They have become real, and they are damaging our country, and more importantly, our children.

We are losing those qualities that sports once offered the growing child and the grown adult, and substituting into our daily lives and growth instead the unreal, programed, canned world of television.

My bill simply suggests that we go back to those seasons, and that we take the almighty dollar a little way out of these games. I say this realizing that change is inevitable. I am not a reactionary. I know that the decade that brought us moon rocks, medicare, Vatican II, and Woodstock must inevitably give birth to other changes as well—the domed stadium, instant replay, AstroTurf and the steel tennis racket. The past decade has been good for sports and good to sports. But I am very much afraid that in some ways the 1960's will be recorded in history as the decade that marked the beginning of the end of the tradition and spirit that always made our big sports so resilient.

And if that has happened, the 1960's and 1970's may mark the beginning of the end of our big sports, for Wall Street, Madison Avenue and television—with all of their bucks and executive savvy—are on their way to turning professional athletics into another Edsel.

Virtually every professional sport in this country is now controlled, coached and managed by television. American sports today are big businesses, and getting bigger. Football, baseball and basketball franchises are marketed around the country like so many hamburger stands. New stadiums are being built in cities that cannot afford schools—and sadly, some have stood vacant when owners decided that the cash was greener in another ballpark.

The irresistible attraction of the television dollar is altering every facet of the sports world that has given us so much of our social and cultural history.

How many viewers know that the 1967 Super Bowl saw two kickoffs starting the second half? Due to a commercial the network missed the first—and got—a second start.

The Federal Communications Commission recently investigated the illegal reduction of power by an Iowa television station that cut broadcast coverage one Sunday. The reason? The station was slated to carry the Minnesota Vikings home game, blacked out in the Twin Cities. But tall towers and good antennas could have pulled the broadcast into bars and restaurants of Minneapolis and St. Paul, so the network called the station located half a State away. Reduce power or watch the Detroit Lions was the order.

The Iowa station illegally reduced power.

Viewers with color television sets are in for a chromatic shock this spring. The Chicago White Sox are no more. They will be wearing red socks, and shoes too, and the Baltimore Orioles will be an even more flamboyant orange. The shoes of our Senators—baseball Senators, that is—will be red, white and blue this year. The reason? A better contrast with the overly-green artificial turf will be beaming out of those color tubes.

In a television triple play, a network in the business of broadcasting baseball games ended up the owner of a major league club a few years ago.

Nagging minor points—or symptoms of deeper, more disturbing changes in the entire fabric of the sports world? Here is what a good sports writer, Francis Stann of the Washington Star, says about the change:

Only the very naive have been unmindful that TV has been calling all sports shots for a decade or more. TV dictates the time contests will start, the length of time required to play, say, football, and in the final analysis who makes how much money. Live gate receipts are never unimportant, but what baseball, football, basketball, golf and now tennis and track have going for them is the television dollar. Dollar? The television millions.

There is a pretty good new book on the market devoted to the impact of the television camera on the sports world. It is titled "Super Spectator and the Electric Lilliputians" and it is by a writer named William O. Johnson, Jr. He has provided us with some overpowering statistics.

The television networks are now spending \$150 million a year to cover sports. Rights to televise the combined American Football League and National Football League schedules rose from \$7.6 million in 1963 to \$46 million a year in 1970. A few short years ago the television rights for the entire professional golf tour totaled \$150,000. This year they will gross \$3 million, and they continue to climb as the financial pressure of TV exposure expands and lengthens the tour.

The price war is not limited to professional sports: The American Broadcasting Co. recently paid \$13.5 million to televise the 1972 Olympics from Munich—as the American Olympic Committee continues to scrounge for funds to permit our participation. By the time ABC finances all of their operations at the Olympic games, their total bill can be expected to be in the vicinity of \$20 million.

The rights for NCAA football coverage were only \$3,125,000 a decade ago. In 1970 they totaled \$12 million. Big money and professionalism are encroaching, and college football is in danger of becoming nothing more than an apprenticeship program for the pros.

Listen for a moment to Coach Paul "Bear" Bryant of the University of Alabama:

We think television exposure is so important to our program and so important to this university that we'll schedule ourselves to fit the medium. I'll play at midnight if that's what television wants.

College football is doing a pretty good job of resisting that trend, however, and fortunately for our children, the pressures have respected high school football—at least for the time being. At those levels we still have the seasons, the separation, the spirit of sports. But it is starting at the college level—the rash of bowl games spotting the country offers mute evidence of that, and of the pressures of television.

The costs of this type of exposure can be high. We know what killed boxing. Television consumed and discarded it like a used quiz show. The outrageous orgy of city swapping in professional baseball in the fifties and sixties was triggered by the Boston Braves' bout with television.

After winning the pennant in 1948, the Braves' owners had the incredibly bad business judgment to sell the television rights to all of their home games for the next two seasons—and for almost all of the home games of the two seasons after that—for \$40,000. Overexposed on television at a cutrate price, attendance tumbled. The move was on, first to Milwaukee for \$525,000 in TV rights, and then on to Atlanta for TV and radio rights totaling \$1,250,000 a year.

It is no wonder that the networks are pulling a double reverse and are using athletes as props for advertisers willing to get into that \$200,000 a minute shell game of Super Bowl advertising. Athletes in turn are pulling in contracts designed to double and triple their earnings by appearing before the cameras, clad in Jockey shorts and Pucci ties and 24-hour deodorant.

It is that type of overexposure that now threatens to kill all of the major professional sports in this country, and if that happens, while the networks will just move on to a new form of entertainment, it will be our children and our grandchildren who will be the incalculable losers and who will judge us accordingly.

For the impresarios who are bringing us just one more team, just another week in the season, just a Saturday game and then a Sunday doubleheader and then a Monday night special are starting to be tempted by the rest of the week as well.

The time has come to call the networks offside, and to stop the unnecessary roughness by the money-makers of big time sports. The American people have had just about enough, and soon will say so. Ratings are not a guide, for they tell us only which of the three networks is the most popular—and all too often, the networks offer only sports in competing time slots.

We need the world of the Namaths and the Blandas, the Palmers, the Ashes, the Alcindors, but we need other worlds as well. The American people have a right to watch athletics if they wish, but what of the rights of people who would rather watch Gomer Pyle or Leonard Bernstein than Sonny Jurgensen? While our overexposure of sports on television all too often prevents that variety, it also raises the threat, ironically, of killing the sports world as well.

Baseball survived, just barely, the Black Sox scandal, but if the money men

of athletics keep pushing the public in their pursuit of just one more buck, we will see within this decade a backlash and a bodyblow that will mark the demise of big time sports as we know them.

Just over 20 years ago the New York Yankees fittingly chose Joe DiMaggio to be the first genuine \$100,000 a year athlete. This year, we have, as an absolute minimum, 34 basketball, football and baseball players in that class—16 of them in baseball alone. One major league owner says:

By my count there are between 75 and 80 players in the \$50,000-and-up bracket, and that kind of money isn't coming in to the clubs.

The age of the \$200,000-a-season man is just around the corner.

The American people, if pushed too far, may vote with the off switch. It happens seasonally in television tastes; television can survive such a walkout. But sports, bouyed by those \$100,000 salaries made possible by that TV buck, cannot.

As proof that people are becoming satiated with sports, I offer Udall's Sports Quiz. Who won the last Super Bowl? The World Series? How many teams are there in the NFC? The AFC? The NBA? Major league baseball? What teams were the champions of each? Who were the combatants in this year's Rose Bowl?

A decade ago I submit any moderately interested sports fan could snap off those 10 answers. How many today can answer half?

Organized sports are too important to our country and our children to throw them away as last year's craze, to make them a hula hoop replaced by a frisbee.

If the men and women of the sports world will listen to the words of one old pro, who has been up there with them and who is still on their side, they are running that risk. They are in danger of wiping out their own world, and if we do not act now, the process will be irreversible.

The bill I propose will prevent that, I hope. It would simply limit the broadcast seasons of the major professional sports of this country—but allow networks to continue covering the major sporting events they now offer.

I am simply appealing for a little moderation. I know that this bill will be unpopular with some. With the owners and broadcasters, in fact, it may be the most unpopular legislation since we tried to lift baseball's antitrust exemptions. This bill will probably be unpopular as well with that segment of the public that dwells solely on televised sports from sundown Friday until sunup Monday. But it will be welcomed by the true sports lovers, whether they are viewers or participants, or hopefully, a combination of the two, after they have taken some time to reflect on it.

The alternative to my bill is a nation stripped of its sports world, and a nation of more than 200 million people stripped of a good share of its national heritage.

I am offering friendly criticism and counsel to the sports world. I am a lifelong sports fan. I learned to multiply and divide on batting averages. I played

college and pro basketball and came out of retirement a few years ago to manage the Democratic baseball and basketball teams, leading them to a perfect string of defeats, I might add.

My counsel is that the prospect looms of a nation turned against its sports world. If sports lose their special qualities of wholesome competition, innocent partisanship and real-life drama in this mad drive for one last dollar it will be deadening not just to the owners and players and audiences of America, but to our children, our grandchildren, and our national spirit as well.

To paraphrase a little basic American philosophy, there will be no joy in Mudville if television does strike out. This is one old pro who thinks there is a lot more to lose than mere profits.

#### PROPOSED REOPENING OF HEARINGS ON HIRSHHORN PROJECT

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

Mr. SCHWENGEL. Mr. Speaker, information which appeared in several newspapers this past weekend raises further doubts in my mind about the construction of the Hirshhorn Museum.

The hearings held last year by the Library and Memorials Subcommittee of the House Administration Committee raised serious questions about the manner in which the museum was authorized and about the background of Mr. Hirshhorn.

The hearings also led to the introduction of a resolution this year, of which I am a cosponsor, which rescinds the authority to construct a sculpture garden on the Capitol Mall in connection with the Hirshhorn Museum.

Now the newspaper column, "Watch on Washington," written by Clark Mollenhoff, raises even more questions. It is disturbing to me that the contractor was allowed to increase his bid by \$754,375 after the contract had been awarded.

With the other irregularities brought to light in the hearings last year, I am convinced that a reopening of hearings on the entire Hirshhorn project is absolutely necessary.

Mr. Joseph Hirshhorn could be called to answer the allegations made. The tax writeoff for the art collection bears investigation. Now, added to the list, is the apparent impropriety concerning the construction contract and the contracting company.

Mr. Speaker, a thorough investigation is needed. Both the House Administration and Public Works Committees should begin at once.

WATCH ON WASHINGTON

(By Clark Mollenhoff)

WASHINGTON, D.C.—The government's dealings with the Piracci Construction Company is a classic case of how far the General Service Administration (GSA) can bend the rules if it wants to do business with a firm involved in violations of the law.

Ordinarily, a firm can be suspended from doing business with the government for up to 18 months if fraud is suspected. If found guilty, the firm can be "debarred" from deal-

ing with the government for up to three years.

The basic thesis is that firms and individuals who cheat the government through frauds and payoffs shouldn't be regarded as "responsible bidders."

However, Robert Kunzig, the administrator of GSA, has made it possible for the Piracci company, of Baltimore, Md., to continue to do business with the government despite repeated law violations. The GSA has minimized the fact that Dominic A. Piracci, sr., the sole owner of the construction firm, has a record of fraud convictions and involvements in fraud.

Piracci has simply stepped out of his role as president and director, and has turned the management over to some other business men "for a period of time which will extend six months beyond the completion of The Hirshhorn Museum and Sculpture Gardens."

Piracci's firm holds the \$15,000,000 general contract for the controversial Hirshhorn project in Washington, D.C. and is to receive more than \$1 million in profit.

Looking at the law and the background of Piracci, there would have been ample reason to debar the Piracci firm from ever bidding on the Hirshhorn project. In fact, the counsel for the GSA Region Three office had recommended debarment of the Piracci firm. The law authorizes suspension of "all known affiliates of a concern or individual" who has been convicted.

The law further states:

"The criminal, fraudulent or seriously improper conduct of one individual may be imputed to the business firm with which he is connected when the impropriety involved was performed within the course of his official duty, or with the knowledge or approval of the business firm."

Not only has Piracci been permitted to do business with the government but, in the face of a record of proven bribery, perjury, and falsification of records, Piracci has been permitted to increase his bid on the Hirshhorn project by \$754,375. The GSA accepted Piracci's explanation that a "clerical error" had resulted in a lower bid than he intended. Piracci was still the low bidder, but by a narrower margin.

The GSA informed Representative Joel Broyhill (Rep., Va.) that it has "insufficient justification" for debarring Piracci's firm.

Here is the Piracci record:

In 1954, Piracci was convicted of fraud and obstructing justice in connection with an off-street parking scandal in Baltimore. Piracci paid a \$4,000 fine on that conviction and was later pardoned by former Governor Theodore R. McKeldin.

In 1969, Piracci was convicted in the United States District Court in Baltimore on charges of having made a payoff to Guido Iozzi, jr., president of the Baltimore Building Trades Council, AFL-CIO. Piracci was sentenced to pay a \$5,000 fine and to serve 183 days in federal prison.

Another indictment has been returned against Joseph P. Doherty executive assistant to the assistant postmaster general in charge of post office bureau facilities. Piracci was not a defendant in this case, but the indictment charged that Doherty took large sums of cash from Piracci to provide influence for Piracci Construction Company in dealing with the Post Office Department.

Doherty entered a "no contest" plea to the ninth count of the indictment on "conflicts of interest" that charged he "did knowingly act as agent" of Piracci and the firm "in connection with applications, contracts, and other particular matters involving the leasing of various post office facilities." Action on the other counts in the indictment against Doherty is still pending.

In dealing with Piracci's record, the GSA, in its letter to Broyhill, dismissed the 1954 conviction as being far enough back that "it



cannot ordinarily be used to support a current debarment."

The GSA also noted the federal judge did not impose the maximum prison term and fine on the 1969 conviction and that "the six months' sentence presumably recognized the fact that Piracci had cooperated with the government."

But, the GSA overlooked the comments of United States District Judge Alexander Harvey II, who said as he sentenced Piracci:

"You lied to the FBI, the United States attorney and the federal grand jury. A man who has a prior criminal involvement and who has lied . . . can hardly expect leniency from the court."

The GSA also told Broyhill, "Finally, to the best of our knowledge, it has not been legally established whether Mr. Piracci or the firm made any illegal payments to a former employee of the Post Office Department."

Apparently GSA did not ask the prosecutor who could have told them Piracci admitted making payments of at least \$3,000 to Doherty and a total payoff of \$20,000 was discussed.

A final argument on behalf of doing business with Piracci Construction Company was that Piracci had "resigned both as president and a member of the firm's board of directors, the fact that he is divorced from all control over the firm; and the fact that the firm itself has satisfactorily performed several construction contracts for GSA."

The GSA and other government agencies aren't often so tolerant of fraud, or so understanding of the lines between control of a firm and the actual ownership of the firm. Apparently, Piracci is receiving some unusual understanding at a high level in Washington.

Piracci's penalty for his problems with the previous convictions will be that he won't be permitted to pick up the profits on this Hirschhorn project until at least six months after it is completed.

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#### REDUCED SPENDING AND INCREASED EFFICIENCY IN THE DEPARTMENT OF DEFENSE

(Mr. GERALD R. FORD asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. GERALD R. FORD. Mr. Speaker, I am heartened by the latest annual report from Secretary of Defense Melvin Laird. It provides concrete assurance that the Department of Defense is making a concerted effort to reduce spending, increase efficiency, and to provide for this Nation an effective defense posture for the decade ahead.

Secretary Laird wrote in his annual Defense Report to the Congress:

One key facet of our concept of management is emphasis on individual responsibility and action.

His emphasis on people and improved management in the Defense establishment underwrites the overall strategy of realistic deterrence and its goal of lasting peace. Clearly, without improved management and sound policies and procedures, the strategy itself would be in jeopardy.

I am impressed that his is a method of management which depends for its success on the initiative, judgment, and dedication of people rather than the rigidity of computers or the "all-knowing" voice of authority at the top.

To me, one of the best illustrations of Secretary Laird's efforts to reduce spending and increase efficiency is the plan he has submitted to the President for a reorganization and revitalization of our world-wide military command structure. This command structure has not been changed since 1963.

Additionally, the recommendations are in direct support of the President's announced defense and foreign policies.

Along with the many other improvements in defense management which are occurring, a reorganization of our world-wide military command structure after so many years indicates that there is a conscious effort within the Department of Defense to create an organizational structure which is responsive.

This report from the Department of Defense is one of the most encouraging signs I have seen in many years that our national priorities are well understood and enthusiastically supported in the Pentagon.

I would also note that the changes now taking place in the Pentagon have not been accompanied by complaints heard so often in the past that the military brass is resisting change or that they are being throttled by uninformed civilians.

My impression, and this report bears it out, is that management in our defense establishment today is effective, efficient, and dedicated.

We have here a document which is a testimonial to the outstanding leadership being provided by Secretary Laird and Deputy Secretary Packard. I want to record my appreciation and support of their efforts.

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

Mr. RONCALIO. Mr. Speaker, the recommendations of the National Railroad Passenger Corporation for a basic passenger system have been roundly and justifiably criticized in this body. The Congress has been outraged by the token consideration given some States and the total exclusion of others, including Wyoming. The recommendations announced on March 22 hardly qualify as a national system of passenger service.

On March 9, in anticipation of this exclusion, I introduced H.R. 5715, a companion bill to the bill offered in the Senate by Senator FRANK CHURCH. This bill would amend the Rail Passenger Service Act of 1970 to insure passenger service to at least one major population center in each of the 48 contiguous States.

I am today introducing another bill as a potential remedy for those areas so unjustly excluded by the Railpax Corporation. This bill would further amend the Rail Passenger Service Act to insure that any train discontinuances proposed as a result of the Railpax decision would have to be in accordance with the Interstate Commerce Act. This act guarantees a fair, impartial, and reasonable examination of the issue, including public hearings, before an area would be stripped of passenger service.

Mr. Speaker, I sincerely hope Wyoming would not have to resort to this last

remedy. I believe that a reconsideration of the Railpax recommendations would alter the proposed system and save Wyoming from pleading in this last court of appeal.

The basis for asking a review of the recommendations is the intent of the enabling legislation, the establishment of a truly national system providing the best possible rail passenger service.

Mr. Speaker, in examining those recommendations, I find that they fall short of this goal. To examine the case of Wyoming, I would like to quote for my colleagues a pertinent passage in the official statement issued March 22 by the incorporators of the National Railroad Passenger Corporation:

Of the two route alternatives between Denver and Wells, the Grand Junction-Salt Lake City route was chosen principally because of population, and market potential. Although the Cheyenne route is two-three hours faster, the market potential of the Grand Junction segment is seen as much greater than the Cheyenne segment because of outstanding scenery and world-famous ski resorts.

I call to your attention this admission by the incorporators that the route through Cheyenne and Ogden is the shortest. That has been a prime contention of the Wyoming representatives and its importance cannot be overstated. If the goal of this system is to provide the best service, the route which provides the most direct access to the west coast should have been designated.

I would also question the assertion, or so it appears, that Wyoming is lacking in outstanding scenery and world-famous ski resorts. The ski complex at Jackson Hole, Wyo., is second to none in the world, and the ski and recreation potential in southern Wyoming is most deserving of attention. But, Mr. Speaker, that is a diversion from the major point. Railpax is not supposed to be concerned with long-range recreation potential, but with providing satisfactory service.

I contend that the Colorado route is not capable of development to this end. In this direction, I would like to quote from a letter written by one of the outstanding citizens of Aspen, Colo., Mr. William "Shady" Lane, a former member, in 1950 to 1954 of the University of Wyoming ski team.

Mr. Lane makes several telling points in connection with the decision which has supposedly been made to benefit his city. I quote now from a letter he wrote to the Denver Post of Denver, Colo.:

It appears to me that the decision to cross Colorado with the Railpax system is being made on the basis of the present worn out passenger train equipment. Japan has developed a train that runs at speeds approaching 200 miles an hour. I assume that the great American know-how, will, in time, be able to compete with that speed, and worn out equipment will be replaced.

So, is Congress creating an alternative to the smog producing, crowded superhighways, and impossible to get to airports, or preserving a "toonerville trolley?" I would hope it is a step to abate pollution, destruction of environment, and so forth, something that in the future will keep the country strong economically and especially transportation-wise.

If we develop modern passenger trains, will they be able to cross Colorado at such speeds? No, they will proceed at about 30 miles an

hour from Denver to Grand Junction, which looking at it from the national point of view is ridiculous. Can they be speeded up between those two points? Well, if you spend a huge heap of money you probably could some, but not much.

After commenting on the destruction of the beauty of Glenwood Canyon such an improvement of trackage would require, Mr. Lane asks:

So, is this decision an S.S.T. type thing? Spend money on passenger trains across Colorado and then tomorrow make up, realize the effect, and spend more money moving it to Wyoming? Before there was a Colorado or Wyoming, the impartial old timers picked out the best route to cross the country with a railroad.

I believe this letter substantiates arguments already advanced on behalf of the Wyoming route. As previously reported to this House, Wyoming enjoys superior trackage and equipment at this time. The Railpax route would be going through terrain from 10,000 to 12,000 feet, making the handling of high-speed trains an expensive, if not impossible proposition.

If the Corporation is claiming to be looking to the future, how can it designate a route which has been historically considered inferior to the Wyoming segment. Wyoming offers the kind of terrain most qualified for development of high-speed railroad service.

To review the arguments, I would remind my colleagues that Railpax incorporates explicitly state that the Wyoming route, under existing conditions, is the fastest. I would also note that Wyoming presently enjoys superior trackage and equipment. It would require the least expenditure of funds to maintain that standard of excellence.

Second, I would dismiss the arguments about scenery and ski areas as being side issues. Even if they are taken into serious consideration, they would not justify the exclusion of Wyoming, since my State is not deficient in either scenery or recreation areas.

If the criterion is to be future development, I would restate that Wyoming is the logical area to develop a high-speed railroad service. On the broad plains of southern Wyoming a high-speed system could be easily inaugurated. In contrast, the tortuous, twisting high country of Colorado could present the most costly obstacles. It is folly to envision the Denver-Grand Junction-Salt Lake route as ever providing 200-mile-an-hour passenger service.

Mr. Speaker, I believe these arguments justify the request that Railpax reconsider the recommended route. I have written the chairman of the House Appropriations Subcommittee on Transportation, Mr. Ed BOLAND, and the chairman of the House Committee on Interstate and Foreign Commerce, Mr. HARLEY STAGGERS, asking for open hearings on the Railpax decision.

I believe the Appropriations Committee might well ask Railpax to explain this illogical routing out of Denver. Congress approved \$40 million in cash and \$100 in Government-guaranteed loans for Railpax, and if this designated route is any indication of how responsive Railpax is

to the sentiment of Congress, that financial support ought to be questioned. I believe the Interstate and Foreign Commerce Commission also deserves an explanation of the so-called national system this Corporation has produced.

I conclude by calling on my colleagues to join in the request for open hearings on the Railpax decision. A great mistake has already been made, and to permit this error to become a reality would only increase the eventual costs of correction.

I would remind my colleagues that the Nation's railroads have more than once come to Congress for financial assistance. Even now, there is the suggestion of subsidies to prop up a declining industry.

Congress now has an opportunity to lessen the possibility of future hand-outs or to increase it. If Congress permits Railpax to go through Colorado, it will not be long before Congress is asked for massive funds to improve and expand the facilities. If, on the other hand, Congress insists that the most logical and efficient and promising route—through Wyoming—be designated, then the eventual costs of providing high-speed rail service to the West will be far, far lower.

If the Congress wants to maintain its direction of the legislation it approves and the proper use of the funds it approves, the Railpax Corporation ought to be called to appear before open hearings, and the recommendations offered on March 22 ought to be drastically revised.

#### NATIONAL SUMMER YOUTH SPORTS PROGRAM

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

Mr. ROSTENKOWSKI. Mr. Speaker, it is my understanding that the Office of Management and Budget has fortunately decided to release the funds which they had been holding in reserve for the national summer youth sports program. This program, which has been funded at a \$3 million level, has been one of the most successful and least expensive summer youth activities of the last 2 years.

Mr. Speaker, last summer, four colleges and universities in my city of Chicago, participated in this worthwhile program which is directed by the NCAA in conjunction with the President's Council on Physical Fitness and Sports. This project will hopefully once again permit hundreds of Chicago's disadvantaged youth to participate in scheduled athletic activities which will be administered by the physical education staffs of the various colleges and universities.

Mr. Speaker, I hope that this action on the part of the administration will signal the beginning of a trend. For, there are other extremely worthwhile youth programs that the administration unfortunately does not plan to repeat this summer. I refer to the recreation support and the summer transportation programs. It has also been reported that the administration plans severe cutbacks in the successful summer Neighborhood Youth Corps program.

Last week, on the House floor, I announced my intention of sending a letter to the President, urging him to continue these necessary programs and to restore these vital funds. A copy of this letter appears on page 7874 of the CONGRESSIONAL RECORD of March 24, 1971. I am today, placing in the Record, the dollar amounts that the Nation's 100 largest cities received last summer for the recreation support and transportation programs. I emphasize that the administration does not plan to repeat these programs this summer. If you would like to join me in signing this letter to the President, please contact my office by Thursday afternoon.

The tabulation follows:

#### 1970 SUMMER PROGRAM ALLOCATIONS

	Recreation	Transportation
New York City	\$1,836,000	\$96,960
Chicago	564,000	42,240
Los Angeles	552,000	43,120
Philadelphia	528,000	24,360
Detroit	360,000	26,560
Houston	324,000	25,060
Baltimore	276,000	11,100
Washington, D.C.	228,000	12,960
Dallas	204,000	17,840
Cleveland	132,000	19,310
Boston	168,000	10,720
Milwaukee	108,000	17,280
San Francisco	180,000	11,920
San Antonio	324,000	11,570
San Diego	144,000	14,360
St. Louis	240,000	11,360
New Orleans	252,000	14,790
Kansas City, Mo.	108,000	11,970
Seattle	84,000	12,760
Memphis	264,000	11,860
Columbus	132,000	8,640
Pittsburgh	108,000	12,650
Phoenix	144,000	11,740
Atlanta	132,000	12,080
Indianapolis	108,000	8,480
Cincinnati	120,000	7,920
Jacksonville	84,000	6,300
Denver	120,000	8,320
Buffalo	96,000	7,500
Minneapolis	60,000	10,500
San Jose	60,000	7,500
Newark	72,000	7,500
Toledo	84,000	7,990
Louisville	96,000	7,500
Oklahoma City	108,000	8,580
Long Beach	72,000	7,500
Portland	84,000	8,580
Omaha	48,000	7,500
Oakland	84,000	7,500
Fort Worth	108,000	8,130
Honolulu	60,000	7,500
Tulsa	72,000	7,500
Birmingham	120,000	7,790
Miami	120,000	7,500
El Paso	144,000	7,500
Norfolk	132,000	7,500
St. Paul	36,000	7,500
Rochester	47,000	7,500
Tampa	132,000	7,500
Wichita	60,000	7,500
Akron	48,000	7,500
Nashville	72,000	7,500
Jersey City	48,000	7,500
Sacramento	48,000	7,500
Charlotte	60,000	7,000
Dayton	48,000	7,500
Tucson	84,000	7,500
Austin	84,000	7,000
Albuquerque	72,000	7,000
Richmond	72,000	7,000
Mobile	84,000	7,000
Syracuse	36,000	7,000
Des Moines	36,000	7,000
St. Petersburg	72,000	7,000
Yonkers	24,000	7,000
Grand Rapids	36,000	7,000
Flint	36,000	7,000
Corpus Christi	84,000	6,300
Salt Lake City	36,000	6,300
Providence	48,000	6,300
Fort Wayne	24,000	5,400
Worcester	36,000	6,300
Gary	36,000	6,300
Baton Rouge	60,000	5,400
Kansas City, Kansas	24,000	3,750
Madison	24,000	5,400
Jackson	60,000	5,400
Fresno	60,000	5,400
Lubbock	48,000	5,400
Spokane	48,000	6,300
Shreveport	72,000	5,400



	Recreation	Transportation
Hartford.....	\$24,000	\$5,400
Springfield, Mass.....	24,000	5,400
Lincoln.....	24,000	5,400
Amarillo.....	36,000	5,400
Montgomery.....	60,000	4,200
Youngstown.....	36,000	5,400
Bridgeport.....	24,000	5,400
Rockford.....	24,000	4,200
Evansville.....	36,000	4,200
Tacoma.....	48,000	5,400
Paterson.....	24,000	4,200
New Haven.....	24,000	5,400
Greensboro.....	48,000	4,200
Savannah.....	48,000	4,200
Erie.....	36,000	4,200
South Bend.....	24,000	4,200
Topeka.....	24,000	4,200
Chattanooga.....	48,000	4,200
Albany, N.Y.....	24,000	4,200

#### DIRECTION OF NATIONAL PRIORITIES—SPEECH BY MAYOR DALEY

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

Mr. ROSTENKOWSKI. Mr. Speaker, last Friday, I had the good fortune to be in attendance when Chicago's Mayor Richard J. Daley delivered a truly moving address before the professional men's organization of We Care. We Care is a group of concerned Chicagoans—Democrats, Republicans, and Independents, who have come together because they feel that the mayoral election is of critical importance to Chicago's future. The theme of the mayor's address was the "Direction of our National Priorities," in light of the challenge of the seventies.

Mr. Speaker, I have heard the mayor speak on many occasions, but never was he more eloquent than he was on Friday.

I thought my colleagues might be interested in reading a copy of the text of his address, which follows:

##### WE CARE

We cannot talk about the programs for tomorrow without relating them to the programs of today. Any realistic discussion of things to come in the seventies only is germane against the background of the events—the trends—of the sixties.

If we were to label the sixties we could call it the decade of rising aspirations. And these aspirations for a better life are not only being expressed by those who are in the lower economic group—but also by students—and by millions of others.

If we are to meet the challenges of the seventies we must understand these rising aspirations, for from them stem our priorities.

I would hesitate to place them in any particular order—other than to call them all priorities.

There must be an end to the Viet Nam war—to all wars. This must be so—not only for the universal and fundamental desire to end killing and destruction—but also because the 80 billion dollars we spend for defense is, in its true economic sense, a waste of resources, a mis-allocation of our wealth, and the prime cause for inflation.

We must eliminate poverty. There can be no reason—no justification—for want in the midst of plenty. We all know that and the most significant step we can take is to restructure our welfare system.

We must end racism—somehow—some way—we must erase the intolerable discrimination which denies opportunity and dignity because of a man's color or national origin.

We must rebuild our cities—our urban centers. The essential truth is that the city

remains as the main economic bulwark of the metropolitan area and the focal point of its social, cultural, and recreational activities.

The urban centers are where most of the people of our Nation live—and when we speak of renewal of the cities—we speak not only of eliminating slums, building housing—but also improving education—transportation—and controlling the environment.

But these are not only local priorities—they are national priorities and they must command the support of our national government and its resources. Cutting the military budget—preventing inflation—helping to finance education—coping with the increase in population—using the FHA for building housing in the cities—and preventing the pollution of our environment. These are some of the things the Federal Government must do if we are to meet the challenges of the seventies.

One can say that these have always been the goals of American society, but the past decade has brought in new dimensions—the influence of a younger, better educated generation which is rapidly becoming a majority—and the effect of instantaneous worldwide communication.

The progress and breakthroughs which have occurred in the fields of science, technology and communications in the past twenty-five years have been more rapid and far reaching than the changes which took place in the last hundred years. It has always been assumed that as science and technology improved our material and physical world, it would make an equal contribution to the betterment of our social world. But there has been a critical imbalance between the physical and social changes.

There is no question about the contributions that have been made for our material comfort by the use of newly developed scientific processes and chemicals. However, the same processes and chemicals emit by-products which pollute the air and the water, promised to be one of the wonders of the world. But total destruction threatens the life of every human being.

The use of insecticides has directly increased the food supply—but it is threatening an imbalance in nature which menaces our health and pollutes our water.

The mass production of automobiles—the two and three car family—is steadily killing more people, strangling our cities, and contaminating the air.

The advance in medical science has created a population explosion. People live much longer—but society is unable to meet its commitment to the rapidly growing numbers of the aged.

Cybernetics—the mating of automation and the computer—is threatening to de-personalize our society.

Making a choice between the benefits and hazards of scientific achievement or breakthrough is a value judgment—a judgment based on the ideas of social good, on morality, on religion, not on science—not on the market place.

This is the new dimension. The challenge of the seventies is to improve the quality of life—not the quantity—not only more—but better.

I believe that most people accept this concept of social values. If there is a generation gap it is because we have different frames of reference. To one generation the development of the computer is a marvelous invention—the landing of the man on the moon is a miraculous achievement. To another generation these are just outstanding developments of science and technology. They question why a nation which can land a man on the moon cannot clear a slum, end a war, erase discrimination, and do it right now.

What is difficult for them to comprehend is that the progress made under laboratory

conditions and with vast resources is one thing, and progress in the social area where people are involved—where conditions are not controlled—and where tremendous resources are not available is very much a different matter.

The city can bring water from the lake to flow from your tap because it can control all the factors of construction, distribution and costs—but the city cannot as easily remove a slum because people are not materials—and neighborhoods are not scientific laboratories.

You could eliminate traffic congestion by removing all cars from the streets and force people to use public transportation.

This is a simple solution—but until we know better how to change attitudes, habits, customs and ideas of convenience—you and I know that there is very little likelihood that this will happen tomorrow.

I think it is appropriate to reflect on the words of St. Thomas More when he was discussing the inadequacies and injustices of the day and how they might be remedied.

"Suppose wrong opinions cannot be plucked up by the roots, and you cannot cure as you would wish, vices of long standing, yet you must not on that account abandon ship of state and desert it in a storm, because you cannot control the winds. But neither must you impress upon them new and strange language, which you know will carry no weight with those of opposite conviction, but rather you must endeavor and strive to the best of your power to handle all well, and what you cannot turn to good you must make as little bad as you can. For it is impossible that all should be well, unless all men are good, which I do not expect for a great many years to come."

In the words of St. Thomas I pledge that I will strive to the best of my power to handle all well.

#### ADDRESS OF MICHAEL CAFFERTY

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

Mr. FOLEY. Mr. Speaker, on Monday, March 22, 1971, Michael Cafferty, the Deputy Assistant Secretary for Environmental and Urban Assistance, Department of Transportation, delivered a speech before the Airport Operators' Council International Environmental Planning Conference, in New Orleans, La.

Mr. Cafferty's speech, "Aviation as a Factor in Regional Development," discusses the important problems of relating airport planning activities to the total transportation problem and overall urban planning.

I believe Mr. Cafferty's remarks are most pertinent to the problems facing every metropolitan center in the Nation and deserve the widest dissemination. Accordingly, I am including a transcript of Mr. Cafferty's speech for inclusion in the Record.

##### AVIATION AS A FACTOR IN REGIONAL DEVELOPMENT

As transportation planners, our job has become far more complex than it once was. For there is a profound new awareness in this country that individual technical decisions about transportation, or for that matter about housing, energy, water and sewers, commercial and industrial location and recreation, can no longer be made as if they had no relationship to each other or to their surroundings. There is no question that we are becoming an increasingly urbanized society with most of our population concentrated in a few major metropolitan areas.

And it is clear that the form and quality of life in these metropolitan areas will be dramatically shaped by the decisions that are made now and in the immediate future by government officials, by local authorities and by private developers with the assistance and guidance of town planners, architects, engineers and social scientists.

Increasingly, Federal policies have reflected this awareness. I shall be reviewing the implications of these policies with you.

Additionally, our Office of Environment and Urban Systems in the Department of Transportation is, as you know, the focal point for Departmental thinking about transportation as it affects the urban and natural environment. I should like to discuss with you our recently completed study of urban transportation planning, and the institutional recommendations which that study makes. Finally, I know you will be interested to hear about our contract with CLM Systems to develop a handbook on environmental factors which should be considered in airport site selection.

I am aware that many of you are concerned over whether new Federal requirements will hamper your ability to do your job. Let me begin with some reflections about the situation we all find ourselves in—airport operators and general citizens alike. The issue appears to be whether we continue the traditional concept of operating airports as efficiently as possible as compared to considering how we can plan new airport facilities to fulfill regional development goals—by planning through regional planning agencies.

We are moving into an era in which practical concerns no longer rule out idealism and, by the same token, idealism no longer rules out practicality. If it is true that we are only just now beginning to be able to combine idealism and practicality, it is happening at a fortunate time. The rate of change—of both technology and institutions—that this country is now experiencing is almost beyond our comprehension; a new invention or discovery is overtaken by its successor almost before it is put in place.

This incredible rate of change puts a new burden on us to think seriously about the future—to set policies which give serious attention to the consequences of programs. The rate and pervasiveness of change should make us careful not to set policies which lock us into undesirable consequences. The existence of the National Environmental Policy Act makes for positive thinking. This legislation means that we regard ourselves as trustees of the future and it cautions us to think about what kind of a world we want both for ourselves and for future generations.

The rate and magnitude and pervasiveness of both social change and technological change have given us a world in which everything affects everything else, and fast!

In the past we have not dealt well with this fact. We have, for the sake of convenience and efficiency, fragmented the big picture. But efficiency cannot or should not be a goal in and of itself. A policy which seems perfectly rational in a limited context may be wildly irrational in the context of other programs.

We are leaving the time in which separate fragmentary programs have been their own justification and are entering a period of recognizing the interrelationship of programs.

This has been a long time coming. The very creation of the Department of Transportation recognized that transportation programs should be considered together—that autonomous agencies for aviation and for highways and for rails ought to be subject to some overview. To an extent this has occurred. On the other hand, mere Federal recognition that transportation affects land use, or that highways and air pollution are related does not do much good.

Institutions at all levels—Federal, State, regional and local—must be encouraged and equipped to plan and implement all the various factors which affect urban development.

This sounds very pie-in-the-sky, but I assure you that I am dealing in the real world.

President Nixon as you know, has proposed major reforms of Federal Government and Federal spending. The President proposes to reshape the Federal Government in terms of broad development goals, and to give urban areas funds for their development, without specifying the kind of development he wants to see. These ideas show a new way of thinking in Washington. Instead of thinking about separate programs for highways, model cities, solid waste, and so forth, urban areas will have the opportunity to think about urban development goals in a context which transcends narrow program orientation.

The President's proposed reforms represent a new conceptual slant—they offer a new opportunity to think about the whole, instead of only about the parts. Fragmented Federal programs, all directed by separate agencies have encouraged the development of fragmented thinking at State and local levels where the programs operate.

Our Office, that of the Assistant Secretary for Environment and Urban Systems, recently completed a study of urban transportation planning which revealed a serious need for stronger comprehensive urban planning organizations. I am sure that if such organizations existed today, some of your fears regarding new Federal requirements would be allayed. You find yourselves in a vulnerable position, because even though you should be tied in with regional development goals, the single metropolitan area planning organizations to which you should relate, do not exist. You do, however, relate to a national system which sets goals and standards. Thus, Federal requirements are a substitute for local policies because the policy institutions are not yet properly developed.

The world in which you people operate makes you especially sensitive to the differences between technological solutions to environmental problems and social solutions—the technological solutions are so much easier to apply, once they have been developed. I began by trying to make you optimistic about the future; how I find myself emphasizing the frustrations of the present.

Secretary Volpe, speaking recently before the Metropolitan Washington Council of Governments said,

"It must be our plan to restore some sense of humanism to our downtown streets. Not his automobile, but man himself must continue to be the measure of all things. The city must be a gathering place for people, not vehicles."

The same thing can also be said of urban areas as a whole; they must be shaped by people for the enjoyment of people. It is only recently that urban environmental concerns have pervaded Federal legislation and required attention to community goals and development.

Let me speak now of the changes we have seen in legislation concerning transportation over the past six years.

In 1964, landmark legislation, the Urban Mass Transportation Act, required that urban transportation programs be consistent with criteria for air pollution control established by the Department of Health, Education and Welfare. This step, in 1964, was a small step toward rationalizing a role for the Federal Government in urban areas. In its limited way this legislation said that Federal programs must, at least, be consistent with each other in urban areas.

In 1966, legislation which created the Department of Transportation, clearly stated that the new cabinet department had en-

vironmental responsibilities. This legislation recognized that Federal programs for mobility on the ground and in the air, need to be considered as a whole. But this 1966 legislation did something else that was important. It declared that the new Cabinet department had responsibilities to social and environmental goals, and that public parks, recreation areas, wildlife refuges and historic sites should not be taken for transportation projects except under extraordinary circumstances, and then all possible planning must minimize harm.

Thus, 1964's legislation merely required consistency among Federal programs. And, in 1966 legislation swept together all Federal transportation programs and—by restricting the use of certain lands for transportation projects—gave new significance to community and environmental values in transportation planning. Also in 1968, the Federal Aviation Act was amended to require the development of rules and regulations for control and abatement of aircraft noise, echoing once more the increasing concern of Congress for progress in the area of environmental impact.

In the light of today's concern, these requirements seem relatively narrow. Conventional wisdom tells us now that the policies of Federal agencies should be consistent with each other in air pollution control, and that parkland should not be taken for transportation projects. It goes without saying that aircraft should be as quiet as technology can make them without jeopardizing safety.

In 1968, Congress moved to an even broader social understanding of how transportation projects should be planned. The Federal-aid Highway Act required local hearings to consider:

"... the economic and social effects of . . . a location, its impact on the environment, and . . . consistency with the goals and objectives of . . . the community."

This new understanding that communities can and should plan their development of course permeates the Environmental Policy Act of 1969, the Airport and Airway Development Act of 1970, the Federal-aid Highway Act of 1970, and the Urban Mass Transportation Assistance Act of 1970. All this legislation requires a great deal of attention to community development goals before transportation projects can be built. That is why I said at the outset that you would be moving from a narrow role to a broad social role in your planning efforts.

The new legislation in addition to providing for capital investment, also provides money for planning transportation projects—thus linking idealism with practicality.

The Federal Government has a significant role in financing transportation planning, as well as in financing specific transportation projects. States have available 1½ percent of their yearly trust fund allocations and they may use an additional ½ percent for highway planning, research and development. The Airport and Airway Development Act provides \$15 million a year for airport planning, and the Urban Mass Transportation Act will make significant funds available for mass transportation planning. The Department of Transportation's role is most important since, of all the Federal money available for physical planning by local areas, over 60 percent comes from DOT.

Airports in urban areas have generally been planned and operated by an entity whose concerns were limited to aviation matters and economic viability. Land use and the integration of the airport with other transportation were not within the powers of this entity. Noise and pollution have increasingly become serious environmental problems, often due to lack of adequate land use control on the areas surrounding airports.

We have found, in studying urban transportation planning, that with few exceptions, planning for highways, airports, and transit



has not been coordinated. Part of the blame has lain with the availability of funds for roads, but not for much else. This has permitted State highway departments to dominate the transportation planning process. This funding bias has been accompanied by a mixed bag of Federal planning assistance programs which are based on different criteria and are therefore inconsistent with each other. We think that a properly designated program of Federal assistance could provide the right incentives to the development of single area-wide planning agencies; and this, we think, is the first step toward good urban development. The second is to incorporate into this area-wide planning process the means by which priorities can be established.

The central target of DOT urban transportation planning assistance should be the development of metropolitan institutions which are capable of dealing effectively both with regional development problems and with increasing Federal-aid for transportation and other metropolitan development. Criteria for receipt of Federal-aid urban transportation planning funds may well include:

(1) Capability of the metropolitan agency to tie physical planning to transportation planning, social planning, and to metropolitan and environmental goals and objectives. (Failing to provide such a metropolitan process, perhaps consideration should be given to withholding approval of all Federal transportation aid.)

(2) Capacity of the metropolitan agency to reflect the wishes of each participating local jurisdiction in a uniform and reasonable way.

(3) Capability of the staff to deal with intermodal urban transportation planning within the context of all regional development goals.

These metropolitan planning agencies must be broad-ranging futurist organizations—very different from the single-mission bureaucracies of the past which operated autonomously. Because the plans and policies of autonomous agencies if not considered together in the context of regional development may not fit together, they must be considered together.

Thus, regional planning agencies must be metropolitan in scale—they must provide a place for local governments to come together to make regional decisions. They must be broad in terms of power—they must be empowered to set priorities for implementation. They must be interdisciplinary so that decisions which appear to meet one kind of goal do not endanger other development goals. That is, plans for transportation including airports must take into consideration plans for water and sewers, energy, as well as schools, housing, recreation, etc. This is already required at the Federal level by the National Environmental Policy Act of 1969 which requires that all Federal agencies:

"... utilize a systematic, interdisciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts in planning and in decision making which may have an impact on man's environment..."

Only an interdisciplinary approach will give us the ability to anticipate the consequences of decisions, and balance those decisions in an informed manner. Only an interdisciplinary approach will really let us design the future of our urban areas, the places where most of us live.

Alvin Toffler, in his book *Future Shock* which is so much in vogue makes the suggestion that most bureaucracies are designed to solve problems that no longer exist. I don't really believe this, but I do believe that Toffler is on the right track—that the past is not the prologue, and that new problems need new solutions. Some of our problems, ironically enough, stem from expert organi-

zations and efficient bureaucracies. We have specialized and specialized. This is what I meant earlier when I mentioned the fragmentation of programs. Now is the time to put the pieces back together; to come to terms with the fact that in urban development everything does affect everything else.

Buckminster Fuller invented a new word to describe this phenomenon—the word is "synergistic." When considering a problem we usually say, "Well, we'll leave that one to the experts."

The experts in one narrow discipline have been making decisions which have broad ranging social implications. We have often abandoned crucial policy decisions to the technicians because we didn't know any other way for decision-making.

While we are a long way from developing the strong urban development organizations which I am advocating, until we get them we can provide a service to some experts by showing them how to anticipate consequences which are outside their areas of expertise. This is what we will be doing when we have finished the Handbook for Airport Planners which we now have underway.

There is a very good phrase which describes what often happens to people who are real experts. They say that they have "a trained incapacity to think outside their areas of expertise." Without suggesting that this is a disease to which airport planners especially fall prey, I want to tell you about our manual and how it will give you a checklist of the considerations which must be taken into account in planning airports.

The checklist approach is one which my Office has also used in giving guidance to persons who must prepare 102(2)(C) statements, statements of environmental impact as required by the National Environmental Policy Act. Our checklist is a list of effects—consequences—likely to be environmentally significant. It includes changes in noise level, displacement of persons, disruption of planned development, destruction or alteration of breeding grounds, recreation areas, water table, and so forth.

But in the handbook which we are developing for your use, we can carry this a bit further. Here, in addition to the checklist of factors we will have proposed countermeasures. As a matter of fact, I am not particularly enthusiastic about that word countermeasure because it always sounds as if there is a battle shaping up. I prefer to think of these as control techniques.

At the heart of our contract with CLM Systems are case studies of environmental factors at five airports. Before telling you about how these case studies will serve as the basis for the checklist, I would like to say that this study is going forward with excellent cooperation from Federal agencies, particularly the Federal Aviation Administration, the Department of Housing and Urban Development and the Council on Environmental Quality. The Department of Housing and Urban Development is currently funding studies of metropolitan aircraft noise abatement policy at four airport locations; and the Department of Transportation, which has a noise abatement office, has contracted for an intermodal study of transportation noise generation and abatement.

The environmental considerations which are being studied in our five case studies are: ground access, water pollution, air pollution, noise pollution, hydrology, land development, community impact and, aesthetic considerations.

The control techniques for coping with these factors include site selection, zoning, comprehensive planning, airport master planning. They also include mass transportation, siting control, wastewater treatment, taxation policies, and insulation of buildings.

The airports under study are Dallas-Fort Worth, John F. Kennedy, Los Angeles-Palm-dale International, Portland, and South Florida Regional. These airports were selected for the constructive considerations they present in development and expansion and for their broad applicability to other metropolitan areas. John F. Kennedy is of course located in an ecologically sensitive tidal area; Los Angeles International is in a low density residential area, and Portland is located in an urban site where expansion into a river and into recreationally and ecologically important areas creates difficult problems.

Our handbook will not just describe factors and control techniques. It will have several perspectives; one chapter will relate environmental factors to the airport master plan, and to the regional or comprehensive planning process. It will also describe procedures for compliance with the Environmental Policy Act. Another important chapter will discuss the airport planning process, discussing the Airport and Airway Development Act of 1970, statutory procedures for funding, and the institutional participants in the process of airport planning.

In all, I am sure that this will be a truly practical book. It will assist you greatly in going about your special business of planning and managing airports and in doing this within a broad context of planned urban development which is so obviously the great social need of the 1970's.

The new Airport and Airway Development Act and all other new transportation and environmental legislation require planning in the context of urban area development. The perfect comprehensive planning institutions are still far in the future, but funds for planning for highways, airports and urban mass transit are here now. The handbook which we are developing for your use will combine the practicality of environmental control techniques with the idealism of the National Environmental Policy Act. Our handbook should help you comply with new Federal regulations. Consideration of environmental factors in airport planning will also broaden your role in promoting good urban development.

You people represent the expertise of a great service industry. In the new social climate technical expertise, when properly used, is a tool for fulfilling social needs, human needs. You need a new policy direction and that direction must in a sense come from the bottom—from those whose lives and communities you affect—from those who live in the communities where airports will be located—from those who use airport services.

Transportation service industry will earn the confidence of urban communities as transportation services are seen as a means for meeting community development goals. It is up to you to earn that confidence. It is a matter of broadening the idea of service—a concept which is completely familiar to you. You will broaden your own role in community development and you will merit the confidence of the whole community which you serve.

#### NATIONAL ECONOMIC CONVERSION COMMISSION

(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, I am today introducing legislation which will, by establishing a National Economic Conversion Commission, allow for a rational and orderly transition from a defense-oriented economy to a peacetime economy.

The need for such conversion has become evident. During the past few decades, the requirements of national security have forced the United States to make heavy economic, scientific, and technical commitments for defense. As a result, the country has achieved and maintained a substantial economic dependence on military and space contracts.

As the war in Southeast Asia deescalates, however, we find ourselves with a unique opportunity to reverse this pattern. Defense resources are now becoming available for other uses. If properly converted, this newly available skilled manpower and Federal funding can aid us immeasurably in solving our pressing social problems.

The danger lies in allowing these resources to stagnate rather than putting them to effective use. To avoid this danger, planning should begin immediately. Alternatives for each resource must be spelled out and evaluated before the resources actually become available. To insure a rational reordering of our national priorities, we must carefully explore all options open to us.

The legislation I am introducing today will provide for just such a careful conversion study. The "National Economic Conversion Act," as the bill is titled, would establish a Commission in the Executive Office of the President to provide framework through which orderly conversion could occur. The Secretary of Commerce would serve as Chairman, and 11 other Cabinet officers and agency heads will comprise the remainder of the Commission. The Commission could select six additional members at its option.

The Commission's duties would consist of five principal tasks. First, it would define appropriate policies and programs to be carried out by departments and agencies of the Federal Government for economic conversion. The Commission would also convene a National Conference on Industrial Conversion and Growth, to consider problems arising from conversion. Third, the Commission would consult with the State Governors to encourage State, local, and regional studies on economic conversion. Fourth, the Commission would bring workers and businessmen into the planning process by consulting with trade and industry associations, labor unions, and professional organizations. Finally, the Commission would guide conversion planning by defense contractors to insure that the individual firms most directly concerned will be fully prepared for their own economic future.

In this session of Congress, I have also introduced legislation to redirect the talented technical manpower of the decelerating defense and space industries to the resolution of our domestic social ills. Already much of this talent has been allowed to stagnate in the ranks of the unemployed, and it is quite evident that the need for conversion planning is serious and immediate. Together, these two bills provide a legislative package which will accomplish the orderly transition from a wartime to a peacetime economy. The future of the Nation depends on how well

we utilize our available resources. As more resources are freed from the requirements of national defense, they must be redirected and retrained to attack the Nation's social ills. I urge the Congress to give full and immediate consideration to these proposals as a means of rational and orderly economic conversion.

#### SOUTH TEXAS A DISASTER AREA

(Mr. DE LA GARZA asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. DE LA GARZA. Mr. Speaker, severe drought conditions prevail throughout most of south Texas. Our crops and livestock are suffering. Our farmers and livestock producers badly need the aid that can be made available to them through designation of the affected area as a natural disaster area.

Under the law, this designation can be made by the Secretary of Agriculture upon recommendations of U.S. Department of Agriculture county and State disaster committees.

These committees are composed of local people, people who know the area and are fully conversant with the problems of the affected area. The committees are made up from the chairman of the County ASC Committee, the chairman of the County Farmers Home Administration Committee, and the extension service representative in the county. The State disaster committee is similarly composed. It is on their recommendation that the Governor finally acts by certifying the drought situation.

Once the proper procedures are carried out, feed prices could be reduced through the sale of feed grain owned by the Commodity Credit Corporation to eligible farmers for eligible livestock. Grazing and haying could be authorized on lands diverted from crops by annual farm programs. Other benefits to our hard hit agricultural producers will result from the natural disaster designation.

Mr. Speaker, I call the attention of my colleagues to the fact that distress caused by severe and prolonged drought is not confined solely to the farmers. Farm hands and migrant workers are immediately and adversely affected by reduced employment. Retail merchants see their sales dropping. The tax structures of county and municipal governments are weakened.

The harmful effects of drought spread out quickly and widely. That is happening now in the 15th Congressional District which I represent and in other south Texas areas. I hope the assistance available under law will be forthcoming soon. It is urgently needed now.

#### FASCELL COSPONSORS MIDDLE EAST RESOLUTION

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

Mr. FASCELL. Mr. Speaker, I am today joining my distinguished colleague and fellow Floridan, CLAUDE PEPPER, in

sponsoring a resolution concerning the Middle East situation. It expresses the sense of the Congress that the U.S. Government should exert its influence to bring about face-to-face negotiations between the Israelis and the Arabs.

The major powers cannot force a settlement in the Middle East. A lasting peace will only be achieved by direct, face-to-face negotiations between the parties involved.

As I see the situation, the United States has two primary responsibilities in the Middle East. First, we must help Israel to maintain the precarious balance of power so that there is no temptation for the other side to take advantage of a temporary imbalance and resume hostilities.

Second, and more important, we must not allow the conflict to escalate to the point of a confrontation between the super powers.

It is with a view to this last goal that I am co-sponsoring this resolution. It is similar to legislation I have sponsored in the past, and it represents a reaffirmation of my previous thoughts and actions on this issue.

Direct, face-to-face negotiations between the Arabs and the Israelis offer what an imposed settlement cannot—the possibility of a permanent peace.

#### HEARINGS SET ON POCKET VETO LEGISLATION

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

Mr. CELLER. Mr. Speaker, I wish to announce that on Wednesday, April 7, 1971, at 10 a.m. subcommittee No. 5 of the Committee on the Judiciary, will conduct public hearings on H.R. 6225, a bill to implement article I, section 7, of the Constitution, designed to spell out the pocket veto powers of the President.

Parties interested in offering testimony or submitting statements for the hearing record should contact the committee in room 2137, Rayburn House Office Building, Washington, D.C.

#### TAKE PRIDE IN AMERICA

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

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a Nation. The United States leads the world in the production of cotton yarn. In 1968 production was 1,866,100 short tons, compared to 1,799,600 for mainland China and 1,566,300 for the Soviet Union.

#### POLAND: DEFENDER OF EUROPE

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

Mr. Speaker, as the aftermath of the bloody riots in Poland this past December much speculation has been centered



on the possible trend of events that could or could not bring about change for the better for that hapless and enslaved country. The editorial "Polonia: Defensor Fidei Ac Europe," written by the Honorable Geoffrey Stewart-Smith appears in the March 1971 issue of the authoritative East-West Digest, journal of the Foreign Affairs Circle of Great Britain. Mr. Stewart-Smith is one of the most promising younger Members of the House of Commons and he won his seat in 1970 Parliamentary elections by defeating George Brown, former Foreign Secretary in the Labor Government. His editorial sketches briefly the history of the heroic Polish people, their tragedies and glories, their unselfish sacrifices on behalf of the Western civilization as defenders against the onslaught of the Eastern tyrannies. I commend this editorial to your attention:

#### POLONIA: DEFENSOR FIDEI AC EUROPE

The Polish nation throughout history has been placed in most perilous and painful situations by geography and destiny and yet it has risen in defence of liberty more manfully and heroically than many others. It was not the leaders and overlords who were such paragons of virtue and wisdom—on the contrary, some of them were such fools or so wicked, or both, that it is still embarrassing to read of their antics centuries afterwards. But it was and is the Polish people who put others to shame by their noble and self-sacrificing heroism in times of national disaster.

In the exposed and naturally unprotected geographical position where Poles dwell, it was unavoidable that Poland lay in the path of the mass armies sent out by rapacious and bloody foreign despots on their missions of mindless destruction and murder, but it is remarkable that Polish princes and kings did not succeed in using for defence the martial valour of their subjects through setting up the bureaucratic and military monster machinery which the rulers of other, similarly indefensible lands formed of their unhappy territorial populations. It was never given to Polish kings to operate similar military monarchies as grew up in the neighbouring areas of Russia, Prussia, and Austria and, on the other flank of Europe, for making France and Spain safe against the perennial invasions of the Norsemen, Normanized English, and Arabs. Thus Poland, though strong in the Middle Ages, when her tyrannical neighbours were still in the throes of feudal disorder and weakness, remained a baronial Republic with an elected king at its head, comparable to post-Norman England with her aristocratic kingmakers, authors of Magna Carta, and fratricidal factions of the Wars of the Roses. But the kingdom of the White Eagle was not protected against foreign interference by the sea; its wide-open frontiers left it open to intrigues of its stronger neighbours, and for defence, it always had to rely on calling up for war service all its inhabitants and seeking help from far distant and fickle allies, to save it from near-destruction. Yet the periodic call on the warlike virtues of all Poles could not remain for ever a substitute for well-organized, well-drilled, well-equipped mass armies and for a permanent machinery of what today is called "logistics", which were at the disposal of the Tsars, the Austrian emperors, and the Prussian kings. The Poles could defend themselves only by repeated and splendid improvisation, and by playing one enemy against the other. Often they failed and ran into tragic disasters.

But how frequently did not such improvisation save other nations, and all Europe, from being engulfed in slavery to Mongol

Khans, Turkish Sultans, modern German racist paranoiacs, and eastern Communist destroyers of civilization?

Almost at the beginning of recorded Polish history, Henryk II, a Polish duke of Silesia, son of Saint Hedwig (Jadwiga), a German princess, took up the hopeless fight against the invincible Mongol hordes of Jenghis Khan's successors, by pitting his small army of Polish and German knights against overwhelming odds in the battle of Wahlstatt near Liegnitz (Legnica) in 1241. He and almost all his men were killed, but they caused the aggressors such heavy losses that, because at the same time the Grand Khan Ugedey had died in his faraway capital city of Karakoram, the Mongol armies retreated into Russia and Central Asia and were never seen again in Central Europe.

In 1683, it was the Turks, then at the summit of their military success, who again threatened to engulf all of Central Europe. Their second siege of Vienna was miraculously raised by a battle that could only be won through the then Polish king, Jan Sobieski, bringing his own big army to the relief of the imperial capital, after another great Roman Catholic state, France, had made an alliance with the Turks. The Turks were soundly beaten, and from then on began their incessant retreat from enslaved South-Eastern Europe and the gradual liberation of its many Christian nations, which ended only in 1912, on the eve of the period of World Wars, which led them into renewed subjection.

There is, of course, no gratitude among states and governments for help received in the past, and Austria took part, barely a century after the Poles having saved Vienna in the nick of time, in the shameful division and dismemberment of Poland, through which the long agony of modern Poland was initiated. This time, it was the Polish ruling and governing nobility, thoroughly disunited, self-willed, and corrupt, which lent an active hand in the destruction of their country, by preferring foreign bribes to risky national unity and self-defence.

In spite of constant singing of the anthem "And yet, Poland is not lost for ever . . ." and of several audacious rebellions, it now seemed for almost 150 years that the national spirit of Poland had been broken for good, though individual Poles, like General Bem in the first Hungarian revolution of 1848, served the cause of other nations' liberty with splendid heroism.

A revival of the Polish Republic in a modern form became only possible after the total breakdown of the neighbouring military colossi of Russia, Austria and Germany in 1917/18. But the new Republic remained weak and, under the impact of the disastrous world slump starting in 1929, impoverished. It cannot be said that its internal arrangements and administration were admirable. In fact, when its strength was put to the test in 1939, it found itself under the rule of the incompetent and rather reactionary "Colonels," unworthy successors of the Polish hero, Marshal Pilsudski, and imbued with many of the repulsive traits of Eastern European social and moral decay: anti-semitism, stupid hostility against trade unions and democratic socialists, senseless national hybris and arrogant hostility against other nations, including the Ukrainians, Germans, Lithuanians, Czechs (and, of course, Russians), when Poland's true interests, in her situation of being permanently threatened on her eastern and western borders, called for making and cultivating as many foreign friends as possible. (Under the psychologically deadening impact of appeasement by the Western democracies, the only attempt at an alliance made by the ageing and near-dying Marshal Pilsudski and his successors was some sort of pact with Hitler.)

When Hitler and Stalin began to carve up

Poland, the "Colonels'" government and military command were swept aside by the war that was lost from the day it started, but the Polish nation never gave up the struggle, although its Western allies did little to relieve and support it. Even a vanquished and tortured Poland, through her brave underground army, remained a running sore in the side of the Nazi Reich, and the Communist ex-allies of Hitler feared the Poles of the Home Army so much that Stalin, instead of letting those Polish soldiers and officers who had not been murdered by the Soviet political police form an allied Polish army on Soviet territory, went to the enormous expense of evacuating the survivors from Soviet prison camps to Persia to join the Western military forces.

How earlier Polish refugees from Poland's breakdown, and later the Polish army formed by General Anders from the evacuees out of the Soviet empire, fought in defense of Britain, for the defeat of Rommel's Afrika-korps, and for the elimination of Mussolini's ramshackle Fascism, has been so frequently and so well told that it need only be mentioned here. But this time again, "ingratitude is the world's reward", as the German proverb has it, and who, in the United Kingdom and in the United States, likes to be reminded today of the Polish pilots of the Battle of Britain, belonging to the "few to whom Britain owes so much", of the Polish Army's hard slog up the rocky spine of Italy, their magnificent victory at Cassino and of the heroism of despair of Warsaw's immortal Jews and of General Bor Komorowski's military rising in the same city, during the last phases of the war?

Coming to the period of the shameful peace which was imposed on the Poles and on all the other small nations on the western borders of Soviet despotism, it is clear that the Cominform, founded in 1947, with the proclaimed purpose of transforming the feeble remainder of a free Europe into "people's democracies", might have been victorious if all these nations had not emulated the Poles' example and tried to use the freedoms promised in their provisional constitutions to build their reviewed national states to their own liking. The Poles being situated on the strategic road into Germany had to be subdued first: their "liberation government" was remoulded into a Soviet puppet already in the fake elections of January, 1947, and the former war-time Prime Minister-in-exile, Mikolajczyk, was forced to flee for his life to England in October of the same year, to be "banished for life" from Poland by the subservient pseudo-parliament, the Sejm. (This bell of slavery tolled for the other satellites in 1948).

It was significant, however, that the nation which had not produced a single Quisling throughout the war, could only be subdued by a whole army of Quislings imported by their new Soviet masters: they were not veterans of the pre-war Polish Communist Party, for the Polish Communists, most of whom had fled to the Soviet Union from the "Colonels'" government's persecution, had been wiped out to the last man and woman by Stalin's butchery, because they were not sufficiently obedient. The new Communist government of Poland, based on the so-called liberation committee of Lublin, consisted of members of the pre-war Polish minority on Soviet soil, many of whom were not even able to speak proper Polish, like the Defence Minister of "People Poland", the Soviet Marshal Rokossovsky, discredited and cashed Polish officers and adventurers, time-serving journalists and political writers from the pre-war intelligentsia, who had not been Communists before 1945, and even former extreme right wingers, sympathizers with Hitler and Mussolini and lifelong Jewbaiters, with an admixture of Jewish Communists who, against all experience, still believed Communism to be the best safeguard against the persecution of the Jews. Some of the

ministers were also ex-Social Democrats. Only Gomulka, and the so-called General Moczar, who also escaped from a Polish gaol after 1939, had been genuine Communist party officials in the inter-war years. (And Gomulka was soon to disappear in a Communist prison for another few years.)

Unbelievably enough, the Polish people still did not settle down quietly to its fate as Moscow's obedient Man Friday. Twelve years before their Czech and Slovak neighbours, in 1956, the Poles were the first to shed their blood for a "socialism with a human face", though they called it more modestly, "Polish socialism". And what the dour neighbours to their South and West never achieved, the more "romantic" Poles did win: they broke the fetters of State serfdom, which had tied their peasant farmers to collective farms, and the farmers are still in possession of their small holdings. Though Polish farmers are viciously discriminated against through inequitable taxation, withholding or restriction of credits, and earmarking most of the necessary tools, machinery, and fertilizers for wasteful giant State farms, they have shown themselves able to produce high-quality foodstuffs for export to the West. (That there is a food shortage in Poland at the same time is due exclusively to government policy, which enforces "hunger exports" of a kind which were the shame of Tsarist Russia, against which all the famous Russian writers, led by Leo Tolstoy, protested.) Fully collectivized Czechoslovakia and allegedly liberalized Hungarian agriculture have never been able to match the Polish farmers' expert successes.

Under the erratic and blustering tutelage of Khrushchev, it took Gomulka about ten years to dismantle again the liberties won in the "Spring in October" of 1956, not merely eight or ten months, as in the case of the wonderful but evanescent spring of Prague in 1968.

True, the Polish Communist hierarchy has used all the dirty tricks inherited from, and encouraged by, its Russian masters—of anti-Semitism, of aggressive and rapacious anti-German imperialism, of brutal disdain for true intellectual freedom, which are all rooted in the common and miserable East European past for playing on the emotions of the misinformed, maltreated, and unhappy Polish masses. Up to a point, the bullies-in-office have been successful in transforming "Polish Socialism" into the "Socialism of the stupid clods", as Jew-baiting had been described, already before 1914, by the venerated German socialist leader, August Bebel, who was also admired by his Polish comrades.

But the reverberations of the Polish people's fight for freedom in 1956, was followed closely by the Hungarian Revolution, and they have not yet ceased to instill in the Soviet rulers a healthy fear of foreign military adventures, across whose lines of supply the Poles would sit. This is probably a more effective protection of the West against a "hot war" than the much-discussed "balance of terror" in the nuclear field, which has not existed for some time, as the Soviets have constantly increased their arms stocks, and the Americans have dismantled their medium-range missile launching pads protecting Western Europe.

Thus the Polish masses, though disorganized and leaderless, are still active and the most valuable and most effective allies of the West in the Soviet camp.

It is sad and shameful in the extreme that the West, itself endangered, is blind to its value and valour, and has nowadays even ceased to admire and give moral support, at least on paper and through its mass media, to the Poles in their hour of need.

For what are the fighting Poles to think of the total absence of reaction to their new attempt to force their present masters, who

have usurped power and not earned it by performance, to give up compelling Polish workers to do more and harder work whilst actually starving, by denying them decent food even for Christmas? What is the meaning of Western trade unionist and Socialist MPs. organizing collections of money for the striking British postal workers, without any of them ever putting pen to paper or speaking up to assure their Polish comrades and colleagues at least of their feelings of brotherly solidarity? If some have done so, who has ever heard of it?

Not even Socialist-led governments in Sweden, Austria, or West Germany have protested against the killing of at least 200 striking workers in Gdansk and unknown numbers in Gdynia, Elblag, Sopot, and Szczecin. No "women's liberation" demo has yet been announced to pledge support for the heroic women of the Lodz textile mills, though they have remained on strike longer and have forced more out of the new Communist leader, comrade Gierk, than the men—the cancellation of all the pre-Christmas food price rises and the restoration of production bonuses and piece rates, which were to be abolished.

Willy Brandt's Socialist-dominated government actually prohibited its officials from expressing any sympathies or raising any protest on the occasion of anti-Jewish persecutions and of police terror against striking workers in Poland, lest the Bonn/Warsaw Treaty be put at risk. Instead, Brandt, in a much-photographed but cheap gesture knelt down at the monument to the Jews of Warsaw, killed by the Nazis, without opening his mouth to ask for mercy for their survivors. Herr Wehner, chairman of the Social Democratic parliamentary party in the German Federal Diet, when in Warsaw, told his host, Communist prime minister Jaroszewicz, that he wished him much success in dealing with the problem of strikes in Poland. What would happen, one is tempted to ask, if a leading Polish Communist came to England these days and wished Mr. Edward Heath "much success" in his troubles with the strikes carried out by free trades unions? Even though Mr. Heath would not and could not stoop to having strikers shot down in the streets, the scandal would be complete.

When one student was killed by a policeman's revolver shot during a deliberately terrorist demonstration by West Berlin student extremists, not protesting against rapacious employers but against the Persian Shah, who in the course of recent oil price negotiations has been transformed into the darling hero of the Third World and its unpaid propagandists in the West, the luckless constable, who had felt threatened was dragged through all the criminal and disciplinary courts, his superiors refusing him support, whilst student incendiaries and violent bullies went off scot-free. The violence of left-wing protests against alleged police terror was indescribable. But fifty Polish workmen standing up for their own constitutional rights were killed and remained unmourned and unsung, though the bloodbath in the cities on the Polish coast of the Baltic was at least as horrible as that of Sharpeville in South Africa.

The West has become blind not only morally but also intellectually and politically to the cause of truth and to its own interests, by not seeing that the Polish workers' rebellion has again got the chestnuts out of the fire for it: the December and February strikes and uprisings have probably saved Western statesmen the necessity to press the West Germany Government (when it would most likely have been too late) for not stumbling hurriedly and mistakenly into ratification of its suicidal pact with Moscow. This pact has gone sour on Moscow, at least for the time being, not because of opposition in West Germany but because Moscow or a very

strong faction in the Kremlin has suddenly become scared of certain possible side-effects of such a pact. They fear that satellite and even Soviet subjects may mistake the conclusion of such a treaty (and of the subsidiary one with Warsaw) as a step towards genuine peace and relaxation, and that the people may therefore become more than usually impatient with the unending hard common lot they are forced to endure. That there has been pressure for what the Soviet government calls "social democracy", i.e. more food and clothing and more decent working conditions instead of wasteful and unending increases in both heavy industrial investments and armament expenditure, can be seen in all Communist countries from the sudden reversal of economic and wage policies in Eastern Germany, Czechoslovakia, Rumania, and now even in the Soviet Union. There, the Party and the Government could not make up their minds till well into 1971 about a new Five Year Plan which should have regulated the economy since January of this year. It has at last now been published, but it is not only incomplete, though it promises more consumer goods to the people—it has not even been discussed by the Central Committee of the Party, which is the usual way of doing it. The much smaller Politbureau has published the draft on its own authority only, and the First Secretary of the Party, Leonid Brezhnev, has for the first time signed the Plan personally (a thing unheard of in Stalin's and Khrushchev's times.) This means presumably that there is disunity and quarrelling in the leadership, with a consequent disorientation and weakening of the Soviet power—equivalent to a relative strengthening of the Western position, unearned and undeserved though it may be by the disunited West.

For this, the West has to thank the rebellious and heroic Polish people again, though not it alone, since other subject nations including the Russians themselves must have brought on such a phenomenal turn in Soviet Bloc policy by their passive (and possibly but unknown to us, active) resistance. But the Poles again stand in the forefront of the defenders of all that is just and humane in the world. Though many will not acknowledge it, we say it here:

"Glory be to the Polish defenders of faith in human dignity and of a civilized and free Europe."

#### LEAVE OF ABSENCE

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

To Mrs. GRASSO (at the request of Mr. GRAY), for today, on account of official business.

To Mr. CORBETT (at the request of Mr. GERALD R. FORD), for the week of March 22, 1971, and the week of March 29, 1971, on account of illness.

#### 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. ROY) to revise and extend their remarks and include extraneous material:)

Mr. GONZALEZ, for 10 minutes, today.

Mrs. GRASSO, for 10 minutes, today.

Mr. ASPIN, for 10 minutes, today.

Mr. RARICK, for 10 minutes, today.

Mr. REUSS, for 30 minutes, today.

(The following Members (at the request of Mr. SHOUR) to revise and extend



their remarks and include extraneous material:)

Mr. GERALD R. FORD, for 5 minutes, today.

Mr. MORSE, for 15 minutes, March 30.

Mr. HOGAN, for 15 minutes, March 30.

Mr. FINDLEY, for 5 minutes, today.

Mr. MIZELL, for 5 minutes, today.

#### EXTENSION OF REMARKS

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

Mr. FLYNT.

Mr. YATES in two instances, and to include extraneous matter.

Mr. BROTHILL of North Carolina and to include extraneous matter.

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

Mr. HORTON.

Mr. BUCHANAN in three instances.

Mr. BROOMFIELD.

Mr. ROBISON of New York.

Mr. DICKINSON in three instances.

Mr. WYATT.

Mr. SPENCE.

Mr. DEL CLAWSON.

Mr. GROSS in two instances.

Mr. MORSE.

Mr. STEIGER of Wisconsin in five instances.

Mr. SCHWENGL in two instances.

Mr. DERWINSKI in three instances.

Mr. MCCLURE.

Mr. WYMAN.

Mr. WHALEN.

Mr. KUYKENDALL.

Mr. HOGAN in five instances.

Mr. HOSMER in three instances.

Mr. RHODES.

Mr. EDWARDS of Alabama.

Mr. WHITEHURST in two instances.

Mr. ZWACH.

Mr. HUNT.

Mr. ROUSSELOT.

Mr. ZION.

Mr. SCHMITZ.

Mr. SNYDER in two instances.

Mr. MIZELL in three instances.

Mr. SHOUP.

Mr. NELSEN.

Mr. ANDERSON of Illinois in two instances.

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

Mr. HAMILTON.

Mr. McFALL.

Mr. EILBERG in three instances.

Mr. SCHEUER.

Mr. BEGICH.

Mr. ABBITT.

Mr. ANDERSON of Tennessee.

Mr. DRINAN.

Mr. JAMES V. STANTON in two instances.

Mr. BADILLO in two instances.

Mr. ASPIN in five instances.

Mr. MATSUNAGA.

Mr. LONG of Maryland.

Mr. HANNA in five instances.

Mr. ROONEY of New York.

Mr. GONZALEZ in two instances.

Mr. ROBINO in three instances.

Mr. WALDIE in five instances.

Mr. ANDERSON of California in two instances.

Mr. FOUNTAIN.

Mr. KLUCZYNSKI in two instances.

Mr. CAREY of New York.

Mr. JONES of Tennessee.

Mr. BINGHAM in two instances.

Mr. ROY in two instances.

Mr. HATHAWAY.

Mr. SYMINGTON.

Mr. VAN DEERLIN.

Mr. COLLINS of Illinois.

Mr. RARICK in two instances.

Mr. HEBERT in three instances.

Mr. EDWARDS of California.

Mr. GREEN of Pennsylvania in four instances.

Mr. FRASER in two instances.

Mr. WILLIAM D. FORD.

Mr. DINGELL.

Mr. FLYNT.

#### 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. 557. An act to amend the Wagner-O'Day Act to extend the provisions thereof to other severely handicapped individuals who are not blind, and for other purposes; to the Committee on Government Operations.

S. 1330. An act to authorize the Secretary of the Treasury to transfer to the Government of the Republic of the Philippines funds for making payments on certain pre-1934 bonds of the Philippines, and for other purposes; to the Committee on Foreign Affairs.

#### JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. HAYS, from the Committee on House Administration, reported that the committee did on March 25 present to the President, for his approval, a joint resolution of the House of the following title:

H.J. Res. 468. A joint resolution making certain further continuing appropriations for the fiscal year 1971, and for other purposes.

#### ADJOURNMENT

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

The motion was agreed to; accordingly (at 2 o'clock and 37 minutes p.m.) the House adjourned until tomorrow, Tuesday, March 30, 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:

475. A letter from the Deputy Assistant Secretary of Defense (Installations and Housing), transmitting notice of the location, nature, and estimated cost of a facilities project proposed to be undertaken for the Army Reserve, and of the cancellation of two projects which appeared in previous letters of notification, pursuant to 10 U.S.C. 2233a(1); to the Committee on Armed Services.

476. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to provide for continuation of authority for regulation of exports; to the Committee on Banking and Currency.

477. A letter from the Special Assistant for

Legislative Affairs, Department of Labor, transmitting the ninth annual report on the administration of the Welfare and Pension Plans Disclosure Act, covering calendar year 1970, pursuant to section 14(b) of the act; to the Committee on Education and Labor.

478. A letter from the Director, Office of Management and Budget, Executive Office of the President, transmitting four drafts of proposed legislation which would establish a Department of Community Development, a Department of Natural Resources, a Department of Human Resources, and a Department of Economic Affairs; to the Committee on Government Operations.

479. A letter from the Administrator of General Services, transmitting a report on the General Services Administration's first dual-fuel vehicle experiment; to the Committee on Interstate and Foreign Commerce.

480. A letter from the Executive Director, Federal Communications Commission, transmitting a report on the backlog of pending applications and hearing cases in the Commission as of February 28, 1971, pursuant to section 5(e) of the Communications Act, as amended; to the Committee on Interstate and Foreign Commerce.

481. A letter from the Director, Administrative Office of the United States Courts, transmitting a draft of proposed legislation to create the office of Administrative Assistant to the Chief Justice of the United States; to the Committee on the Judiciary.

482. A letter from the Director, Administrative Office of the United States Courts, transmitting a draft of proposed legislation to provide for the appointment of justices and judges to the offices of Administrative Assistant to the Chief Justice, Director, Administrative Office of the United States Courts, Director, Federal Judicial Center, and for other purposes; to the Committee on the Judiciary.

483. A letter from the Director, Administrative Office of the United States Courts, transmitting a draft of proposed legislation to establish a commission on revision of the judicial circuits of the United States; to the Committee on the Judiciary.

484. A letter from the Chairman, U.S. Civil Service Commission, transmitting a draft of proposed legislation to liberalize eligibility for cost-of-living increases in civil service retirement annuities; to the Committee on Post Office and Civil Service.

485. A letter from the Chairman, U.S. Civil Service Commission, transmitting an interim report of the Job Evaluation and Pay Review Task Force, pursuant to section 304 of Public Law 91-216; to the Committee on Post Office and Civil Service.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. YOUNG of Texas: Committee on Rules. House Resolution 349. Resolution providing for the consideration of 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; (Rept. No. 92-83). Referred to the House Calendar.

Mr. DELANEY: Committee on Rules. House Resolution 350. A resolution providing for the consideration of H.R. 6531, a bill to amend the Military Selective Service Act of 1967; to increase military pay; to authorize military active duty strengths for fiscal year 1972; and for other purposes; (Rept. No. 92-84). Referred to the House Calendar.

Mr. BLATNIK: Committee on Public Works. H.R. 5376. A bill to extend the Public Works Acceleration Act, the Public Works

and Economic Development Act of 1965, and the Appalachian Regional Development Act of 1965; with an amendment (Rept. No. 92-92). Referred to the Committee of the Whole House on the State of the Union.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DONOHUE: Committee on the Judiciary, H.R. 2036. A bill for the relief of Miss Linda Ortega; with an amendment (Rept. No. 92-85). Referred to the Committee of the Whole House.

Mr. SMITH of New York: Committee on the Judiciary, H.R. 2127. A bill for the relief of the estate of Charles Zonars, deceased; (Rept. No. 92-86). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary, H.R. 2835. A bill for the relief of William E. Carroll; (Rept. No. 92-87). Referred to the Committee of the Whole House.

Mr. SMITH of New York: Committee on the Judiciary, H.R. 3094. A bill for the relief of the estate of Capt. John N. Laycock, U.S. Navy (retired); with amendment (Rept. No. 92-88). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary, H.R. 3748. A bill for the relief of Sgt. John E. Bourgeois; with an amendment (Rept. No. 92-89). Referred to the Committee of the Whole House.

Mr. SANDMAN: Committee on the Judiciary, H.R. 5318. A bill for the relief of Mrs. Fernande M. Allen; with an amendment (Rept. No. 92-90). Referred to the Committee of the Whole House.

Mr. MANN: Committee on the Judiciary, H.R. 5420. A bill for the relief of Robert F. Franklin; with an amendment (Rept. No. 92-91). Referred to the Committee of the Whole House.

#### PUBLIC BILLS AND RESOLUTIONS

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

By Mr. ADDABBO:

H.R. 6823. A bill to amend the Internal Revenue Code of 1954 and title II of the Social Security Act to provide a full exemption (through credit or refund) from the employees' tax under the Federal Insurance Contributions Act, and an equivalent reduction in the self-employment tax, in the case of individuals who have attained age 65; to the Committee on Ways and Means.

H.R. 6824. A bill to extend to all unmarried individuals the full tax benefits of income splitting now enjoyed by married individuals filing joint returns; to the Committee on Ways and Means.

By Mr. ANDERSON of California:

H.R. 6825. A bill to amend the Controlled Substances Act to move amphetamines and certain other stimulant substances from schedule III of such act to schedule II; to the Committee on Interstate and Foreign Commerce.

By Mr. BARING:

H.R. 6826. A bill to direct the Secretary of the Interior to convey to the city of Henderson, Nev., at fair market value, certain public lands in the State of Nevada; to the Committee on Interior and Insular Affairs.

By Mr. BYRNE of Pennsylvania:

H.R. 6827. A bill to provide for the establishment of the Thaddeus Kosciuszko Home National Historic Site in the State of Penn-

sylvania, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 6828. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 6829. A bill to amend the Public Health Service Act to continue and broaden eligibility of schools of nursing for financial assistance, to improve the quality of such schools, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 6830. A bill to provide financial benefits for certain spouses and children who are physically handicapped or mentally retarded, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CELLER:

H.R. 6831. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for expenses incurred by a taxpayer in making repairs and improvements to his residence, and to allow the owner of rental housing to amortize at an accelerated rate the cost of rehabilitating or restoring such housing; to the Committee on Ways and Means.

By Mr. CLEVELAND:

H.R. 6832. A bill to amend the Fish and Wildlife Act of 1956 to provide a criminal penalty for shooting at certain birds, fish, and other animals from an aircraft; to the Committee on Merchant Marine and Fisheries.

By Mr. COLLIER:

H.R. 6833. A bill to amend the Internal Revenue Code of 1954 to exclude from gross income the entire amount of the compensation of members of the Armed Forces of the United States who are prisoners of war, missing in action, or in a detained status during the Vietnam conflict; to the Committee on Ways and Means.

By Mr. CORMAN (for himself, Mr. ANDERSON of California, Mr. BELL, Mr. BRADEMAS, Mr. DON H. CLAUSEN, Mr. EDWARDS of California, Mr. GOLDWATER, Mr. HAWKINS, Mr. JOHNSON of California, Mr. LEGGETT, Mr. MILLER of California, Mr. PETTIS, Mr. REES, Mr. ROYBAL, Mr. SISK, Mr. VAN DEERLIN, Mr. WALDIE, and Mr. CHARLES H. WILSON):

H.R. 6834. A bill to provide Federal financial assistance for the reconstruction or repair of private nonprofit medical care facilities which are damaged or destroyed by a major disaster; to the Committee on Public Works.

By Mr. DAVIS of Georgia:

H.R. 6835. A bill to authorize the Secretary of Transportation to carry out a special program of transportation research and development utilizing the unique experience and manpower of the aerospace and defense industries, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DENT:

H.R. 6836. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. DICKINSON:

H.R. 6837. A bill to amend the Appalachian Regional Development Act of 1965 to extend its coverage additional counties; to the Committee on Public Works.

By Mr. DONOHUE (for himself, Mr. CLANCY, Mr. MACDONALD of Massachusetts, Mr. SHRIVER, Mr. THOMPSON of New Jersey, Mr. WALDIE, Mr. WILLIAMS, Mr. SKUBITZ, Mr. WRIGHT, and Mr. VANDER JAGT):

H.R. 6838. A bill to extend the period for which payments in lieu of taxes may be made with respect to certain real property transferred by the Reconstruction Finance

Corporation and its subsidiaries to other Government departments, and for other purposes; to the Committee on Government Operations.

H.R. 6839. A bill to extend for 2 years the period for which payments in lieu of taxes may be made with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments; to the Committee on Government Operations.

By Mr. EDWARDS of California:

H.R. 6840. A bill to amend title 10, United States Code, to make Armed Forces medical facilities and health programs available to totally disabled veterans and their dependents and survivors; to the Committee on Armed Services.

H.R. 6841. A bill to amend the Communications Act of 1934 to prescribe limitations with respect to political commercials; to the Committee on Interstate and Foreign Commerce.

By Mr. ERLNBORN (for himself, Mr. ROBISON of New York, and Mr. HILLIS):

H.R. 6842. A bill to authorize a White House Conference on Education; to the Committee on Education and Labor.

By Mr. ESHLEMAN:

H.R. 6843. A bill to amend the International Travel Act of 1961 to provide for Federal regulation of the travel agency industry; to the Committee on Interstate and Foreign Commerce.

By Mr. FOLEY (for himself and Mr. MCCORMACK):

H.R. 6844. A bill to amend the Interstate Commerce Act with respect to recovery of a reasonable attorney's fee in case of successful maintenance of an action for recovery of damages sustained in transportation of property; to the Committee on Interstate and Foreign Commerce.

By Mr. GERALD R. FORD:

H.R. 6845. A bill to assist in meeting national housing goals by authorizing the Securities and Exchange Commission to permit companies subject to the Public Utility Holding Company Act of 1935 to provide housing for persons of low and moderate income; to the Committee on Interstate and Foreign Commerce.

By Mr. FRASER:

H.R. 6846. A bill to amend title II of the Social Security Act to provide a minimum primary benefit of \$100 a month under the old-age, survivors, and disability insurance program; to the Committee on Ways and Means.

H.R. 6847. A bill to amend title II of the Social Security Act to increase from \$1,680 to \$2,400 the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. FULTON of Pennsylvania:

H.R. 6848. A bill to incorporate the Gold Star Wives of America; to the Committee on the Judiciary.

H.R. 6849. A bill to authorize the National Science Foundation to conduct research, educational, and assistance programs to prepare the country for conversion from defense to civilian, socially oriented research and development activities, and for other purposes; to the Committee on Science and Astronautics.

By Mr. GONZALEZ:

H.R. 6850. A bill to amend the Civil Service Retirement Act so as to permit retirement of employees with 30 years of service on full annuities without regard to age; to the Committee on Post Office and Civil Service.

H.R. 6851. A bill to amend the Internal Revenue Code of 1954 to provide that the first \$5,000 received as civil service retirement annuity from the United States or any agency thereof shall be excluded from gross



income; to the Committee on Ways and Means.

By Mr. HANLEY:

H.R. 6852. A bill to provide for an equitable procedure for establishing congressional districts; to the Committee on the Judiciary.

By Mr. HANNA:

H.R. 6853. A bill to amend the Small Business Act; to the Committee on Banking and Currency.

H.R. 6854. A bill to encourage small business investment companies to invest in business ventures designed to combat unemployment, air and water pollution, to encourage the development of urban rapid transit facilities and to attain other national policy goals; to the Committee on Banking and Currency.

H.R. 6855. A bill to prohibit mineral leasing and geologic or geophysical surveys of certain submerged lands on the Outer Continental Shelf off the coast of California; to the Committee on Interior and Insular Affairs.

H.R. 6856. A bill to amend the National Wild and Scenic Rivers Act of 1968 (Public Law 90-542), to include the Eel, Klamath, and Trinity Rivers as components of the national wild and scenic rivers system; to the Committee on Interior and Insular Affairs.

H.R. 6857. A bill to designate the San Joaquin Wilderness, Sierra National Forest, and Inyo National Forest in the State of California; to the Committee on Interior and Insular Affairs.

H.R. 6858. A bill to create marine sanctuaries from leasing pursuant to the Outer Continental Shelf Lands Act in areas off the coast of California adjacent to State-owned submerged lands when such State suspends leasing of such submerged lands for mineral purposes; to the Committee on Interior and Insular Affairs.

H.R. 6859. A bill to amend the Resource Recovery Act of 1970 to authorize grants for the construction of resource recovery systems, and to allow grants for solid waste disposal facilities which utilize existing techniques as well as those which apply new techniques; to the Committee on Interstate and Foreign Commerce.

H.R. 6860. A bill to amend the Clean Air Act to permit States to adopt and enforce aircraft emission standards under certain circumstances; to the Committee on Interstate and Foreign Commerce.

H.R. 6861. A bill; fish cancer study; to the Committee on Merchant Marine and Fisheries.

H.R. 6862. A bill to amend the National Environmental Policy Act of 1969 to confer standing on private persons to sue for relief from pollution; to the Committee on Merchant Marine and Fisheries.

H.R. 6863. A bill to authorize the Secretary of the Interior to study the desirability of establishing a national wildlife refuge in California and/or adjacent Western States for the preservation of the California tule elk; to the Committee on Merchant Marine and Fisheries.

H.R. 6864. A bill to establish a Joint Committee on Environmental Quality; to the Committee on Rules.

By Mrs. HANSEN of Washington:

H.R. 6865. A bill to amend the act of August 31, 1954, relating to the control and extinguishment of outcrop and underground fires in coal formations, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HAWKINS:

H.R. 6866. A bill to direct the Secretary of Defense to rectify certain official action taken as a result of the "Brownsville Raid," 1906; to the Committee on Armed Services.

By Mr. HELSTOSKI:

H.R. 6867. A bill to amend the Internal Revenue Code of 1954 to prohibit unauthor-

ized disclosure of information respecting income tax returns by businesses preparing such returns for taxpayers; to the Committee on Ways and Means.

By Mrs. HICKS of Massachusetts:

H.R. 6868. A bill to amend the Fair Labor Standards Act of 1938 to increase the minimum wage rate required under that act to \$2 an hour; to the Committee on Education and Labor.

By Mr. HUNGATE (for himself, Mr. BOLLING, Mr. HULL, and Mr. RANDALL):

H.R. 6869. A bill to provide for the appointment of an additional U.S. district judge; to the Committee on the Judiciary.

H.R. 6870. A bill to provide for the appointment of additional U.S. district judges; to the Committee on the Judiciary.

By Mr. HUNT:

H.R. 6871. A bill to amend section 1402(a) of title 10, United States Code, to revise the rule for recomputation of retired or retainer pay to reflect later active duty; to the Committee on Armed Services.

By Mr. JOHNSON of Pennsylvania:

H.R. 6872. A bill to provide for orderly trade in textile articles and articles of leather footwear, and for other purposes; to the Committee on Ways and Means.

By Mr. McFALL:

H.R. 6873. A bill to amend title II of the Social Security Act to provide that an individual may qualify for disability insurance benefits and the disability freeze if he has enough quarters of coverage to be fully insured for old-age benefit purposes, regardless of when such quarters were earned; to the Committee on Ways and Means.

By Mr. MONAGAN:

H.R. 6874. A bill to establish a National Economic Conversion Commission, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MORSE:

H.R. 6875. A bill to amend the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

By Mr. O'NEILL (for himself, Mr. ADAMS, Mr. ADDABBO, Mr. ANDERSON of California, Mr. BADILLO, Mr. BRADEMAS, Mr. BRASCO, Mr. BURKE of Massachusetts, Mr. BYRNE of Pennsylvania, Mr. CARNEY, Mrs. CHISHOLM, Mr. COLLINS of Illinois, Mr. CONYERS, Mr. CORMAN, Mr. DELLUMS, Mr. DONOHUE, Mr. DRINAN, Mr. EDWARDS of California, Mr. FULTON of Pennsylvania, Mr. FRASER, Mr. GUBSER, Mr. HALPERN, Mr. HARRINGTON, Mr. HECHLER of West Virginia, and Mr. JOHNSON of California):

H.R. 6876. A bill to amend the Federal-State Extended Unemployment Compensation Act of 1970 to permit Federal sharing of the cost of unemployment benefits which extend for 52 weeks; to the Committee on Ways and Means.

By Mr. O'NEILL (for himself, Mr. LEGGETT, Mr. MADDEN, Mr. MEEDS, Mr. METCALFE, Mr. MIKVA, Mr. MILLER of California, Mrs. MINK, Mr. MORSE, Mr. MOSS, Mr. PEPPER, Mr. PODELL, Mr. PRICE of Illinois, Mr. RANGEL, Mr. REES, Mr. REUSS, Mr. RIEGLE, Mr. ROE, Mr. RONCALIO, Mr. ROSENTHAL, Mr. RYAN, Mr. SHRIVER, Mr. JAMES V. STANTON, Mr. TIERMAN, and Mr. WOLFF):

H.R. 6877. A bill to amend the Federal-State Extended Unemployment Compensation Act of 1970 to permit Federal sharing of the cost of unemployment benefits which extend for 52 weeks; to the Committee on Ways and Means.

By Mr. PETTIS:

H.R. 6878. A bill to require the Secretary of Transportation to prescribe regulations requiring certain modes of public transportation in interstate commerce to reserve some seating capacity for passengers who do not smoke; to the Committee on Interstate and Foreign Commerce.

H.R. 6879. A bill to authorize the National Science Foundation to conduct research and educational programs to prepare the country for conversion from defense to civilian, socially oriented research and development activities, and for other purposes; to the Committee on Science and Astronautics.

By Mr. PEYSER:

H.R. 6880. A bill to repeal section 15 of the Urban Mass Transit Act of 1964, to remove certain limitations on the amount of grant assistance which may be available in any one State; to the Committee on Banking and Currency.

By Mr. PURCELL (for himself and Mr. KAZEN):

H.R. 6881. A bill to support the price of manufacturing milk at not less than 85 percent of parity for the marketing year 1971-72; to the Committee on Agriculture.

By Mr. RANGEL:

H.R. 6882. A bill to amend section 620 of the Foreign Assistance Act of 1961 to prohibit foreign assistance from being provided to foreign countries which do not act to prevent narcotic drugs from unlawfully entering the United States; to the Committee on Foreign Affairs.

By Mr. REUSS:

H.R. 6883. A bill to amend the Internal Revenue Code of 1954 to provide relief to certain individuals 65 years of age and over who own or rent their homes, through a system of income tax credits and refunds; to the Committee on Ways and Means.

By Mr. ROBISON of New York:

H.R. 6884. A bill to prohibit discharge of any military material or other refuse into navigable waters of the United States or into international waters, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. RONCALIO:

H.R. 6885. A bill to amend the Rail Passenger Service Act of 1970 to provide that all passenger train discontinuances must be in accordance with the provisions of section 13a of the Interstate Commerce Act; to the Committee on Interstate and Foreign Commerce.

By Mr. ROY:

H.R. 6886. A bill to support the price of manufacturing milk at not less than 85 percent of parity for the marketing year 1971-72; to the Committee on Agriculture.

By Mr. SCHMITZ:

H.R. 6887. A bill to amend the Communications Act of 1934 to prohibit the Federal Communications Commission from considering the political or ideological content of programming in any determination respecting the revocation or renewal of a broadcast license; to the Committee on Interstate and Foreign Commerce.

By Mr. SIKES (for himself, Mr. HAYS, Mr. SCHERLE, Mr. KEE, and Mr. LONG of Louisiana):

H.R. 6888. A bill to authorize the appropriation of additional funds for cooperative forest management; to the Committee on Agriculture.

H.R. 6889. A bill to authorize the appropriation of additional funds for cooperative forest fire protection; to the Committee on Agriculture.

By Mr. STAGGERS (for himself and Mr. SPRINGER):

H.R. 6890. 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. STAGGERS (for himself and Mr. SPRINGER):

H.R. 6891. A bill to provide incentives for increasing the amount of information avail-

able to consumers respecting consumer products; to the Committee on Interstate and Foreign Commerce.

H.R. 6892. A bill 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.

H.R. 6893. A bill to provide for the reporting of weather modification activities to the Federal Government; to the Committee on Interstate and Foreign Commerce.

By Mr. J. WILLIAM STANTON:

H.R. 6894. A bill to amend the Natural Gas Act; to the Committee on Interstate and Foreign Commerce.

By Mr. STEPHENS:

H.R. 6895. A bill to provide for the establishment of the Kettle Creek National Monument; to the Committee on Interior and Insular Affairs.

By Mr. TERRY:

H.R. 6896. A bill to amend the Rail Passenger Service Act of 1970 to require the Secretary of Transportation to include a route from New York City to Chicago, Ill., via Buffalo, N.Y.; to the Committee on Interstate and Foreign Commerce.

By Mr. UDALL:

H.R. 6897. A bill to amend the Communications Act of 1934 to limit the seasons during which professional baseball, basketball, and football games may be broadcast; to the Committee on Interstate and Foreign Commerce.

By Mr. VANIK:

H.R. 6898. A bill to establish a pollution disaster fund, and for other purposes; to the Committee on Public Works.

By Mr. VEYSEY:

H.R. 6899. A bill to amend title 18, United States Code, to prohibit the establishment of emergency detention camps and to provide that no citizen of the United States shall be committed for detention or imprisonment in any facility of the U.S. Government except in conformity with the provisions of title 18; to the Committee on the Judiciary.

By Mr. WALDIE:

H.R. 6900. A bill to provide for the creation of an authority to be known as the Reclamation Lands Authority to carry out the congressional intent respecting the excess land provisions of the Federal Reclamation Act of June 17, 1902; to the Committee on Interior and Insular Affairs.

By Mr. WHALEN (for himself, Mr. ASHLEY, Mr. BIESTER, Mr. BINGHAM, Mr. BOLAND, Mr. BURTON, Mr. CONYERS, Mr. DIGGS, Mr. EDWARDS of California, Mr. HARRINGTON, Mr. LEGGETT, Mr. McCLOSKEY, Mr. MOSHER, Mr. MOSS, Mr. PUCINSKI, Mr. RAILSBACK, Mr. REES, Mr. ROSENTHAL, Mr. ST GERMAIN, Mr. SCHEUER, Mr. STAFFORD, Mr. STOKES, Mr. CHARLES H. WILSON, and Mr. MIKVA):

H.R. 6901. A bill to amend title 10, United States Code, in order to improve the judicial machinery of military courts-martial by removing defense counsel and jury selection from the control of a military commander who convenes a court-martial and by creating an independent trial command for the purpose of preventing command influence or the appearance of command influence from adversely affecting the fairness of military judicial proceedings; to the Committee on Armed Services.

By Mr. WHALEN (for himself and Mr. CLEVELAND):

H.R. 6902. A bill: Newsmen's Privilege Act of 1971; to the Committee on the Judiciary.

By Mr. WINN:

H.R. 6903. A bill to establish a National College of Ecological and Environmental Studies; to the Committee on Science and Astronautics.

By Mr. YOUNG of Florida:

H.R. 6904. A bill to amend title 38, United

States Code, in order to authorize the Administrator to make advance educational assistance payments to certain veterans; to the Committee on Veterans' Affairs.

By Mr. ABBITT:

H.J. Res. 514. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. ESHLEMAN:

H.J. Res. 515. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. FASCELL:

H.J. Res. 516. 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. GUDE:

H.J. Res. 517. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. HORTON:

H.J. Res. 518. Joint resolution authorizing the President to issue a proclamation designating the period from April 17, 1971, through April 25, 1971, as "National Photography Week"; to the Committee on the Judiciary.

By Mr. MITCHELL:

H.J. Res. 519. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. HANNA:

H. Con. Res. 240. Concurrent resolution expressing the sense of the Congress with respect to the pollution of international waters and the necessity for coordinated international action to prevent such pollution, and with respect to the creation of an International Environmental Agency; to the Committee on Foreign Affairs.

By Mr. STAGGERS (for himself and Mr. SPRINGER):

H. Con. Res. 241. Concurrent resolution expressing the sense of the Congress with respect to motor vehicle insurance and an accident compensation system; to the Committee on Interstate and Foreign Commerce.

By Mr. TEAGUE of Texas:

H. Con. Res. 242. Concurrent resolution authorizing certain printing for the Committee on Veterans' Affairs; to the Committee on House Administration.

By Mr. WHITEHURST:

H. Con. Res. 243. Concurrent resolution expressing the sense of Congress with respect to the development of new methods of research which do not require the use of animals; to the Committee on Science and Astronautics.

By Mr. BLATNIK:

H. Res. 351. Resolution to provide funds for the expenses of the investigation and study authorized by House Resolution 142; to the Committee on House Administration.

## MEMORIALS

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

88. By the SPEAKER. Memorial of the Senate of the State of Montana, relative to the appropriation of funds for the construction of a magnetohydrodynamics pilot power plant; to the Committee on Appropriations.

89. Also, memorial of the Senate of the Commonwealth of Massachusetts, relative to the moratorium on the application of the Davis-Bacon Act in the Federal construction field; to the Committee on Education and Labor.

90. Also, memorial of the Legislature of the State of Idaho, relative to the establishment of the Sawtooth National Recreation Area and Wilderness; to the Committee on Interior and Insular Affairs.

91. Also, memorial of the Legislature of the State of Tennessee, ratifying the proposed amendment to the Constitution of the United States extending the right to vote to citizens 18 years of age and older; to the Committee on the Judiciary.

92. Also, memorial of the Senate of the State of Montana, relative to methods of mail distribution; to the Committee on Post Office and Civil Service.

93. Also, memorial of the Legislature of the State of Georgia, relative to placing a higher priority on recreation among the management needs of reservoirs; 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. BINGHAM:

H.R. 6905. A bill for the relief of Edward N. Evans; to the Committee on the Judiciary.

By Mr. FUQUA:

H.R. 6906. A bill for the relief of Aurelio Antonio Piedra and his wife, Maria Concepcion Piedra; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 6907. A bill for the relief of Matyas Hunyadi; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 6908. A bill for the relief of Isidro L. Marcojos; to the Committee on the Judiciary.

By Mr. PURCELL:

H.R. 6909. A bill for the relief of Maria Leann Iley; to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI:

H.R. 6910. A bill for the relief of Nicola and Maria Lerario, Vincenza Lerario Favla and Luigi Lerario; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 6911. A bill for the relief of Marie Claudy; to the Committee on the Judiciary.

By Mr. SMITH of California:

H.R. 6912. A bill for the relief of William Lucas (also known as Vasilios Loukatis); to the Committee on the Judiciary.

By Mr. STRATTON:

H.R. 6913. A bill for the relief of Nicola Gemmiti and his child, Piero Gemmiti; to the Committee on the Judiciary.

By Mr. VEYSEY:

H.R. 6914. A bill to provide for the conveyance of certain real property in the State of California by the United States to John C. Brinton; to the Committee on Interior and Insular Affairs.

## PETITIONS, ETC.

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

51. By the SPEAKER: Petition of the Iroquois Indians Improvement Organization, Nedrow, N.Y., relative to ratification of the Convention on Genocide; to the Committee on Foreign Affairs.

52. Also, petition of Andrew Warholle, Donora, Pa., relative to redress of grievances; to the Committee on the Judiciary.

53. Also, petition of the City Council, South Miami, Fla., relative to the designation of Cape Kennedy as the operational base for the space shuttle system; to the Committee on Science and Astronautics.