recently in the successful bond issue for additional school facilities.

The Board of Education has shown high integrity and a real devotion to the cause of education. The staff members have demonstrated competence and skill in their individual fields, and most of all, a genuine interest in the welfare of young people.

Staff members have recently increased their efforts toward involving the community in school and community problems. Saturday parent coffee hours, joint efforts in the surveillance of problems of young people off school property, the formation of student and parent human relation committees are examples of these innovations.

In addition, staff members are active in efforts to provide an enriched program for our school. This program includes orchestra, band and choral concerts, science fairs, athletic events, plays, school parties and dances, field trips, art exhibits, speech contests, school newspapers and other related school activities.

The large majority of our students make good use of the opportunities offered by our schools and they stand high in scholastic achievement. In comparison with schools in other large cities, our schools have a small number of disciplinary problems. This is probably due to a cooperative effort by students, parents, school staff and other community agencies.

A few of our students need increased efforts to become better school citizens. Recently, parents and community leaders did respond to a request for more help in protection of the right of students going to and from school. As a result of this joint effort, the situation has improved.

There will still be increased efforts to continue to provide an atmosphere at school in which students can learn and increased efforts to protect the rights and safety of all individuals. Parents must continue to encourage students to work up to their ability and develop traits of good citizenship in school and in the community.

While there always is a "generation gap," certain standards should prevail for all generations. High moral values, good conduct, fairness and concern and respect for others—these never go "out of style."

Those of us who work with youth know that they have high ideals and want to have an opportunity to explore—to find new solutions to old problems.

The schools make a strong effort to provide means by which students, under faculty guidance, can direct their concerns into wholesome activities and outlets which should make a better community.

The community must continue to help youth find better jobs, to aspire to better living conditions, and to provide for education of the individual to the maximum of his potential.

It takes the total cooperation of the school, the community, the home, the church, civil authorities and other community agencies to provide youth the best education and opportunities for using skills and talents.

HOUSE OF REPRESENTATIVES—*Monday, December 1, 1969*

The House met at 12 o'clock noon.

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

The Lord will give strength unto His people; the Lord will bless His people with peace.—Psalm 29: 11.

O Thou whose mercy is everlasting and whose truth endureth forever, direct us, we pray Thee, as we face the duties of another week. Grant unto us the wisdom of Thy wise spirit and the confidence of Thy creative mind that we may eagerly seek the best and the noblest in all things. Help us to be courageous when courage is needed, strong when strength is demanded, patient when patience is necessary, and kind when kindness is essential.

Bless our President, our Speaker, Members of Congress, and all who work with them. May they be strengthened by the assurance that Thy hand supports them as they endeavor to lead our country in the paths of righteousness and peace.

In Thy name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Wednesday, November 26, 1969, was read and approved.

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. 19. An act to reimburse certain persons for amounts contributed to the Department of the Interior.

S. 497. An act for the relief of the estate of Capt. John N. Laycock, U.S. Navy (retired);

S. 1678. An act for the relief of Robert C. Szabo; and

S. 3180. An act to adjust the salaries of judges in the government of the District of Columbia.

DISTRICT OF COLUMBIA CRIME PACKAGE

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

Mr. MIZE. Mr. Speaker, I want to talk today about one aspect of the administration's District of Columbia crime package—the proposed changes in the laws relating to juveniles.

The administration's basic court reorganization bill, which has been pending before this body for 3 months, would establish a new family division with jurisdiction, among other things, over delinquents. There would be no size limit to this division, as there is for the present juvenile court, so that the chief judge of the new superior court could assign as many judges as necessary to see that delinquents are tried promptly. This should take care of problems like the recent instance where four juveniles, still waiting for trial for armed robbery and out on release, committed another armed robbery while waiting for the juvenile court to act.

Even more important is the proposed change in the waiver law—useless under present court of appeals decisions. The new waiver provision would require the family division to waive any youth over 15 charged with a felony unless it affirmatively finds he can be rehabilitated in the juvenile system before the age of 21.

I am sure my colleagues are aware that juvenile crime is increasing throughout this country, but I wonder if they realize how bad it is in this city. In the last fiscal year there were 22 homicides committed by youths over 15 and 24 rapes. In the last 6 years robberies by those over 16 have increased 258 percent, grand larcenies by 106 percent, aggravated assaults by 91 percent. It is time we wake up to the fact that these are criminals, not children, and should be treated as such.

The problem is acute, Mr. Speaker. We must act in this session of Congress. We must pass the court reorganization and juvenile code now.

SWEARING IN OF MEMBER

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois, Mr. PHILIP M. CRANE, be permitted to take the oath of office today. His certificate of election has not arrived, but there is no contest, and no question has been raised with regard to his election.

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

There was no objection.

Mr. CRANE appeared at the bar of the House and took the oath of office.

NEW PROGRAM FOR STUDENT LOANS

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

Mr. FUQUA. Mr. Speaker, today I am introducing a bill to amend the Higher Education Act of 1965, to increase the funds available to commercial lenders who make insured student loans under such act to students throughout the country.

A critical need for such loans has arisen, but the commercial lenders have been unable to meet this need because of the long-term nature of the loans. Under the present law, students can borrow from banks a limited sum to assist in their educational expense. After graduation, these loans are repaid.

The measure I propose would set up a central fund, created by the sale of bonds, from which banks may borrow up to 80 percent of the total amount of funds they have loaned to students under the insured student loan program of the Higher Education Act. The result would be twofold: First, it would make more money from more banks available to more de-

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

serving students; and second, it would enable the banks to manage such a program by providing the liquidity or "cash flow" needed to make it operate.

Repayment of insured student loans already issued has been excellent with the students having completed their education and entered into productive careers. This bill has the enthusiastic support of university and college administrators and lending institutions. It would solve a critical financial need for literally hundreds of thousands of students across the Nation without being a financial burden on the Federal treasury. It would be in the highest of public interest and service.

NO COMMENT NECESSARY

(Mr. MIKVA asked and was given permission to address the House for 1 minute and to include extraneous matter.)

Mr. MIKVA. Mr. Speaker, some statements of public figures need no editorial comment. Former Gov. George Wallace's assessment of the policies of the Nixon administration is one of these.

His remarks on NBC's "Meet the Press" were quoted in the December 1, 1969, Washington Post. I insert them at this point for the edification of my colleagues.

I wish I had copyrighted or patented my speeches. I would be drawing immense royalties from Mr. Nixon and especially from Mr. Agnew.

CALLING THE ROLL IN REVERSE ALPHABETICAL ORDER

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

Mr. WIGGINS. Mr. Speaker, I am today introducing a House resolution to change a rule of the House which has worked to the detriment of certain Members.

The change is a simple one. It directs the Clerk to call the roll in reverse alphabetical order in the second session of every Congress. This change may appear to be unnecessary to our friends ABBITT, ABERNETHY, and ADAIR; but I assure you it is a meaningful one to our colleagues ZABLOCKI, ZION, and ZWACH.

There are too many instances when those of us who are doomed forever to the end of the alphabet must choose between making a rollcall or missing a plane. The change proposed will not correct this situation entirely, but it will spread the problem around more equitably.

The change is fair. It merits prompt consideration by the Rules Committee, and your support.

ATTACK ON CRIME UNDER THE SAFE STREETS ACT OF 1968

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

Mr. FEIGHAN. Mr. Speaker, under the Omnibus Crime Control and Safe Streets Act of 1968 the Congress created a Law Enforcement Assistance Administration to administer grant programs to States and units of local government to strengthen and improve local law enforcement. The programs which will be funded by the Federal Government include efforts to combat organized crime and programs to prevent and control riots and other civil disorders. In addition, grants are authorized for research, education, and training of law-enforcement personnel.

Thus far, our investment in the Safe Streets Act has been modest and directed only toward launching the assistance program. But the safety and liberty of all our citizens depend on the excellence of State and local law enforcement.

The State of Ohio has received approximately $1,300,000 to help in its fight on crime. The programs covered include training personnel and equipment; developing a county-wide common radio network; a comprehensive criminal justice information system; a district crime lab; specialized training for institutional—correctional—personnel; a police-community relations unit and other programs. In addition, $226,634 was authorized during fiscal 1969 for riot prevention and control; $100,000 was awarded to the city of Cleveland to develop a neighborhood crime control detection and prevention program via a special 18-member police unit.

These efforts are commendable but much more needs to be done. If we want to increase the level and quality of public safety and criminal justice, we must pay for it. Existing legislation does not authorize appropriations beyond the present fiscal year. I today introduced legislation to authorize funding of this vital attack on crime program for fiscal 1971 and subsequent years.

CONSENT CALENDAR

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

CONNECTICUT-NEW YORK RAILROAD PASSENGER TRANSPORTATION COMPACT

The Clerk called the bill (H.R. 14646) granting the consent of Congress to the Connecticut-New York Railroad passenger transportation compact.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BURKE of Massachusetts. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

The Clerk will call the next bill on the Consent Calendar.

AMENDING UNITED STATES CODE TO AUTHORIZE APPLICATION OF LOCAL LAW IN DETERMINING EFFECT OF CONTRIBUTORY NEGLIGENCE ON CLAIMS INVOLVING MEMBERS OF THE NATIONAL GUARD

The Clerk called the bill (H.R. 2751) to amend section 715 of title 32, United States Code, to authorize the application of local law in determining the effect of contributory negligence on claims involving members of the National Guard.

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

H.R. 2751

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 715(b) of title 32 United States Code, is amended by striking out "; and" at the end of clause (4) and inserting in place thereof ", or, if so caused, allowed only to the extent that the law of the place where the act or omission complained of occurred would permit recovery from a private individual under like circumstances; and".

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

DECLARING THAT THE UNITED STATES HOLDS LAND IN TRUST FOR THE SOUTHERN UTE TRIBE

The Clerk called the bill (H.R. 12785) to declare that the United States holds in trust for the Southern Ute Tribe approximately 213.37 acres of land.

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

H.R. 12785

Be it enacted b the Senate and House of Representatives of the United States of America in Congress assembled, That all right, title, and interest of the United States in the lands described below, which are excess to the needs of the Bureau of Indian Affairs, shall be held in trust for the Southern Ute Tribe subject to the laws and regulations that apply to other lands held in trust for the tribe:

(a) The portion of the east half west half northeast quarter, section 5, lying west of the Pine River; that portion of the east half northeast quarter, section 5, lying west of the Pine River; and that portion of the northwest quarter northwest quarter, section 4, lying west of the Pine River, all in township 33 north, range 7 west, New Mexico principal meridian, Colorado, containing 110 acres.

(b) That portion of the northeast quarter northwest quarter, section 5, township 33 north, range 7 west, New Mexico principal meridian, La Plata Count, Colorado, described as: Beginning at the northeast corner of the northwest quarter, section 5; thence running south 1,329 feet; thence turning on azimuth of 89 degrees 16 minutes right and running west 844 feet; thence turning on azimuth of 121 degrees 55 minutes right and running northeast 400 feet; thence turning on azimuth 6 degrees 21 minutes left and running northeast 379 feet; thence turning on azimuth of 1 degree 46 minutes left and running northeast 318 feet; thence turning on azimuth of 2 degrees 50 minutes left and running northeast 383 feet; thence turning on azimuth of 69 degrees 7 minutes right and running east 219.3 feet to the point of beginning, containing 15.37 acres, more or less.

(c) West half northwest quarter northeast quarter, section 5, township 33 north, range 7 west, New Mexico principal meridian, La Plata Count, Colorado; containing 20.00 acres more or less.

(d) West half southwest quarter northeast quarter, and the southeast quarter northwest quarter, section 5, township 33 north, range 7 west, New Mexico principal meridian, La Plata County, Colorado; containing 60 acres, more or less.

(e) That portion of the southwest quarter southeast quarter, section 14U described as: Beginning at the southwest corner of the southwest quarter of the southeast quarter of section 14U, township 34 north, range 7 west, New Mexico principal meridian, La Plata County, Colorado; thence east 20 rods; thence north 64 rods; thence west 20 rods; thence south 64 rods to the point of beginning; containing eight acres, more or less; together with an equitable proportionate share of the water belonging to allotment numbered 172 in what is known as the Bent Ditch.

With the following committee amendments:

On page 1, line 5, after "held" insert "by the United States".

On page 2, line 24, insert a comma after the word "acres".

On page 3, line 5, reletter subsection (e) as subsection (f) and insert a new subsection (e) as follows:

"(e) That portion of the northwest quarter southwest quarter, section 5, township 33 north, range 7 west, New Mexico principal meridian, La Plata County, Colorado, described as: Beginning at a point 1,235 feet west of the northeast corner of the northwest quarter southwest quarter section 5, thence south 208 feet, thence west 208 feet, thence north 208 feet, thence east 208 feet, to the point of beginning, containing one acre, more or less, together with an easement of right-of-way for water pipeline purposes running east from the northeast corner of the one acre along the north line of the northwest quarter southwest quarter of section 5, 1,235 feet to the northeast corner of the northwest quarter southwest quarter, thence south 20 feet, thence west in a line parallel to the north line of the northwest quarter southwest quarter, 1,235 feet to the east line of the one-acre tract herein conveyed, thence north 20 feet to the point of beginning of the right-of-way for a pipeline to connect with the reservoir on the northeast quarter southeast quarter of section 5, all subject to the reservation of a right of the United States to use the property conveyed as long as the Secretary of the Interior deems necessary."

On page 3, after line 15, insert a new section 2 as follows:

"SEC. 2. The Indian Claims Commission is directed to determine, in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission."

The committee amendments were agreed to.

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

Mr. ASPINALL. Mr. Speaker, this bill gives to the Southern Ute Tribe in Colorado, in trust, approximately 215 acres of land that are now excess to the needs of the Bureau of Indian Affairs, but which are needed by the tribe. The land is located within the reservation in an area which the tribe is trying to consolidate in Indian ownership. It is in a prospective development area that can provide jobs for a substantial number of Indians.

The land originally cost the United States $9,630 when acquired during the period 1908 to 1942. It is now worth about $39,250. Although the bill transfers the land without a consideration, the tribe has pending before the Indian Claims Commission a claim against the United States and the bill requires the Commission to consider the value of the land for setoff purposes if a judgment should be recovered.

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

The title was amended so as to read: "To declare that the United States holds in trust for the Southern Ute Tribe approximately 214.37 acres of land."

A motion to reconsider was laid on the table.

FURNISHING OF TRANSCRIPTS IN PROCEEDINGS UNDER THE CRIMINAL JUSTICE ACT

The Clerk called the bill (H.R. 4302) to amend title 28 of the United States Code, section 753, to authorize payment by the United States of fees charged by court reporters for furnishing certain transcripts in proceedings under the Criminal Justice Act.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, reserving the right to object—and I shall not object—I believe the furnishing of transcripts in proceedings under the Criminal Justice Act is essential, but I wonder about the statement in the committee report which says:

This bill authorizes no additional expenditures and will generate no increase in cost.

What is the basis for such a statement?

It would seem to me there would be obvious requisite costs for at least additional clerical help in the hands of the Justice Department and the judiciary in order to furnish these transcripts.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. HALL. I am glad to yield to the gentleman from Colorado if he has information on that question.

Mr. ROGERS of Colorado. Mr. Speaker, as I understand it, the report says:

This bill authorizes no additional expenditures and will generate no increase in cost.

Mr. HALL. This is the very statement I am questioning. How can there be no additional cost when we are furnishing transcripts?

Mr. ROGERS of Colorado. The only thing this bill does is provide, once the man has been able to have appointed for him an attorney under the Criminal Justice Act, he does not have to make a showing every time—that is, a separate showing—in order to get the transcript. That is why it does not cost any more, because at the present time he is entitled to that.

Mr. HALL. Mr. Speaker, I understand that. I understand the question of indigency that is involved, but whereas in one portion of the bill it says, "the United States would pay the transcript fees without further showing of indigency," in another place in the same report prepared by the committee, it says that it "will generate no increases in cost." I just wonder about the basic soundness of these counter and opposing statements.

Mr. ROGERS of Colorado. I do not see anything counter opposing in these.

Mr. HALL. Mr. Speaker, with the gentleman's assurance, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

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

H.R. 4302

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (f) of section 753 of title 28 of the United States Code is amended by striking all of the third and fourth sentences of that paragraph and substituting therefor the following: "Fees for transcripts furnished in criminal or habeas corpus proceedings to persons allowed to sue, defend, or appeal in forma pauperis or under the Criminal Justice Act (18 U.S.C. 3006A), shall be paid by the United States out of moneys appropriated for those purposes. Fees for transcripts furnished in proceedings brought under section 2255 of this title to persons permitted to sue or appeal in forma pauperis or under the Criminal Justice Act (18 U.S.C. 3006A), shall be paid by the United States out of moneys appropriated for those purposes if the trial judge or a circuit judge certifies that the suit or appeal is not frivolous and that the transcript is needed to decide the issue presented by the suit or appeal."

With the following committee amendment:

Strike all after the enacting clause and insert the following:

"That paragraph (f) of section 753 of title 28 of the United States Code is amended by striking all of the third sentence of that paragraph and substituting therefor the following: 'Fees for transcripts furnished in criminal proceedings to persons proceeding under the Criminal Justice Act (18 U.S.C. 3006A), or in habeas corpus proceedings to persons allowed to sue, defend, or appeal in forma pauperis, shall be paid by the United States out of moneys appropriated for those purposes.' "

The committee amendment was agreed to.

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

SUMMONSES FOR JURY DUTY

The Clerk called the bill (H.R. 9677) to amend section 1866 of title 28, United States Code, prescribing the manner in which summonses for jury duty may be served.

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

H.R. 9677

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1866(b) of title 28, United States Code, is amended to read as follows:

"When the court orders a grand or petit jury to be drawn, the clerk or jury commission or their duly designated deputies shall issue summonses for the required number of jurors.

"Each person drawn for jury service may be served personally, or by registered or certified mail addressed to such person at his usual residence or business address.

"If such service is made personally, the summons shall be delivered by the clerk or the jury commission or their duly designated

deputies to the marshal who shall make such service.

"If such service is made by registered or certified mail, the summons may be served by the clerk or jury commission or their duly designated deputies who shall make affidavit of service and shall file with such affidavit the addressee's receipt for the registered or certified summons. If such service is made by the marshal, he shall attach to his return the addressee's receipt for the registered or certified mail."

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

COUNTERFEITING OF POSTAGE METER STAMPS AND OTHER IMPROPER USES OF METERED MAIL SYSTEMS

The Clerk called the bill (H.R. 14485) to amend sections 501 and 504 of title 18, United States Code, so as to strengthen the law relating to the counterfeiting of postage meter stamps or other improper uses of the metered mail system.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, reserving the right to object—and again, I shall not object—I believe this is a worthwhile enactment, but I just wonder if the Postal Department should not take a "leaf out of the book" of vending machines and perhaps put all stamps, which are the subject of many safe "peelings" by obviously organized gangs throughout the Nation seeking stamps, under a vending meter system. They—these safe robbers—would rather have the stamps than cash. We could let the stamps revert to the sectional center post offices for mass sales, and then we would not have so many robberies or so much unaccountable and undetected loss of postage stamps.

It would seem to me that if we would meter our stamps, instead of spending $20 million in the first-class post offices alone, to try to perfect the safes in which they store the stamps, which are robbed regularly, we would solve the problem. rather than facing the question in this manner. In one place in Missouri just this weekend over $1 million worth of stamps were taken from a post office safe, in one of the new safes designed to prevent this.

I am in favor of this bill as one step in the right direction. I believe we should make the additional long step by simply learning from those who satisfactorily vend, without loss of coinage or stamps or anything else, and put all the stamps in the sectional mailing centers and let them be purchased through meters, and take them out of the second-, third-, and fourth-class post offices. Then, it seems to me, we would be much better off.

I will yield to the gentleman, if he wishes. Mine is an observation and not a question.

Mr. ROGERS of Colorado. I am sure the gentleman agrees that some action should be taken to make it a crime to duplicate meter stamps.

As to the other matters, I am sure the Postmaster General would be happy to receive the gentleman's comments. If the Postmaster General has any suggestions on pieces of legislation to meet the problems the gentleman from Missouri has outlined, all he has to do is send them up here and we will do our best to enact them.

Mr. HALL. Mr. Speaker, again the gentleman's blessed assurance in this Christmas season is reassuring and rejuvenating, and I withdraw my reservation.

The SPEAKER. Is there objection to the present consideration of the bill?

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

H.R. 14485

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 501 of title 18, United States Code, is amended to read as follows:

"SEC. 501. Postage stamps, postage meter stamps, and postal cards.

"Whoever forges or counterfeits any postage stamp, postage meter stamp, or any stamp printed upon any stamped envelope, or postal card, or any die, plate, or engraving thereof; or

"Whoever makes or prints, or knowingly uses or sells, or possesses with intent to use or sell, any such forged or counterfeited postage stamp, postage meter stamp, stamped envelope, postal card, die, plate, or engraving; or

"Whoever makes, or knowingly uses or sells, or possesses with intent to use or sell, any paper bearing the watermark of any stamped envelope, or postal card, or any fraudulent imitation thereof; or

"Whoever makes or prints, or authorizes to be made or printed, any postage stamp, postage meter stamp, stamped envelope, or postal card, of the kind authorized and provided by the Post Office Department, without the special authority and direction of said department; or

"Whoever after such postage stamp, postage meter stamp, stamped envelope, or postal card has been printed, with intent to defraud, delivers the same to any person not authorized by an instrument in writing, duly executed under the hand of the Postmaster General and the seal of the Post Office Department, to receive it—

"Shall be fined not more than $500 or imprisoned not more than five years, or both."

SEC. 2. Section 504 of title 18, United States Code, is amended by adding at the end thereof the following:

"For the purposes of this section the term 'postage stamp' includes postage meter stamps."

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

AUTHORIZING CIVILIAN EMPLOYEES OF DEPARTMENT OF DEFENSE TO ADMINISTER OATHS

The Clerk called the bill (H.R. 4248) to amend title 5, United States Code, to authorize civilians employed by the Department of Defense to administer oaths while conducting official investigations.

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

H.R. 4248

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 303 of title 5, United States Code, is amended by inserting the designation "(a)" at the beginning of the text of the section and by adding the following new subsection:

"(b) An employee of the Department of Defense lawfully assigned to investigative duties may administer oaths to witnesses in connection with an official investigation."

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

PROVIDING FOR MUNICIPAL USE OF STORAGE WATER IN BENBROOK DAM, TEX.

The Clerk called the bill (H.R. 5278) to amend the act of July 24, 1956, to authorize the Secretary of the Army to contract with the Benbrook Water and Sewer Authority for the use of water supply storage in the Benbrook Reservoir.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I should like to ask some Member acquainted with this bill why there is no termination date for this water drawdown. If the Trinity River is ever to be made navigable—and I do not know what the situation is now—surely they will need this water at some future time.

Mr. WRIGHT. Mr. Speaker, will the gentleman yield?

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

Mr. WRIGHT. The gentleman is absolutely correct. They will need the water for navigation at such time as the requirement exists.

The law which this bill would amend grants to the city of Fort Worth standby emergency rights to use some of the water pending such time as that water is needed for navigation.

This amendment would merely extend that same right for a portion of those waters to the little city of Benbrook, which lies immediately adjacent to the reservoir itself.

So the parent law which this bill would amend does have a cutoff time, and that cutoff time definitely is the time when those waters are needed for navigation.

That requirement would definitely apply to this amendment to the earlier act as well as to the earlier act itself.

Mr. GROSS. What is the situation with respect to the Trinity River project? Has anything been done?

Mr. WRIGHT. If the gentleman will yield further?

Mr. GROSS. Yes.

Mr. WRIGHT. I earnestly wish that I could give the gentleman a definitive answer on that. Moneys were appropriated in the appropriation bill this year for engineering works leading up to the construction of the first phase of the navigation program, and that is where it stands at the present time.

Mr. GROSS. Does the gentleman think that it will be navigable up to Fort Worth and Dallas, Tex.?

Mr. WRIGHT. If the gentleman will yield, the gentleman from Texas is dedicated to the proposition that it shall.

Mr. GROSS. I would ask the gentleman another question. What is the

meaning of reasonable compensation to be paid by the city for the water that is to be drawn from the reservoir?

Mr. WRIGHT. Reasonable compensation is determined under the terms of the original act which this bill amends. The determination is made by the U.S. Corps of Army Engineers. The city of Fort Worth now does not receive water free but pays for what water it receives. Under the terms of this bill, if adopted, the same right would be extended to the city of Benbrook.

Mr. GROSS. But the gentleman has no estimate of what the return to the Government would be by reason of this legislation?

Mr. WRIGHT. I am sorry, but I do not know precisely how much water is being used or the exact rate that is being charged. It is what the Corps of Engineers determines to be a reasonable amount. If this legislation and its parents Act were not authorized, of course, there would be no return at all, because there would be no authorization for the Corps to market this water pending such time as it is needed for navigation.

Mr. GROSS. But this reservoir was originally constructed for the purpose of providing water for navigational purposes on the Trinity River. It was not built for the purpose of supplying Fort Worth and the city of Benbrook with water. Is the gentleman saying that under the guise of being built to impound waters for navigation, the reservoir was really designed to provide water for certain populated areas of Texas?

Mr. WRIGHT. If the gentleman will yield further, the gentleman is correct in saying that the original purposes were other than municipal supply. The reservoir was constructed in 1953 under an act which authorized it as a multipurpose reservoir. The primary purposes on which it was justified were navigation, flood control, and certain other residual benefits. In precise answer to the gentleman's question, he is correct that the initial authorization did not include municipal water uses. Since that time the policy of the Government itself and of the Congress and the Corps of Engineers has changed to the extent that the use for municipal purposes is now recognized as a compensable item in the determination of the benefit-cost ratio. It was not, however, so recognized at the time. The act which this bill would amend was passed during the time of a very severe drought in the Southwest. It permits the city of Fort Worth on a standby and emergency basis only to use these waters until such time as they are needed for navigation. This bill would simply permit some of the waters to be used not by the city of Fort Worth alone but by the town of Benbrook. Very little of the water has been used and that only in times of pressing need.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide for municipal use of storage water in Benbrook Dam, Texas", approved July 24, 1956 (70 Stat. 632), is amended by inserting immediately after "Fort Worth" the following: ", and with the Benbrook Water and Sewer Authority,".

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

TAHOE REGIONAL PLANNING COMPACT

The Clerk called the bill (S. 118) to grant the consent of the Congress to the Tahoe regional planning compact, to authorize the Secretary of the Interior and others to cooperate with the planning agency thereby created, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I would like to ask someone if there is any cost to the Federal Government as a result of this legislation or any anticipated cost to the Government?

Mr. KASTENMEIER. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Yes.

Mr. KASTENMEIER. No; not under the compact. Although there will be agencies of the Federal Government involved—the Department of the Interior and the Department of Agriculture—they are only authorized to cooperate with this planning agency to the degree that it does deal with our U.S. forest lands in the area and with reference to the Interior Committee case, the Interior Department is concerned about protection and improvement of the Lake Tahoe region as a national resource. It is essentially a development and antipollution vehicle designed in the compact by the two States themselves.

Mr. GROSS. What is the reason for section 7 of the bill which states "the right to alter, amend or repeal this act is expressly reserved"? We do not often have that language in legislation of this type. What is the meaning of section 7?

Mr. KASTENMEIER. Mr. Speaker, if the gentleman will yield further——

Mr. GROSS. Yes.

Mr. KASTENMEIER. Under interstate compacts of this nature the House is disposed to have this language included for reasons arising out of some historically difficult problems which we have had in the past. The Senate also accedes to it because if either the House of Representatives or the Senate itself feels a need to either amend or repeal the act, it can do so and it is so understood by the parties concerned. We have not in recent times employed that provision, but it is a power reserved to us.

Mr. GROSS. Mr. Speaker, I would be very much surprised if this legislation does not result in additional demands upon the Federal Treasury. I am glad to have the gentleman's assurance that he does not feel that it will. But I am afraid this is probably what will result.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

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

S. 118

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to encourage the wise use and conservation of the waters of Lake Tahoe and of the resources of the area around said lake, the consent of the Congress is hereby given to the Tahoe regional planning compact heretofore adopted by the States of California and Nevada, which compact reads as follows:

"TAHOE REGIONAL PLANNING COMPACT

"Article I. Findings and Declarations of Policy

"(a) It is found and declared that the waters of Lake Tahoe and other resources of the Lake Tahoe region are threatened with deterioration or degeneration, which may endanger the natural beauty and economic productivity of the region.

"(b) It is further declared that by virtue of the special conditions and circumstances of the natural ecology, developmental pattern, population distribution, and human needs in the Lake Tahoe region, the region is experiencing problems of resource use and deficiencies of environmental control.

"(c) It is further found and declared that there is a need to maintain an equilibrium between the region's natural endowment and its manmade environment, to preserve the scenic beauty and recreational opportunities of the region, and it is recognized that for the purpose of enhancing the efficiency and governmental effectiveness of the region, it is imperative that there be established an areawide planning agency with power to adopt and enforce a regional plan of resource conservation and orderly development, to exercise effective environmental controls and to perform other essential functions, as enumerated in this title.

"ARTICLE II. DEFINITIONS

"As used in this compact:

"(a) 'Region,' includes Lake Tahoe, the adjacent parts of the Counties of Douglas, Ormsby, and Washoe lying within the Tahoe Basin in the State of Nevada, and the adjacent parts of the Counties of Placer and El Dorado lying within the Tahoe Basin in the State of California, and that additional and adjacent part of the County of Placer outside of the Tahoe Basin in the State of California which lies southward and eastward of a line starting at the intersection of the basin crestline and the north boundary of Section 1, thence west to the northwest corner of Section 3, thence south to the intersection of the basin crestline and the west boundary of Section 10; all sections referring to Township 15 North, Range 16, East M.D.B.&M. The region defined and described herein shall be as precisely delineated on official maps of the agency.

"(b) 'Agency' means the Tahoe Regional Planning Agency.

"(c) 'Governing body' means the governing board of the Tahoe Regional Planning Agency.

"(d) 'Regional plan' shall mean the long-term general plan for the development of the region.

"(e) 'Interim plan' shall mean the interim regional plan adopted pending the adoption of the regional plan.

"(f) 'Planning commission' means the advisory planning commission appointed pursuant to paragraph (h) of Article III.

"ARTICLE III. ORGANIZATION

"(a) There is created the Tahoe Regional Planning Agency as a separate legal entity.

"The governing body of the agency shall be constituted as follows:

"One member appointed by each of the County Boards of Supervisors of the Counties of El Dorado and Placer and one member appointed by the City Council of the City of South Lake Tahoe. Each member shall be a member of the city council or county board of supervisors which he represents and, in

the case of a supervisor, shall be a resident of a county supervisorial district lying wholly or partly within the region.

"One member appointed by each of the boards of county commissioners of Douglas, Ormsby and Washoe counties. Any member so appointed shall be a resident of the county from which he is appointed and may be, but is not required to be:

"(1) A member of the board which appoints him; and

"(2) a resident of or the owner of real property in the region,

as each board of county commissioners may in its own discretion determine. The manner of selecting the person so to be appointed may be further prescribed by county ordinance. A person so appointed shall before taking his seat on the governing body disclose all his economic interests in the region, and shall thereafter disclose any further economic interest which he acquires, as soon as feasible after he acquires it. If any board of county commissioners fails to make an appointment required by this paragraph within 30 days after the effective date of this act or the occurrence of a vacancy on the governing body, the governor shall make such appointment. The position of a member appointed by a board of county commissioners shall be deemed vacant if such member is absent from three consecutive meetings of the governing body in any calendar year.

"One member appointed by the Governor of California and one member appointed by the Governor of Nevada. The appointment of the California member is subject to Senate confirmation; he shall not be a resident of the region and shall represent the public at large. The member appointed by the Governor of Nevada shall not be a resident of the region and shall represent the public at large.

"The Administrator of the California Resources Agency or his designee and the Director of the Nevada Department of Conservation and Natural Resources or his designee.

"(b) The members of the agency shall serve without compensation, but the expenses of each member shall be met by the body which he represents in accordance with the law of that body. All other expenses incurred by the governing body in the course of exercising the powers conferred upon it by this compact unless met in some other manner specifically provided, shall be paid by the agency out of its own funds.

"(c) The term of office of the members of the governing body shall be at the pleasure of the appointing authority in each case, but each appointment shall be reviewed no less often than every 4 years.

"(d) The governing body of the agency shall meet at least monthly. All meetings shall be open to the public to the extent required by the law of the State of California or the State of Nevada, whichever imposes the greater requirement, applicable to local governments at the time such meeting is held. The governing body shall fix a date for its regular monthly meeting in such terms as 'the first Monday of each month,' and shall not change such date oftener than once in any calendar year. Notice of the date so fixed shall be given by publication at least once in a newspaper or combination of newspapers whose circulation is general throughout the region and in each country a portion of whose territory lies within the region. Notice of any special meeting, except an emergency meeting, shall be given by so publishing the date, place and agenda at least 5 days prior to the meeting.

"(e) The position of a member of the governing body shall be considered vacated upon his loss of any of the qualifications required for his appointment and in such event the appointing authority shall appoint a successor.

"(f) The governing body shall elect from its own members a chairman and vice chairman, whose terms of office shall be two years, and who may be reelected. If a vacancy occurs in either office, the governing body may fill such vacancy for the unexpired term.

"(g) A majority of the members of the governing body from each state shall constitute a quorum for the transaction of the business of the agency. A majority vote of the members present representing each state shall be required to take action with respect to any matter. The vote of each member of the governing body shall be individually recorded. The governing body shall adopt its own rules, regulations and procedures.

"(h) An advisory planning commission shall be appointed by the agency, which shall consist of an equal number of members from each State. The commission shall include but shall not be limited to: the chief planning officers of Placer County, El Dorado County, and the City of South Lake Tahoe in California and the Counties of Douglas, Ormsby, and Washoe in Nevada, the Placer County Director of Sanitation, the El Dorado County Director of Sanitation, the county health officer of Douglas County or his designee, the county health officer of Washoe County or his designee, the Chief of the Bureau of Environmental Health of the Health Division of Department of Health, Welfare and Rehabilitation of the State of Nevada or his designee, the executive officer of the Lahontan Regional Water Quality Control Board or his designee, the executive officer of the Tahoe Regional Planning Agency who shall act as chairman and at least four lay members each of whom shall be a resident of the region.

"(i) The agency shall establish and maintain an office within the region. The agency may rent or own property and equipment. Every plan, ordinance and other record of the agency which is of such nature as to constitute a public record under the law of either the State of California or the State of Nevada shall be open to inspection and copying during regular office hours.

"(j) Each authority charged under this compact or by the law of either state with the duty of appointing a member of the governing body of the agency shall by certified copy of its resolution or other action notify the Secretary of State of its own state of the action taken. Upon receipt of certified copies of the resolutions or notifications appointing the members of the governing body, the Secretary of State of each respective state shall notify the Governor of the state who shall, after consultation with the Governor of the other state, issue a concurrent call for the organization meeting of the governing body at a location determined jointly by the two governors.

"(k) Each state may provide by law for the disclosure or elimination of conflicts of interest on the part of members of the governing body appointed from that state.

"ARTICLE IV. PERSONNEL

"(a) The governing body shall determine the qualification of, and it shall appoint and fix the salary of, the executive officer of the agency, and shall employ such other staff and legal counsel as may be necessary to execute the powers and functions provided for under this act or in accordance with any intergovernmental contracts or agreements the agency may be responsible for administering.

"(b) Agency personnel standards and regulations shall conform insofar as possible to the regulations and procedures of the Civil service of the State of California or the State of Nevada, as may be determined by the governing body of the agency, and shall be regional and bistate in application and effect; provided that the governing body may, for administrative convenience and at its discretion, assign the administration of designated personnel arrangements to an agency of either state, and provided that administratively convenient adjustments be made in the standards and regulations governing personnel assigned under intergovernmental agreements.

"(c) The agency may establish and maintain or participate in such additional programs of employee benefits as may be appropriate to afford employees of the agency terms and conditions of employment similar to those enjoyed by employees of California and Nevada generally.

"ARTICLE V. PLANNING

"(a) In preparing each of the plans required by this article and each amendment thereto, if any, subsequent to its adoption, the planning commission after due notice shall hold at least one public hearing which may be continued from time to time, and shall review the testimony and any written recommendations presented at such hearing before recommending the plan or amendment. The notice required by this paragraph shall be given at least 20 days prior to the public hearing by publication at least once in a newspaper or combination of newspapers whose circulation is general throughout the region and in each county a portion of whose territory lies within the region.

"The planning commission shall then recommend such plan or amendment to the governing body for adoption by ordinance. The governing body may adopt, modify or reject the proposed plan or amendment, or may initiate and adopt a plan or amendment without referring it to the planning commission. If the governing body initiates or substantially modifies a plan or amendment, it shall hold at least one public hearing thereon after due notice as required in this paragraph.

"If a request is made for the amendment of the regional plan by:

"(1) a political subdivision a part of whose territory would be affected by such amendment or

"(2) the owner or lessee of real property, which would be affected by such amendment.

the governing body shall complete its action on such amendment within 60 days after such request is delivered to the agency.

"TAHOE REGIONAL PLAN

"(b) Within 15 months after the formation of the agency, the planning commission shall recommend a regional plan. Within 18 months after the formation of the agency, the governing body shall adopt a regional plan. After adoption, the planning commission and governing body shall continuously review and maintain the regional plan. The regional plan shall consist of a diagram, or diagrams, and text, or texts setting forth the projects and proposals for implementation of the regional plan, a description of the needs and goals of the region and a statement of the policies, standards, and elements of the regional plan.

"The regional plan shall include the following correlated elements:

"(1) A land-use plan for the integrated arrangement and general location and extent of, and the criteria and standards for, the uses of land, water, air, space and other natural resources within the region, including but not limited to, an indication or allocation of maximum population densities.

"(2) A transportation plan for the integrated development of a regional system of transportation, including but not limited to, freeways, parkways, highways, transportation facilities, transit routes, waterways, navigation and aviation aids and facilities, and appurtenant terminals and facilities for the movement of people and goods within the region.

"(3) A conservation plan for the preservation, development, utilization, and management of the scenic and other natural re-

sources within the basin, including but not limited, to, soils, shoreline and submerged lands, scenic corridors along transportation routes, open spaces, recreational and historical facilities.

"(4) A recreation plan for the development, utilization, and management of the recreational resources of the region, including but not limited to, wilderness and forested lands, parks and parkways, riding and hiking trails, beaches and playgrounds, marinas and other recreational facilities.

"(5) A public services and facilities plan for the general location, scale and provision of public services and facilities, which, by the nature of their function, size, extent and other characteristics are necessary or appropriate for inclusion in the regional plan.

"In formulating and maintaining the regional plan, the planning commission and governing body shall take account of and shall seek to harmonize the needs of the region as a whole, the plans of the counties and cities within the region, the plans and planning activities of the state, federal and other public agencies and nongovernmental agencies and organizations which affect or are concerned with planning and development within the region. Where necessary for the realization of the regional plan, the agency may engage in collaborative planning with local governmental jurisdictions located outside the region, but contiguous to its boundaries. In formulating and implementing the regional plan, the agency shall seek the cooperation and consider the recommendations of counties and cities and other agencies of local government, of state and federal agencies, of educational institutions and research organizations, whether public or private, and civic groups and private individuals.

"(c) All provisions of the Tahoe regional general plan shall be enforced by the agency and by the states, counties and cities in the region.

"TAHOE REGIONAL INTERIM PLAN

"(d) Within 60 days after the formation of the agency, the planning commission shall recommend a regional interim plan. Within 90 days after the formation of the agency, the governing body shall adopt a regional interim plan. The interim plan shall consist of statements of development policies, criteria and standards for planning and development, of plans or portions of plans, and projects and planning decisions, which the agency finds it necessary to adopt and administer on an interim basis in accordance with the substantive powers granted to it in this agreement.

"(e) The agency shall maintain the data, maps and other information developed in the course of formulating and administering the regional plan and interim plan, in a form suitable to assure a consistent view of developmental trends and other relevant information for the availability of and use by other agencies of government and by private organizations and individuals concerned.

"(f) All provisions of the interim plan shall be enforced by the agency and by the states, the counties, and cities.

"ARTICLE VI. AGENCY'S POWERS

"(a) The governing body shall adopt all necessary ordinances, rules, regulations and policies to effectuate the adopted regional and interim plans. Every such ordinance, rule or regulation shall establish a minimum standard applicable throughout the basin, and any political subdivision may adopt and enforce an equal or higher standard applicable to the same subject of regulation in its territory. The regulations shall contain general, regional standards including but not limited to the following: water purity and clarity; subdivision; zoning; tree removal; solid waste disposal; sewage disposal; land fills, excavations, cuts and grading; piers; harbors, breakwaters; or channels and other shoreline developments; waste disposal in shoreline areas; waste disposal from boats; mobile-home parks; house relocation; outdoor advertising; flood plain protection; soil and sedimentation control; air pollution; and watershed protection. Whenever possible without diminishing the effectiveness of the interim plan or the general plan, the ordinances, rules, regulations and policies shall be confined to matters which are general and regional in application, leaving to the jurisdiction of the respective States, counties and cities the enactment of specific and local ordinances, rules, regulations and policies which conform to the interim or general plan.

"Every ordinance adopted by the agency shall be published at least once by title in a newspaper or combination of newspapers whose circulation is general throughout the region. Except an ordinance adopting or amending the interim plan or the regional plan, no ordinance shall become effective until 60 days after its adoption. Immediately after its adoption, a copy of each ordinance shall be transmitted to the governing body of each political subdivision having territory within the region.

"Interim regulations shall be adopted within 90 days from the formation of the agency and final regulations within 18 months after the formation of the agency.

"Every plan, ordinance, rule, regulation or policy adopted by the agency shall recognize as a permitted and conforming use any business or recreational establishment which is required by law of the State in which it is located to be individually licensed by the State, if such business or establishment:

"(1) Was so licensed on February 5, 1968, or was licensed for a limited season during any part of the calendar year immediately preceding February 5, 1968.

"(2) Is to be constructed on land which was so zoned or designated in a finally adopted master plan on February 5, 1968, as to permit the construction of such a business or establishment.

"(b) All ordinances, rules, regulations and policies adopted by the agency shall be enforced by the agency and by the respective states, counties, and cities. The appropriate courts of the respective states, each within its limits of territory and subject matter provided by state law, are vested with jurisdiction over civil actions to which the agency is a party and criminal actions for violations of its ordinances. Each such action shall be brought in a court of the state where the violation is committed or where the property affected by a civil action is situated, unless the action is brought in a federal court. For this purpose, the agency shall be deemed a political subdivision of both the State of California and the State of Nevada.

"(c) Except as otherwise provided in paragraph (d), all public works projects shall be reviewed prior to construction and approved by the agency as to the project's compliance with the adopted regional general plan.

"(d) All plans, programs and proposals of the State of California or Nevada, or of its executive or administrative agencies, which may substantially affect, or may specifically apply, to the uses of land, water, air, space and other natural resources in the region, including but not limited to public works plans, programs and proposals concerning highway routing, design and construction, shall be referred to the agency for its review, as to conformity with the regional plan or interim plan, and for report and recommendations by the agency to the executive head of the state agency concerned and to the Governor. A public works project which is initiated and is to be constructed by a department of either state shall be submitted to the agency for review and recommendation, but may be constructed as proposed.

"(e) The agency shall police the region to ensure compliance with the general plan and adopted ordinances, rules, regulations and policies. If it is found that the general plan, or ordinances, rules, regulations and policies are not being enforced by a local jurisdiction, the agency may bring action in a court of competent jurisdiction to ensure compliance.

"(f) Violation of any ordinance of the agency is a misdemeanor.

"(g) The agency is hereby empowered to initiate, negotiate and participate in contracts and agreements among the local governmental authorities of the region, or any other intergovernmental contracts or agreements authorized by state or federal law.

"(h) Each intergovernmental contract or agreement shall provide for its own funding and staffing, but this shall not preclude financial contributions from the local authorities concerned or from supplementary sources.

"(i) Whenever a new city is formed within the region, the membership of the governing body shall be increased by two additional members, one appointed by, and who shall be a member of, the legislative body of the new city, and one appointed by the Governor of the State in which the city is not located. A member appointed by the Governor of California is subject to Senate confirmation.

"(j) Every record of the agency, whether public or not, shall be open for examination to the Legislative Analyst of the State of California and the Fiscal Analyst of the State of Nevada.

"(k) Whenever under the provisions of this article or any ordinance, rule, regulation or policy adopted pursuant thereto, the agency is required to review or approve any proposal, public or private, the agency shall take final action, whether to approve, to require modification or to reject such proposal, within 60 days after such proposal is delivered to the agency. If the agency does not take final action within 60 days, the proposal shall be deemed approved.

"ARTICLE VII. FINANCES

"(a) Except as provided in paragraph (e), on or before December 30 of each calendar year the agency shall establish the amount of money necessary to support its activities for the next succeeding fiscal year commencing July 1 of the following year. The agency shall apportion not more than $150,000 of this amount among the counties within the region on the same ratio to the total sum required as the full cash valuation of taxable property within the region in each county bears to the total full cash valuation of taxable property within the region. Each county in California shall pay the sum allotted to it by the agency from any funds available therefor and may levy a tax on any taxable property within its boundaries sufficient to pay the amount so allocated to it. Each county in Nevada shall pay such sums from its general fund or from any other moneys available therefor.

"(b) The agency may fix and collect reasonable fees for any services rendered by it.

"(c) The agency shall be strictly accountable to any county in the region for all funds paid by it to the agency and shall be strictly accountable to all participating bodies for all receipts and disbursements.

"(d) The agency is authorized to receive gifts, donations, subventions, grants, and other financial aids and funds.

"(e) As soon as possible after the ratification of this compact, the agency shall estimate the amount of money necessary to support its activities:

"(1) For the remainder of the then-current fiscal year; and

"(2) If the first estimate is made between January 1 and June 30, for the fiscal year beginning on July 1 of that calendar year. The agency shall then allot such amount

among the several counties, subject to the restriction and in the manner provided in paragraph (a), and each county shall pay such amount.

"(f) The agency shall not obligate itself beyond the moneys due under this article for its support from the several counties for the current fiscal year, plus any moneys on hand or irrevocably pledged to its support from other sources. No obligation contracted by the agency shall bind either of the party States or any political subdivision thereof.

"ARTICLE VIII. MISCELLANEOUS

"(a) It is intended that the provisions of this compact shall be reasonably and liberally construed to effectuate the purposes thereof. Except as provided in paragraph (c), the provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any participating State or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any State participating therein, the compact shall remain in full force and effect as to the remaining State and in full force and effect as to the State affected as to all severable matters.

"(b) The agency shall have such additional powers and duties as may hereafter be delegated or imposed upon it from time to time by the action of the legislature of either State concurred in by the legislature of the other.

"(c) A state party to this compact may withdraw therefrom by enacting a statute repealing the compact. Notice of withdrawal shall be communicated officially and in writing to the Governor of the other State and to the agency administrators. This provision is not severable, and if it is held to be unconstitutional or invalid, no other provision of this compact shall be binding upon the State of Nevada or the State of California.

"(d) No provision of this compact shall have any effect upon the allocation or distribution of interstate waters or upon any appropriative water right."

SEC. 2. The Secretary of the Interior and the Secretary of Agriculture are authorized, upon request of the Tahoe Regional Planning Agency, to cooperate with said agency in all respects compatible with carrying out the normal duties of their Departments.

SEC. 3. The consent to the compact by the United States is subject to the condition that the President may appoint a nonvoting representative of the United States to the Tahoe regional planning governing board.

SEC. 4. Any additional powers conferred on the agency pursuant to article VIII(b) of the compact shall not be exercised unless consented to by the Congress.

SEC. 5. Nothing contained in this Act or in the compact consented to shall in any way affect the powers, rights, or obligations of the United States, or the applicability of any law or regulation of the United States in, over, or to the region or waters which are the subject of the compact, or in any way affect rights owned or held by or for Indians or Indian tribes subject to the jurisdiction of the United States.

SEC. 6. The right to alter, amend, or repeal this Act is hereby expressly reserved.

With the following committee amendment:

On page 23, strike out all of lines 15 and 16 and insert in lieu thereof the following:

"SEC. 6. The right is hereby reserved by the Congress or any of its standing committees to require the disclosure and furnishing of such information and data by or concerning the Tahoe Regional Planning Agency as is deemed appropriate by the Congress or such committee.

"SEC. 7. The right to alter, amend or repeal this Act is expressly reserved."

The committee amendment was agreed to.

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

COPYRIGHT PROTECTION IN CERTAIN CASES

The Clerk called the Senate joint resolution (S.J. Res. 143) extending the duration of copyright protection in certain cases.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. DINGELL. Mr. Speaker, reserving the right to object, I would like to ask the distinguished gentleman from Wisconsin (Mr. KASTENMEIER) a question about this legislation.

Mr. Speaker, I would like to have my good friend explain briefly the functions of this legislation.

Mr. KASTENMEIER. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. I would be delighted to yield to the gentleman from Wisconsin.

Mr. KASTENMEIER. The purpose of the legislation is merely to extend the term of the copyright in certain cases of existing copyrights. That is to say, those copyrighted materials for which the copyright would expire in the next calendar year 1970 but which would be preserved if this joint resolution is enacted.

I might further add that the background of this legislation is that the House first did this in the year 1962 for a term of 3 years in anticipation of the adoption of a copyright revision which was then and is now badly needed.

In 1965 the House again extended this term for 2 years. In 1967 and in 1968, however, for only 1 year each; that is, with reference to copyright materials presently copyrighted which would otherwise expire, the theory being that, if the Congress were to eventually adopt such revision the terms of these copyrights would be preserved for an additional period of years and this was part of the original thinking in dealing with the copyright revision.

Mr. DINGELL. I thank the gentleman for his reply, and I would also ask the gentleman how many more times are we going to fiind the House extending copyrights, and preventing countries from properly going into the public domain as the framers of copyright law intended. I believe it wrong that the Congress continues extending the law to permit copyrights to be extended to remain the property of the copyright holders. How long is the ultimate expectation of my good friend, the gentleman from Wisconsin, that we would continue extending the copyrights?

Mr. KASTENMEIER. If the gentleman from Michigan (Mr. DINGELL) will yield to me, I would be pleased to answer that.

I would say that the Librarian of Congress in his report to the House, which is part of our report, stated:

It is important that this fifth interim extension of subsisting copyright be the last of the series—

I can say personally, and I think I speak for the members of my subcommittee on this, that we expect this to be the last. I do not expect to again come back and ask for another one of these extensions. I can further say that it is our hopeful expectation and anticipation that in the second session of the 91st Congress the Congress will adopt comprehensive copyright revision, and it will not be necessary for an additional extension.

But even if it does not, it is not my expectation to come back again and ask the Congress for an additional extension.

Mr. POFF. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. I will be delighted to yield to the gentleman from Virginia.

Mr. POFF. Mr. Speaker, I have asked the gentleman from Michigan to yield only to have the opportunity to underscore what the chairman of our subcommittee has so well said. It is indeed the feeling of, I believe, all those familiar with the copyright situation that this is the last time a request of this nature will be made.

Speaking on my own authority, and without attempting to speak on behalf of the other minority members on the subcommittee, this is the last time I expect to support and urge this body to pass an extension of the copyright terms. I take this position for the same reasons the chairman of the subcommittee has so clearly articulated, namely, because we feel that it is time that the entire complex of our archaic copyright laws was modernized. This body has already completed what I look upon as hallmark efforts in this area, and we are hopeful that in the next session of the Congress the other body will be able to complete work in this area.

But as the subcommittee chairman has said, once again, whether this modernization legislation is successful this year or not, as far as I am concerned this is the last time I expect to support such an extension.

Mr. DINGELL. Mr. Speaker, I thank my two good friends, and I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the Senate joint resolution?

There being no objection, the Clerk read the Senate joint resolution, as follows:

S.J. RES. 143

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in any case in which the renewal term of copyright subsisting in any work on the date of approval of this resolution, or the term thereof as extended by Public Law 87–668, by Public Law 89–142, by Public Law 90–141, or by Public Law 90–416 (or by all or certain of said laws), would expire prior to December 31, 1970, such term is hereby continued until December 31, 1970.

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

AMENDING UNITED STATES CODE TO EXTEND TIME FOR FILING TORT ACTIONS BY PERSONS UNDER THE AGE OF 21, OR INSANE OR MENTALLY ILL, OR IMPRISONED ON A CRIMINAL CHARGE

The Clerk called the bill (H.R. 10124) to amend section 2401 of title 28, United States Code, to extend the time for filing tort actions by persons under the age of 21, or insane or mentally ill, or imprisoned on a criminal charge.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. PELLY. Mr. Speaker, reserving the right to object, I observe that the Department of Justice is opposed to this legislation, and without seeking to pass on its merits I would simply suggest that it should be considered on some different calendar, and not under the consent procedure where the legislative record is at best very short. Therefore, Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

AMENDING THE CENTRAL INTELLIGENCE AGENCY RETIREMENT ACT OF 1964

The Clerk called the bill (H.R.14571) to amend the Central Intelligence Agency Retirement Act of 1964 for certain employees, as amended, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, do I understand that there are two retirement systems in the CIA?

Mr. FISHER. Mr. Speaker, if the gentleman will yield, I will say to the gentleman from Iowa that he is correct.

Mr. GROSS. Does this deal with both, or to just one of the systems?

Mr. FISHER. It goes to the one, the people in the operations divisions. It is a relatively small group.

Mr. GROSS. Do I understand that this makes the retirement system, or one of the retirement systems in the CIA, comparable to the legislation that has been proposed for all other Federal employees?

Mr. FISHER. That is correct.

Mr. GROSS. Why do they have two systems in the CIA?

Mr. FISHER. In the history of the legislation that created this situation, the Congress has simply provided two systems, one following the FBI arrangement, which is a little different from the other, for their retirement.

Mr. GROSS. How are the employees divided? Are they divided on a field service basis? Not all employees in the Federal Bureau of Investigation are under this rather unusual retirement system—some of them are under the Federal civil service employees' retirement system.

Mr. FISHER. As I understand it, those who are included here, those referred to by the gentleman in his question, are engaged in a hazardous type occupation, something comparable to the FBI activities.

Mr. GROSS. This is only intended to make the retirement system for the bulk of the employees in the CIA comparable to that of legislation that has been approved by the House—I am not sure whether it has been passed by the other body—but to make it comparable to that legislation; is that right?

Mr. FISHER. The gentleman has described the situation precisely as it is. The legislation to which he refers has already been enacted into law.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

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

H.R. 14571

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

SECTION 1. Section 211(a) of the Central Intelligence Agency Retirement Act of 1964 for Certain Employees, as amended (78 Stat. 1043; 50 U.S.C. 403 note), is further amended by striking out "Six and one-half per centum" in the first sentence and inserting "Seven per centum".

SEC. 2. Section 221 of the Central Intelligence Agency Retirement Act (50 U.S.C. 403 note) is amended:

(a) by striking out in paragraph (a) "five consecutive years of service," and inserting "three consecutive years of service (or, in the case of an annuity computed under section 232 and based on less than three years, over the total service),";

(b) by striking out from the first sentence of paragraph (b) "or remarriage of such surviving wife or husband" and inserting "or upon remarriage prior to attaining age sixty of such surviving wife or husband";

(c) by striking out in paragraph (c) the items "40 per centum", "$600", "$1,800", "50 per centum", "$720", and "$2,160", and inserting "60 per centum", "$900", "$2,700", "75 per centum", "$1,080", and "$3,240";

(d) by adding new paragraph (g):

"(g) In the case of remarriage on or after age sixty an annuity shall be payable if remarriage has occurred on or after July 18, 1966, and if the surviving wife or husband, immediately before such remarriage, was receiving an annuity from the Central Intelligence Agency Retirement and Disability Fund. The annuity of a surviving spouse terminated as a result of remarriage which occurred prior to age sixty and on or after July 18, 1966, shall be restored at the same rate commencing on the day the remarriage is dissolved by death, annulment, or divorce, if—

"(1) the surviving spouse elects to receive this annuity instead of a survivor benefit to which he may be entitled, under this or another retirement system for Government employees, by reason of the remarriage; and

"(2) any lump sum paid on termination of the annuity is returned to the fund.

No annuity shall be paid by reason of this paragraph for any period prior to October 20, 1969. No annuity shall be terminated solely by reason of the enactment of this paragraph."; and

(e) by adding new paragraph (h):

"(h) In computing an annuity under this section the service credit of a participant who retires, except under section 231, on an immediate annuity or dies leaving a survivor or survivors entitled to annuity includes, without regard to the limitations imposed by paragraph (a), the days of unused sick leave to his credit under a formal leave system, except that these days will not be counted in determining average basic salary or annuity eligibility. The contribution specified in section 252 shall not be required for days of unused sick leave credited under this paragraph.".

SEC. 3. Section 231(a) of the Central Intelligence Agency Retirement Act (50 U.S.C. 403 note) is amended by striking", but this provision shall not increase the annuity of any survivor" from the last sentence.

SEC. 4. (a) Section 232(b) of the Central Intelligence Agency Retirement Act (50 U.S.C. 403 note) is amended:

(1) by striking "five years" and inserting "eighteen months"

(2) by inserting after "221(a)", ", except that the computation of the annuity of the participant under such section shall be at least the smaller of (i) 40 per centum of the participant's average basic salary, or (ii) the sum obtained under such section after increasing the participant's service of the type last performed by the difference between his age at the time of death and age sixty"; and

(3) by striking "remarriage of the widow or dependent widower" and inserting "upon remarriage prior to attaining age sixty of the widow or dependent widower (subject to the payment and restoration provisions of section 221(g))".

(b) Sections 232(c) and (d) are amended by striking "five years" and inserting "eighteen months".

SEC. 5. Section 291 of the Cenrtal Intelligence Agency Retirement Act (50 U.S.C. 403 note) is amended:

(a) by inserting "1 per centum plus" immediately after the word "by" in paragraph (a)(2); and

(b) by amending paragraphs (b)(2) and (b)(3) to read:

"(2) For the purpose of computing the annuity of a child under section 221(c) that commences after October 31, 1969, the items $900, $1,080, $2,700, and $3,240 appearing in section 221(c) shall be increased by the total per centum increases allowed and in force under this section on or after such day, and, in case of a deceased annuitant, the items 60 per centum and 75 per centum appearing in section 221(c) shall be increased by the total per centum allowed and in force to the annuitant under this section on or after such day.

"(3) The annuity of each surviving child receiving an annuity under section 221 immediately prior to November 1, 1969, shall be recomputed effective November 1, 1969, in accordance with paragraph (b)(2). No increase allowed and in force prior to such date under section 291 shall be included in the recomputation of any such annuity, and this paragraph shall not operate to reduce any annuity.".

SEC. 6. (a) The amendments made by section 1 shall become effective at the beginning of the first applicable pay period beginning after December 31, 1969.

(b) The amendments made by sections 3, 4, and 2, with the exception of 2(c), shall become effective October 20, 1969.

(c) The amendments made by sections 2(c) and 5 shall become effective November 1, 1969.

(d) The amendments made by sections 2(a), 2(e), 3, and 4(a)(1)–(2) shall not apply in the cases of persons retired or otherwise separated prior to October 20, 1969, and the rights of such persons and their survivors shall continue in the same manner and to the same extent as if such sections had not been enacted.

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

INCLUDING CERTAIN SERVICE FOR PURPOSES OF RESERVE RETIREMENT CREDIT

The Clerk called the bill (H.R. 3813) to amend section 1331(c) of title 10, United States Code, to authorize the granting of retired pay to persons otherwise qualified who were Reserves before August 16, 1945, and who served on active duty during the so-called Berlin crisis.

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

H.R. 3813

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1331(c) of title 10, United States Code, is amended to read as follows:

"(c) No person who, before August 16, 1945, was a Reserve of an armed force, or a member of the Army without component or other category covered by section 1332(a)(1) of this title except a regular component, is eligible for retired pay under this chapter, unless he performed active duty after April 5, 1917, and before November 12, 1918, or after September 8, 1940, and before January 1, 1947, or unless he performed active duty (other than for training) after June 26, 1950, and before July 28, 1953, or after August 13, 1961, and before June 1, 1963, or after August 4, 1964, and before the date designated by proclamation of the President or concurrent resolution of the Congress."

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

AUTHORIZING NATIONAL GUARD AND RESERVE OFFICERS TO ACT AS INSPECTING OFFICERS

The Clerk called the bill (H.R. 6006) to permit National Guard officers to act as inspecting officers under section 710(f) of title 32, United States Code.

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

H.R. 6006

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 710(f) of title 32, United States Code, is amended to read as follows:

"(f) Instead of the procedure prescribed by subsections (b) through (d), property issued to the National Guard that becomes unserviceable through fair wear and tear in service may, under regulations to be prescribed by the Secretary concerned, be sold or otherwise disposed of after an inspection, and a finding of unserviceability because of that wear and tear, by a disinterested commissioned officer of the Regular Army or the Army National Guard, or of the Regular Air Force, or the Air National Guard, as the case may be, designated by the Secretary. The State or territory, Puerto Rico, the Canal Zone, or the District of Columbia, whichever is concerned, is relieved of accountability for that property."

With the following committee amendment:

Strike all after the enacting clause and substitute in lieu thereof the following:

"That section 710(f) of title 32, United States Code, is amended to read as follows:

"'(f) Instead of the procedure prescribed by subsections (b)–(d), property issued to the National Guard that becomes unserviceable through fair wear and tear in service may, under regulations to be prescribed by the Secretary concerned, be sold or otherwise disposed of after an inspection, and a finding of unserviceability because of that wear and tear, by a disinterested commissioned officer—

"'(1) of the Army or Air Force who is on active duty for a period of more than 30 days; or

"'(2) of the Army National Guard or Air National Guard; as the case may be, designated by the Secretary. The State or territory, Puerto Rico, the Canal Zone, or the District of Columbia, whichever is concerned, is relieved of accountability for that property.'"

The committee amendment was agreed to.

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

The title was amended so as to read: "to amend section 710(f) of title 32, United States Code, to permit certain commissioned officers of the Army or Air Force, or National Guard, to act as inspecting officers."

A motion to reconsider was laid on the table.

FURNISHING HEADSTONES OR MARKERS AT GOVERNMENT EXPENSE TO MEDAL OF HONOR RECIPIENTS

The Clerk called the bill (H.R. 6265) to provide that a headstone or marker be furnished at Government expense for the unmarked grave of any Medal of Honor recipient.

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

H.R. 6265

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act entitled "An Act to provide for the procurement and supply of Government headstones or markers for unmarked graves of members of the Armed Forces dying in the service or after honorable discharge therefrom, and other persons, and for other purposes", approved July 1, 1948 (24 U.S.C. 279a), is amended by inserting immediately after paragraph (5) thereof the following new paragraph:

"(6) Persons awarded the Medal of Honor."

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

AUTHORIZING PAYMENT OF UNIFORM ALLOWANCES TO CERTAIN MEMBERS OF THE UNIFORMED SERVICES

The Clerk called the bill (H.R. 8019) to amend title 37, United States Code, to provide for the payment of uniform allowances to certain persons originally appointed, temporarily or permanently, as commissioned or warrant officers in a Regular component of the Armed Forces.

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

H.R. 8019

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 7 of title 37, United States Code, is amended as follows:

(1) Sections 415(a) and 416(b) are each amended by striking out the words "a reserve officer of an armed force, an officer of the Army or the Air Force without specification of component, or a regular officer of an armed force appointed under section 2106 or 2107 of title 10" and inserting in place thereof "an officer of an armed force, other than an officer appointed under section 4353(b), 5573, or 9353(b) of title 10".

(2) Section 415(e) is repealed.

(3) Section 417(a) is amended by striking out "reserve components" and inserting "Armed Forces" in place thereof.

(4) Section 417(b) is amended by (A) striking out "a reserve" and inserting the word "an" in place thereof and (B) striking out "reserve component" and inserting "armed force" in place thereof.

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

AUTHORIZING THE INTERSERVICE TRANSFERS OF COAST GUARD OFFICERS

The Clerk called the bill (H.R. 9052) to amend section 716 of title 10, United States Code, to authorize the interservice transfers of officers of the Coast Guard.

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

H.R. 9052

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 716 of title 10, United States Code, is amended to read as follows:

"§ 716. Commissioned officers: transfers between armed forces

"Notwithstanding any other provision of law, the President may, within authorized strengths, transfer any commissioned officer with his consent from his armed force to, and appoint him in, another armed force. The Secretary of Defense and the Secretary of the department in which the Coast Guard is operating shall jointly establish, by regulations approved by the President, policies and procedures for such transfers and appointments. An officer transferred under this section may not be assigned precedence or relative rank higher than that which he held on the day before his transfer."

SEC. 2. The analysis of chapter 41 of title 10, United States Code, is amended by amending the item for section 716 to read as follows:

"716. Commissioned officers: transfers between armed forces."

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

WAIVING $10,000 LIMIT ON SAVINGS DEPOSIT PROGRAM FOR CERTAIN MEMBERS OF THE UNIFORMED SERVICES DURING THE VIETNAM CONFLICT

The Clerk called the bill (H.R. 9485) to remove the $10,000 limit on deposits under section 1035 of title 10, United States Code, in the case of any member of a uniformed service who is a prisoner of war, missing in action, or in a detained status during the Vietnam conflict.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I would like to ask someone about the meaning of the words "detained status"? Just who is covered by the words "in a detained status"?

Mr. BRAY. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. BRAY. This legislation is to take care of a special situation. A serviceman is given 10 percent interest on certain savings from what he saves from his military pay. The limit on the savings on which he draws this interest is $10,000. Persons who are being held as prisoners in Vietnam by this legislation are permitted to have more than this $10,000.

First the family of the serviceman is taken care of from his income. The surplus under directions from the Secretary deposits the balance in this 10-percent-interest account. There are now cases where savings of more than $10,000 have accumulated and there will be more of such cases. The proposed legislation is designed to take care of those who are now prisoners of war, detained by a foreign country, who cannot take care of their own financial affairs.

Mr. GROSS. I understand the reference to "missing-in-action personnel" and prisoners of war. But who is covered under the term "in detained status"?

Mr. BRAY. A good example is the crew of the *Pueblo*.

Mr. GROSS. I see.

Mr. BRAY. That was one very clear case. There may be others. But that was one we went into, and this legislation takes care of such cases.

Mr. GROSS. Does this bill provide for an increase in the amount above $10,000? It has been limited to $10,000 in the past, has it not?

Mr. BRAY. If you go beyond $10,000 in those cases, yes. The Secretary withholds that money and deposits it in the account until you get to 10 percent.

Mr. GROSS. I see. Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the present consideration of the bill?

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

H.R. 9485

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1035(b) of title 10, United States Code, is amended (1) by inserting "(other than a member who is in a missing status, as defined in section 551(2) of title 37, during the Vietnam conflict)" after "member" in the second sentence, and (2) by adding at the end thereof the following: "For purposes of this subsection, the Vietnam conflict began February 28, 1961, and ends on the date designated by the President by Executive order as the date of the termination of combatant activities in Vietnam."

With the following committee amendment:

Strike all after the enacting clause and substitute the following in lieu thereof:

"That section 1035(b) of title 10, United States Code, is amended as follows:

"(1) By inserting ', except that such limitation shall not apply to deposits made on or after September 1, 1966, in the case of those members in a missing status, as defined in section 551(2) of title 37, during the Vietnam conflict' after '$10,000' in the second sentence.

"(2) By adding the following new sentence at the end: 'For purposes of this subsection, the Vietnam conflict begins on February 28, 1961, and ends on the date designated by the President by Executive order as the date of the termination of combatant activities in Vietnam.'"

The committee amendment was agreed to.

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

PROVIDING A FAMILY SEPARATION ALLOWANCE FOR CERTAIN MEMBERS OF UNIFORMED SERVICES DURING THE VIETNAM CONFLICT

The Clerk called the bill (H.R. 9486) to amend title 37 of the United States Code to provide that a family separation allowance shall be paid to any member of a uniformed service who is a prisoner of war, missing in action, or in a detained status during the Vietnam conflict.

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

H.R. 9486

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 427 of title 37, United States Code, is amended by adding at the end thereof the following new subsection:

"(c) A member of a uniformed service with dependents who is in a missing status (as defined in section 551(2) of this title) during the Vietnam conflict and is not entitled to an allowance under subsection (b) is entitled to a monthly allowance equal to $30. For purposes of this subsection, the Vietnam conflict began February 28, 1961, and ends on the date designated by the President by Executive order as the date of the termination of combatant activities in Vietnam."

SEC. 2. The amendment made by the first section of this Act shall take effect on the first day of the first month which begins after the date of the enactment of this Act.

With the following committee amendment:

Strike all after the enacting clause and insert in lieu thereof the following:

"That, under regulations to be prescribed by the Secretary of Defense, a member of a uniformed service with dependents who is in a missing status (as defined in section 551(2) of title 37, United States Code) during the Vietnam conflict and is not entitled to an allowance under section 427(b) of title 37 may be paid a monthly allowance equal to $30. For the purposes of this Act, the Vietnam conflict ends on the date designated by the President by Executive order as the date of the termination of combat activities in Vietnam.

"SEC. 2. This Act takes effect on the first day of the first month which begins after the date of enactment of this Act."

The committee amendment was agreed to.

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

AUTHORIZING THE CREDITING OF AVIATION MIDSHIPMAN SERVICE FOR CERTAN PURPOSES

The Clerk called the bill (H.R. 11265) to provide for crediting service as an aviation midshipman for purposes of retirement for nonregular service under chapter 67 of title 10, United States Code, and for pay purposes under title 37, United States Code.

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

H.R. 11265

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1332(b)(7) of title 10, United States Code, is amended by inserting "aviation midshipman," immediately after "flight officer,".

SEC. 2. Section 205(a)(1) of title 37, United States Code, is amended by inserting "aviation midshipman," immediately after "flight officer,".

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

Mr. McFALL. Mr. Speaker, I rise in support of H.R. 11265, a bill before the House today, to authorize the crediting of aviation misdshipman service for pay and retirement purposes.

As was brought out during the hearings, a small group of men was covered by a 1946 act of Congress establishing the Navy aviation midshipman program providing for officer candidates serving 2 years in flight training, and then on flight duty in the status of midshipmen. Due to a legislative oversight, this small group was omitted from those whose periods of service could be credited for base pay and retirement.

The inequity is clear, and the Department of Defense sponsored the legislation to correct it. There is no opposition to its passage, and I hope that it can be enacted without delay, so that these worthy men, many of whom served in Korea, may be placed in the same position as others similarly situated, and be able to claim the pay they did not receive over the years as the result of this legislative oversight, as well as future benefits.

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

TO AMEND SECTION 213 OF THE IMMIGRATION AND NATIONALITY ACT

The Clerk called the bill (H.R. 14118) to amend section 213 of the Immigration and Nationality Act, and for other purposes.

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

H.R. 14118

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 213 of the Immigration and Nationality Act (66 Stat. 188; 8 U.S.C. 1183) be amended to read as follows:

"ADMISSION OF CERTAIN ALIENS ON GIVING BOND

"SEC. 213. An alien excludable under paragraph (7) or (15) of section 212(a) may,

if otherwise admissible, be admitted in the discretion of the Attorney General upon the giving of a suitable and proper bond or undertaking approved by the Attorney General, in such amount and containing such conditions as he may prescribe, to the United States, and to all States, territories, counties, towns, municipalities, and districts thereof holding the United States and all States, territories, counties, towns, municipalities, and districts thereof harmless against such alien becoming a public charge. Such bond or undertaking shall terminate upon the permanent departure from the United States, the naturalization, or the death of such alien, and any sums or other security held to secure performance thereof, except to the extent forfeited for violation of the terms thereof, shall be returned to the person by whom furnished, or to his legal representatives. Suit may be brought thereon in the name and by the proper law officers of the United States for the use of the United States, or of any State, territory, district, county, town, or municipality in which such alien becomes a public charge."

SEC. 2. The Immigration and Nationality Act (66 Stat. 163; 8 U.S.C. 1101), as amended, is further amended by adding at the end of title II the following additional section:

"DEPOSIT OF AND INTEREST ON CASH RECEIVED TO SECURE IMMIGRATION BONDS

"SEC. 293. (a) Cash received by the Attorney General as security on an immigration bond shall be deposited in the Treasury of the United States in trust for the obligor on the bond, and shall bear interest payable at a rate determined by the Secretary of the Treasury, taking into consideration the current average market yield on outstanding marketable obligations of the United States. Such interest shall accrue from date of deposit occurring after April 27, 1966, to and including date of withdrawal or date of breach of the immigration bond, whichever occurs first: *Provided*, That cash received by the Attorney General as security on an immigration bond, and deposited by him in the postal savings system prior to discontinuance of the system, shall accrue interest as provided in this section from the date such cash ceased to accrue interest under the system. Appropriations to the Treasury Department for interest on uninvested funds shall be available for payment of said interest.

"(b) The interest accruing on cash received by the Attorney General as security on an immigration bond shall be subject to the same disposition as prescribed for the principal cash, except that interest accruing to the date of breach of the immigration bond shall be paid to the obligor on the bond."

SEC. 3. (a) The table of contents of the Immigration and Nationality Act, is amended by changing the citation to section 213 to read as follows:

"Sec. 213. Admission of certain aliens on giving bond."

(b) The table of contents of the Immigration and Nationality Act, is further amended by adding after the reference to

"Sec. 292. Right to Counsel."

the following:

"Sec. 293. Deposit of and interest on cash received to secure immigration bonds."

With the following committee amendment:

On page 3 beginning on line 1, after the words "the Secretary of the Treasury," strike out the remainder of line 1, all of line 2, and the language on line 3 through the words "the United States.", and insert in lieu thereof the following: "except that in no case shall the interest rate exceed 3 per centum per annum."

The committee amendment was agreed to.

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

PROVIDING FOR THE ADMISSION TO THE UNITED STATES OF CERTAIN INHABITANTS OF THE BONIN ISLANDS

The Clerk called the bill (H.R. 4574) to provide for the admission to the United States of certain inhabitants of the Bonin Islands.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. ASPINALL. Mr. Speaker, reserving the right to object, I would like to interrogate someone in the Committee on the Judiciary to find out whether or not this request has come from the residents of the islands themselves. The two main islands involved, of course, are Chichi Jima and also Iwo Jima, together with the smaller islands situated nearby.

Mr. FEIGHAN. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I am glad to yield to anyone who can supply the answer.

Mr. FEIGHAN. I am not sure I have the answer. However, this legislation was introduced in the 90th Congress, in both the House and the Senate, and the bill passed the Senate. It was introduced pursuant to an Executive communication. All I know is that the Departments of Justice, State, and Defense strongly endorsed this proposed legislation. As to whether any individual person in the islands was polled I do not know.

Mr. ASPINALL. I think we have a question here, because those of us who know these islands—and there are a few in this body who have been on these islands—know where these people came from and how they happened to become residents of the islands.

In fact, during the last world war they were taken from the island to Japan and after the war they were brought back again. Many of these people are descendants of New England whaling families who intermarried with natives and Japanese. When I was there, they seemed to be perfectly content to be within this area where they were living at that time.

At that time there were less than 150 as I recall. This legislation refers apparently to a considerable increase as far as the numbers are concerned.

Do I understand there are some of the people concerned in this legislation living on Iwo Jima?

Mr. FEIGHAN. This is strictly limited to the Bonin Islands.

Mr. ASPINALL. Iwo Jima is part of the Bonin Islands just as Chichi Jima is. Iwo is the one we took by active invasion. Chichi is one we left, we bypassed it.

I would like to know whether this legislation refers to the old residents of Chichi Island, who showed at the time of my visit no disposition to come to the territory of the United States, or whether this is purely a bureaucratic move to permit them to come back if they want to, or whether this is a move to bring them back if they want to or not.

Mr. FEIGHAN. If this legislation were approved, they would be permitted to come to the continental United States or territories of the United States.

Mr. ASPINALL. As I understand the provisions of the legislation, the people involved can only go to the United States or to Guam, Samoa, or to the Virgin Islands. They cannot go to the trust territory because they are barred from the trust territory at the present time.

It seems to me we should have some definite answers as to whether or not a majority of these people wish to come to a part of the United States. We should have these answers as we are considering this legislation, because after all we gave up these islands—we took them by conquest and gave them up voluntarily.

Mr. FEIGHAN. This would be voluntary. If approved, no one would be physically ejected from one of these islands. If they choose to exercise the privilege to leave, they could.

Mr. ASPINALL. I understand that. I can tell my friend from Ohio, that I understand they would not be physically ejected, because after all that would have to be a Japanese act.

What I want to know is how much pressure is going to be put on them to come or go to another part of the United States of America?

Mr. FEIGHAN. To my knowledge, there will be no pressure placed upon the inhabitants of the Bonin Islands. Their decision whether to come to the United States will be voluntary.

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

Mr. ASPINALL. I yield to my friend, the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, it seems to me there are several other questions that need to be answered. Among them: Why was this dissatisfaction on the part of these islanders not apparent or made known last year, or whenever it was that President Johnson entered into an agreement with Prime Minister Sato of Japan? Why did we not hear of this dissatisfaction then?

Moreover, where are these people going? Is this country going to establish a refugee camp for them?

Now comes Okinawa, to be returned to the Japanese. How many hundreds or even thousands of the Okinawans will not want to go back under the Japanese dominion? Is it possible we are now going to have to bring many Okinawans to the United States?

Mr. Speaker, this legislation needs real discussion.

Mr. ASPINALL. Mr. Speaker, may I answer my friend from Iowa this way? There are undoubtedly those who have been resident on these islands, Chichi Jima especially, who more than likely would like now to become residents of the United States inasmuch as the islands have been returned to Japan.

On the other hand, there is nothing in the legislation that I can see as to the number who would be affected. The number of 205 people would take all the people away from the island, because there surely cannot be more than 205 persons there at the present time—if there are that many. What bothers me is the method by which it is going to be done,

and so far there has shown to be no expression from the people of Chichi Jima—no expression at all from them.

This is what is bothering me at the present time. My friend from Ohio has not been able to give this background information.

Mr. FEIGHAN. I might point out that groups of islanders twice petitioned for U.S. citizenship in the 1950's.

Mr. GROSS. What are we going to do with these people when they come to this country?

Mr. ASPINALL. I will answer my friend from Iowa in this way: I believe a good many of these people have a right to come to the United States of America or to any of its territories. On the other hand, the method or procedures by which they come what is involved in this particular legislation.

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

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

There was no objection.

COMMENDING THE AMERICAN SERVICEMAN AND VETERAN OF VIETNAM FOR HIS EFFORTS AND SACRIFICES

The Clerk called House Resolution 661, commending the American serviceman and veteran of Vietnam for his efforts and sacrifices.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. RYAN. Mr. Speaker, reserving the right to object, I question the appropriateness of bringing House Resolution 661 before the House today. Certainly at the time it was introduced in the House, its author and sponsors had the worthiest of motives. Nevertheless, in the light of the revelations which have been made concerning the actions of some American servicemen in Vietnam, particularly in the hamlet of Mylai IV, and the village of Songmy, it seems to me, instead of considering this resolution, we might well be considering a resolution expressing the anguish and dismay of the House of Representatives. The conscience of America should be outraged that this war has so brutalized and dehumanized American soldiers that any one of them could possibly have done the things with which one lieutenant is charged, and which others are alleged to have done.

To pass a resolution such as this, which states in its second resolved clause: "Resolved, That the House of Representatives commends each serviceman and veteran of Vietnam for his individual sacrifice, bravery, dedication, initiative, and devotion to duty"; would be a disservice at this particular time, when we know that one serviceman faces court-martial charges for having engaged in acts contrary to the rules of war, and for having murdered children and women in Vietnam. As a lawyer, I am aware that the rights of the person already facing court-martial charges must be protected. At the same time for the House to act upon this resolution as though nothing had happened in Songmy would demonstrate an intolerable indifference to the atrocities and the erosion of principle involved.

As a combat veteran of World War II and another jungle war, I know something of the conditions under which our men are fighting and the stresses and strains which they are called upon to endure. They are engaged in a conflict which was never susceptible of a pure military solution, and it is a disheartening and frustrating experience for them. They are told that they are fighting to preserve for the people of South Vietnam the right of self-determination—a lofty principle which is degraded by the killing of civilians—women and children—either by individual infantrymen or by saturation bombing.

The events in Songmy raise fundamental questions about the policy in Vietnam—not simply the guilt or innocence of any individual—but the collective guilt of a nation which has intervened in Vietnam without a declaration of war.

This war must be ended.

Mr. FISHER. Mr. Speaker, will the gentleman yield?

Mr. RYAN. I yield to the distinguished gentleman from Texas.

Mr. FISHER. Of course, I assume the gentleman understands there is nothing in this resolution that includes any of those either in this country or any other place who have violated any law. This refers to the men who are fighting and doing a good job for this country carrying out their duties in Vietnam.

Is there any particular language in this resolution to which the gentleman objects?

Mr. RYAN. Unfortunately, the resolution is before us under a procedure which permits no amendments. It is clear the resolution states—and I quote from the resolution—

> That the House of Representatives commends each serviceman and veteran of Vietnam.

I stress the word "each." At this point how can we commend each serviceman and veteran of Vietnam in view of the statements which have been made by witnesses to atrocities and in view of the admissions made by certain veterans who have served in Vietnam?

It seems to me particularly inappropriate at this time to bring this resolution before us. I know that, when it was introduced, these revelations were not known to the author of the resolution.

The committee report states, on page 2:

> All of the testimony and evidence available to the Committee on Armed Services has repeatedly indicated that the American servicemen in Vietnam are performing with a military professionalism unexcelled by any servicemen in our history.

Now, there is other evidence before the American people and before the Committee on Armed Services which flies in the face of the statement in the report, which was written before the atrocities at Songmy were reported in the press. At the very least "military professionalism" requires discipline, command responsibility, and infusing a sense of morality in the men under one's command—starting at the highest level.

There must be a thorough investigation of the events at Songmy and the reasons for the long delay by the Army in conducting a full inquiry of its own. This investigation should be conducted by a Presidential commission composed of outstanding citizens. Such an investigation will in no way reflect upon the patriotism and bravery of American servicemen who have served honorably and with dedication in this tragic war.

Mr. FISHER. Mr. Speaker, will the gentleman yield further?

Mr. RYAN. I am happy to yield to the gentleman.

Mr. FISHER. The gentleman from New York objects to a resolution which simply commends the American servicemen who are serving this country in Vietnam, and he has the privilege of lodging an objection against that if he so chooses. If so, of course, the resolution will go over.

Mr. RYAN. I am not in any way casting any disparagement upon the hundreds of thousands of American servicemen who have served honorably and bravely and with dedication in Vietnam. The gentleman knows that. They deserve the Nation's gratitude. Those who have sacrificed their lives or who have been wounded in combat are entitled to the highest tribute. The shocking misconduct of some will not diminish the respect and debt owed to most servicemen. However, the American people are confronted with revolations which should sear the conscience of this country. In view of that, it is inappropriate at this time, in my judgment, to consider this resolution.

Mr. LOWENSTEIN. Mr. Speaker, I cannot believe this is an appropriate time to consider this particular resolution, and I join my distinguished colleague, the gentleman from New York (Mr. RYAN), in asking that it be passed over without prejudice.

The heroism and sacrifice of most of the American troops in Vietnam has properly been noted many times in the past. We are now faced with the necessity of looking carefully into the behavior of a relatively small number. To praise equally "each serviceman and veteran" just as that inquiry is about to get underway is to risk tainting all servicemen and veterans with the misdeeds of a few. To do that would not bring credit to this House, or be fair to American servicemen generally.

Mr. RYAN. Mr. Speaker, I ask unanimous consent that this resolution may be passed over without prejudice.

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

There was no objection.

DISPOSAL OF CADMIUM

The Clerk called the bill (H.R. 12941) to authorize the release of 4,180,000 pounds of cadmium from the national stockpile and the supplemental stockpile.

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

H.R. 12941

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

istrator of General Services is hereby authorized to dispose of approximately four million one hundred eighty thousand pounds of cadmium now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h) and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954 (68 Stat. 456, as amended by 73 Stat. 607). Such disposition may be made without regard to the requirements of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided,* That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

SEC. 2. (a) Disposals of the material covered by this Act may be made only after publicly advertising for bids, except as provided in subsection (b) of this section or as otherwise authorized by law. All bids may be rejected when it is in the public interest to do so.

(b) The material covered by this Act may be disposed of without advertising for bids if—

(1) the material is to be transferred to an agency of the United States;

(2) the Administrator determines that methods of disposal other than by advertising are necessary to protect the United States against avoidable loss or to protect producers, processors, and consumers against avoidable disruption of their usual markets; or

(3) sales are to be made pursuant to requests received from other agencies of the United States in furtherance of authorized program objectives of such agencies.

Mr. PHILBIN. Mr. Speaker, H.R. 12941 would authorize the disposal of 4,180,000 pounds of cadmium from the national stockpile and the supplemental stockpile. The current stockpile objective for cadmium was increased to 6 million pounds by the Office of Emergency Preparedness in April 1969. The previous stockpile objective of 5,100,000 pounds was established February 8, 1964. As of October 31, 1969, the total inventory of cadmium held by the General Services Administration was approximately 10,180,000 pounds. There is presently an excess of 4,180,000 pounds in the stockpile. This amount is covered by H.R. 12941.

The average acquisition cost of the cadmium in the stockpile was $1.80 per pound. The present published market price is approximately $3.50 per pound.

The chief use of cadmium is as a pure metal in plating other metals, especially iron and steel, as a protection against wear and corrosion. A cadmium coating is given to a wide variety of small but vital machine parts, such as screws, nuts, and bolts in, for example, cars, aircraft, radio, and television sets.

The United States is the world's largest producer of cadmium. Cadmium is recovered almost entirely as a byproduct in processing zinc ores. Domestic production is about 32 percent of world output and well over half is obtained from materials of foreign origin.

Industrial demand for cadmium has been very strong since the last calendar quarter of 1968 causing a drawdown in industry stocks despite increased production, imports, and GSA sales. GSA sales of approximately 3,300,000 pounds of excess cadmium since July 1, 1968, have provided some relief to a tight supply situation, but the market continues to be tight.

The entire quantity of excess cadmium will be made available for disposal over a period of years, with offerings of 600,000 pounds each quarter.

Representatives of Government and industry testified they favor enactment of this legislation. The subcommittee and the full committee were convinced that there is a shortage of cadmium in the domestic market and recommended immediate action on this bill in order that further hardships may be alleviated.

In view of these urgent needs, I respectfully urge the House to take prompt, favorable action on H.R. 12941.

Mr. ARENDS. Mr. Speaker, I wish to concur in the remarks made by my distinguished colleague from Massachusetts (Mr. PHILBIN) who handled this matter before the Stockpile Subcommittee.

Witnesses who testified before the subcommitte strongly urged that this bill be acted upon as soon as possible in view of the shortage of cadmium in the current domestic market.

This bill was unanimously approved by the subcommittee and reported to the full committee. The full committee, in turn, acted favorably upon the subcommittee recommendation that the bill be favorably reported.

I strongly urge the House to take favorable action on H.R. 12941.

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

MAKING UNIFORM THE LAWS CONCERNING RESPONSIBILITY FOR GOVERNMENT PROPERTY IN VARIOUS MILITARY DEPARTMENTS

The Clerk called the bill (H.R. 13756) to amend titles 10, 32, and 37, United States Code, with respect to accountability and responsibility for U.S. property, and for other purposes.

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

H.R. 13756

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 10, United States Code, is amended as follows:

(1) Chapter 165 is amended—

(A) by adding the following new section:

"§ 2774. Property accountability and responsibility

"(a) The Secretary of a military department or the head of a Department of Defense agency may, under regulations approved by the Secretary of Defense which shall be uniformed, so far as practicable—

"(1) provide for the accounting, and fixing of responsibility, for real and personal property of the United States under his control;

"(2) provide that, when it is determined that property covered by clause (1) has been lost, damaged, or destroyed through the fault of a member of the Army, Navy, Air Force, or Marine Corps, the amount of the damage, or cost of repair or replacement, may be charged to him and deducted from his pay; and

"(3) designate any officer of the Army, Navy, Air Force, or Marine Corps to act upon reports of survey and vouchers pertaining to the loss, spoilage, unserviceability, unsuitability, or destruction of, or damage to, property covered by clause (1).

"(b) Any amounts obtained as a result of charges or deductions under subsection (a) (2), or reports of survey under section (a) (3), shall be credited to the current applicable appropriation available for repair or replacement of the lost or damaged property, including, in the case of damage to family housing, the Department of Defense family housing management account established under section 1594a–1 of title 42.

"(c) Actions taken by the Secretary of a military department or the head of a Department of Defense agency, or his designee, under this section are final.

"(d) This section does not amend or repeal section 4837, 6161, or 9837 of this title."; and

(B) by adding the following new item to the analysis:

"2774. Property accountability and responsibility."

(2) Chapters 453 and 953 are amended by repealing sections 4832, 4835, 4838, 4839, 4840, 9832, 9835, 9838, 9839, and 9840, and striking out the corresponding items in the analyses.

SEC. 2. Section 710 of title 32 United States Code, is amended as follows:

(1) Subsection (b) is amended by striking out "shall" in the first sentence and inserting in place thereof "may".

(2) Subsections (b) and (f) are each amended by striking out "Regular" wherever it appears.

(3) Subsection (c) is amended to read as follows:

"(c) The Secretary concerned may, under regulations approved by the Secretary of Defense which shall be uniform, so far as practicable—

"(1) provide for the accounting, and fixing of responsibility, for property issued to the National Guard; and

"(2) provide that, when property covered by clause (1) has been lost, damaged, or destroyed, the amount of the damage, or cost of repair or replacement, may be charged—

"(A) to the member determined to be at fault with respect to the loss, damage, or destruction, and deducted from his pay; or

"(B) to the State or territory, Puerto Rico, the Canal Zone, or the District of Columbia, whichever is concerned, and paid from its or any non-Federal funds."

SEC. 3. Section 1007 (e) and (f) of title 37, United States Code, is repealed.

(Mr. PRICE of Illinois asked and was given permission to revise and extend his remarks.)

Mr. PRICE of Illinois. Mr. Speaker, the purpose of the proposed legislation is to make uniform the laws concerning responsibility for loss or damage to Government property in the various military departments and agencies. Presently the law is applicable only to the Departments of the Army and the Air Force and is predicated on simple negligence. This is a strict standard. The simple negligence test means that a soldier may be held pecuniarily liable for loss, damage, or destruction of a particular piece of equipment if there was the slightest deviation from the standard of reasonableness.

Of particular note is the fact that the Navy is not bound by the provisions of this statute.

Prior to 1963, the Departments of the Army and the Air Force applied the same strict simple negligence standard uniformly to all personnel with respect to all Government property. The Department of the Air Force made a study in 1962 which revealed that application of this simple negligence standard made the Report of Survey system more costly and complex than was necessary or desirable by causing a great number of expensive

surveys to be conducted. For example, during a typical year, the Department of the Air Force collected $228,000 for lost or damaged property while spending $1,078,000 to maintain the system. It was concluded that the effects of this system upon supply discipline are not sufficient to justify this expense. In addition, the threat of assessment of pecuniary liability was determined to have a demoralizing effect totally out of proportion to its advantage to supply discipline.

As a result of the 1962 study, the Army and the Air Force modified their implementing procedures and a system of responsibility based on the user's relationship to the property was established. The new system has succeeded in reducing costs and preserving morale without any sacrifice of supply discipline. However, this is as far as they can go under existing law.

The establishment of a uniform standard throughout the Government under which pecuniary liability is assessed only for loss of or damage to property resulting from gross negligence or willful misconduct would be consistent with longstanding commercial practices, in the case of those kinds of personal property which are ordinarily entrusted to employees. Generally, an employee is not charged for loss or damage occurring in the ordinary course of business; rather, administrative disciplinary action is used as a sanction.

As a practical matter, however, the use of corrective and disciplinary measures, coupled with permissive authority to assess pecuniary charges in appropriate situations varying from a standard of simple negligence to one of willful misconduct, is expected to result in better enforcement of property responsibility. It is expected that in the case, for example, of troop housing, including quarters, military family housing, and Government-owned contents in such quarters, standards of simple negligence would be established under regulations which would also establish procedures for inspections, assessments, and reviews. Experience with different standards administratively determined, for distinctive types of property, may well demonstrate the need for adjustment of the standards from time to time.

Passage of H.R. 13756 will accomplish the aims set forth above.

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

The SPEAKER. This concludes the call of the eligible bills on the Consent Calendar.

FURTHER CONTINUING APPROPRIATIONS, 1970

Mr. MAHON. Mr. Speaker, pursuant to the order of the House of November 25, 1969, I call up the joint resolution (H.J. Res. 1017) making further continuing appropriations for the fiscal year 1970, and for other purposes, and ask unanimous consent that the joint resolution be considered in the House as in Committee of the Whole.

The Clerk read the title of the joint resolution.

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

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 1017

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That clause (c) of section 102 of the joint resolution of November 14, 1969 (Public Law 91-117), is hereby amended by striking out "December 6, 1969" and inserting in lieu thereof "the sine die adjournment of the first session of the Ninety-first Congress".

Mr. MAHON. Mr. Speaker, I move to strike the last word.

Mr. Speaker, this is the third continuing resolution of the session.

The pending resolution would not change the resolution now in effect except in one particular. It merely extends the expiration date from December 6 to the sine die adjournment day of the present session. This would enable any department or agency of the Government whose annual appropriation bill for fiscal 1970 has not become law by December 6, to operate until sine die adjournment, which we, of course, expect to occur later this month.

Otherwise, there is no change.

Insofar as I know, there is no controversy about the pending resolution.

STATUS OF THE APPROPRIATION BILLS FOR 1970

There have been enacted into law for the current fiscal year four regular bills; namely, the Treasury-Post Office appropriation bill; the Interior appropriation bill; the independent offices and Housing and Urban Development appropriation bill; and the Agriculture appropriation bill.

The House has yet to consider three appropriation bills before adjournment; namely, Defense, which is scheduled to be on the floor next Monday, December 8; the foreign assistance bill, which we hope to have on the floor on December 9 or 10; and the final supplemental, which we hope to report late next week.

Three bills are now in conference. The public works appropriation bill, which is scheduled for conference tomorrow and which we expect to be disposed of this week; the legislative appropriation bill, on which we hope to confer tomorrow; and the State, Justice, Commerce, and Judiciary appropriation bill, on which we hope to confer early next week.

In the other body, action must be taken on the District of Columbia appropriation bill; the military construction appropriation bill; the Transportation appropriation bill; and the Labor and HEW appropriation bill; all of which are pending in the other body.

The other body must, of course, also process the three bills yet to be considered in the House.

Mr. Speaker, I believe there is no need to elaborate further on the pending resolution. It merely extends the present resolution to sine die adjournment day.

Mr. COHELAN. Mr. Speaker, will the gentleman yield?

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

Mr. COHELAN. I thank the gentleman for yielding. I am planning to support the resolution as it is presented, but I would ask the gentleman from Texas if he would speculate on what will happen if, for example, we are unable to conclude the appropriation bill conference on any one of the particular bills that are now pending?

Mr. MAHON. May I say in reply that I would prefer not to contemplate a thought of that kind at this time. I think what we need to do is to complete our appropriations work this month. I think we can do that. But if for any reason we do not complete our work on a bill the agencies and departments involved, if they have not been financed, would have to either close down their operations or we would have to provide a continuing resolution for them, which undoubtedly we would do.

Mr. COHELAN. Mr. Speaker, if the gentleman will yield further, may I ask my distinguished chairman this question: Does the gentleman not feel that we will be able to compete our work before sine die adjournment?

Mr. MAHON. Yes, I think we will be able to complete the appropriations work by sine die adjournment day. It is unfortunate that it could not have been completed weeks and in some cases months ago. But this has been a unique and a difficult year which we hope will not again occur.

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

Mr. MAHON. I yield to the gentleman from Iowa.

Mr. GROSS. I see the distinguished majority leader reveling in the colloquy that has taken place. Could we add to this resolution, after 91st Congress, December 19, 1969, as the date for sine die adjournment?

Mr. MAHON. I think that might not be quite the thing to do. My own guess, and I have not conferred with the leadership about this matter, is that we will probably adjourn on the night of December 20.

Mr. GROSS. That is Saturday night. On the farm that used to be "bath" night. I do not like to work on Saturday night.

Mr. MAHON. May I say that I would hope we could adjourn earlier, but I believe the best thing to do at this time is to provide sine die adjournment as the date for the pending resolution. This, of course, may require the President to act with considerable expedition on certain bills which might be presented to him relatively late.

Mr. Speaker, as I explained earlier, the pending resolution, House Joint Resolution 1017, merely extends the expiration date of the existing continuing resolution, House Joint Resolution 966. All other provisions of House Joint Resolution 966, which became Public Law 91-117 when the President signed it on November 14, remain unchanged and thus would continue for the additional time period provided in the pending resolution.

Under leave granted, I include the memorandum issued by the President when he signed House Joint Resolution 966.

THE PRESIDENT'S MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES UPON SIGNING A CONTINUING RESOLUTION ON APPROPRIATIONS. NOVEMBER 14, 1969

I have approved H.J. Res. 966, which provides temporary appropriations to finance governmental programs for which 1970 appropriations have not been enacted as of October 31, 1969.

This legislation is required for continued operation of our government. But I must express my deep concern with the particular terms which would permit some agencies, such as the Department of Health, Education, and Welfare, to commit the government to make expenditures at a rate inconsistent with our efforts to keep the budget under strict control and thereby restrain inflation.

I am fully aware of our needs in health, education, training, and other social areas, and have reflected those in my budget proposals as best I can. At the same time, I feel strongly that the soundness and stability of our economy demand stringent fiscal measures on all fronts, and that such stringency will better serve the long-run interests of all the American people.

I take this occasion, therefore, to reconfirm my statement of August 12, 1969, on the action by the House of Representatives that added $1.1 billion to the appropriations for the Department of Health, Education, and Welfare when I stated "my intention not to spend in this fiscal year any funds appropriated in excess of my budgetary estimates of April this year. No commitments will be made to spend these additional appropriations until the Congress has completed action on all appropriation bills and revenue measures."

Any increases in appropriations that permit spending beyond that level must be offset by equivalent reductions, either by the Congress or by the executive branch. Therefore, I direct you to make no commitments at this time which will lead to spending in excess of the 1970 outlay ceiling which the Director of the Bureau of the Budget communicated to you at my direction.

I expect your full cooperation in demonstrating our fiscal responsibility. It is imperative that this Administration do everything in its power to fight the inflationary pressures which are eroding the purchasing power of the American people.

RICHARD NIXON.

Mr. JONAS. Mr. Speaker, I move to strike the last three words.

Mr. Speaker, I think the gentleman from Texas will agree with me that it would have been better to extend this continuing resolution to 5 days subsequent to sine die adjournment. That was the action taken by the House on the previous resolution by rollcall vote on a motion to recommit. The other body changed that to a fixed date.

The gentleman from Texas has pointed out, by inference at least, why it would have been better to have extended this resolution beyond sine die adjournment.

It is now obvious that the President will have on his desk an accumulation of appropriation bills that will have just cleared both branches of the Congress in the closing days of this session, and he will need several days to consider and sign these bills into law. Although I am going along with this resolution, I do want to point out that in my opinion it would have been better to have given the Chief Executive 5 days in which to study and sign the appropriation bills.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. JONAS. I will be glad to yield to the gentleman.

Mr. MAHON. I agree with the gentleman that it might have been desirable to extend the time beyond the actual sine die adjournment day, but there are ways to deal with that. If we do not clear the bills early enough, we could put a so-called validating clause on the final supplemental bill. As the gentleman knows, we have done that on occasion.

Another consideration is that if within the next few days we clear several of these bills, which I believe we will, the President will not be confronted on sine die adjournment day with the signing of a large number of appropriation bills, because we would hope that most of them will be in his hands prior to that time.

Mr. JONAS. Mr. Speaker, I would like to include as a part of my comments on this resolution a quotation from the report of the other body when it enacted the House-passed continuing resolution with a the "Cohelan amendment" included in it. I quote from that report for the information of this body:

The committee is very much concerned with the action of the House in providing what is in effect a separate appropriation for the Office of Education at a time when the regular annual appropriation bill for the Office of Education is pending in the Senate subcommittee. The committee has reluctantly agreed to go along with this resolution, but desires to make it abundantly clear that this is not a precedent and, in the future, the committee does not intend to report such a resolution.

In addition, the committee wishes to make it clear that its action in reporting this resolution does not constitute an endorsement of the appropriations included in the House-passed Department of Labor and Health, Education, and Welfare appropriation bill, 1970 (H.R. 13111), for the programs administered by the Office of Education. The Bureau of the Budget and the Department of Health, Education and Welfare should exercise caution in utilizing the authority granted in this resolution in order not to jeopardize the integrity of the programs as they may be finally approved by the Congress.

I think it important to note that the Committee on Appropriations in the other body has specifically stated that it "does not intend to report such a resolution" in the future.

The SPEAKER. The question is on the engrossment and third reading of the joint resolution.

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

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

The joint resolution was passed.

A motion to reconsider was laid on the table.

FURTHER LEGISLATIVE PROGRAM

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

Mr. ALBERT. Mr. Speaker, I take this time to advise the House of an addition to the legislative program. The gentleman from New York (Mr. PIRNIE) has advised me that on tomorrow he will seek to call up by unanimous-consent request the bill H.R. 4296, to amend title 37, United States Code, to provide for the procurement and retention of judge advocates and law specialist officers for the Armed Forces.

APPOINTMENT OF CONFEREES ON H.R. 14159, PUBLIC WORKS FOR WATER, POLLUTION CONTROL, AND POWER DEVELOPMENT AND ATOMIC ENERGY COMMISSION APPROPRIATIONS, 1970

Mr. EVINS of Tennessee. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 14159) making appropriations for public works for water, pollution control, and power development, including the Corps of Engineers—civil—the Panama Canal, the Federal Water Pollution Control Administration, the Bureau of Reclamation, power agencies of the Department of the Interior, the Tennessee Valley Authority, the Atomic Energy Commission, and related independent agencies and commissions for the fiscal year ending June 30, 1970, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

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

Mr. DINGELL. Reserving the right to object, Mr. Speaker, I take this time in order to direct some questions to my good friend, the gentleman from Tennessee (Mr. EVINS) with regard to the conference and certain other related matters with respect to this legislation.

Mr. Speaker, I would like to call to the attention of the gentleman from Tennessee that when this matter was before the House, the House failed by only two votes to come to an appropriation of $1 billion for the funding of water pollution grants. The Senate by an overwhelming majority has voted to fund in full the authorization and to appropriate the sum of $1 billion for grants to municipalities for construction of waste treatment facilities.

I note now that my good friend has requested that conferees be appointed by this body to go to conference with the other body. I understand it is the practice that when this body goes to conference with the Senate, if the conferees are unable to come to an agreement, that they then come back to the House for instructions. Am I correct on that?

Mr. EVINS of Tennessee. I would say to my friend that that has been the customary procedure.

Mr. DINGELL. I would like then to ask my very dear friend, the gentleman from Tennessee, how long he figures it would take for the conferees or the managers on the part of the House, to reach a point where they would want to come back to this body for instructions with regard to whether they would go for the $600 million figure appropriated by this body or the $1 billion figure appropriated by the Senate.

Mr. EVINS of Tennessee. Of course, the conferees have not been named yet.

It is not customary to instruct the conferees prior to going to conference. I would hope they could reach a prompt agreement and settle the matter.

Mr. DINGELL. I would say to my good friend that I do have a motion to instruct the conferees in my pocket. I am most reluctant to utilize it. It was my hope that perhaps if the gentleman found, and the conferees on the part of the House found, that they were unable to arrive at a resolution with regard to the differences between House and the other body at an earlier time, they would agree to come back to the House for instructions. The matter could then be placed before the House and the House could have a clear vote on whether or not we are going to fund this program in full by the appropriation of $1 billion or whether we should go to the lesser figure that has been very narrowly decided upon by the House. As my friends recalls, the amendment to increase the appropriation to $1 billion failed by only two votes.

Mr. EVINS of Tennessee. I can only say to my friend that I hope the conferees can reach a speedy and early agreement and a resolution of the matter. We will do our best to come to an agreement in conference. If we cannot come to an agreement, the customary practice is to bring the matter back to the House for further instructions.

Mr. DINGELL. I would assume the gentleman would want come back at an early time since Christmas is coming and the time for adjournment is coming.

Mr. EVINS of Tennessee. We are trying to move as rapidly as possible and plan to have our first conference meeting tomorrow.

Mr. DINGELL. If you are not able to arrive at an early resolution, I hope the matter will be brought back to the House for a vote so the Members can have a full opportunity to express themselves on this important point.

Mr. EVINS of Tennessee. The gentleman has expressed himself eloquently.

Mr. DINGELL. I hope I have also expressed the thoughts of my dear friend, the gentleman from Tennessee, because this is the time to discuss it.

Mr. EVINS of Tennessee. I can only say to my friend that I have not even been named as a conferee yet. We must wait until conferees are named and have an opportunity to consider and confer on the matter.

Mr. DINGELL. I am aware of that but I am sure that my good friend, the gentleman from Tennessee, will be one of the conferees.

Mr. Speaker, I am most reluctant to object, but I cannot seem to get what I want from my good friend, that the committee is going to bring this matter back to the House for a vote. If I cannot get that kind of understanding, we are probably going to have to have this matter up under a rule from the Committee on Rules.

Mr. RHODES. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman.

Mr. RHODES. Mr. Speaker, I would like to say to my good friend, the gentleman from Michigan, that I am sure he is aware of the fact, because of his long membership in the House of Representatives, that the gentleman knows that after the conference is over, the House in an appropriation matter gets the papers and the first action on the conference report will be in the House. I am sure the gentleman also knows that at that time a motion to recommit, with or without instructions, would be in order.

Mr. DINGELL. I am perfectly aware of that.

Mr. RHODES. The gentleman's right to take whatever action he feels it is necessary to take on the matter in which he is interested will, I think, be abundantly preserved.

Mr. DINGELL. I am aware that that is the practice, and I am also aware of the fact that probably the ordinary Members of the House would not be recognized for the purpose of making a motion to recommit.

Mr. EVINS of Tennessee. Let me say, the gentleman is not an ordinary Member. He is an outstanding Member of this House.

Mr. DINGELL. Mr. Speaker, I am still trying to get an understanding on this matter from the gentleman from Tennessee.

Mr. EVINS of Tennessee. All I can say is that if the Senate and House conferees do not agree, we will bring the matter back to the House for action which, as I say, is the custom.

Mr. DINGELL. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee (Mr. EVINS)? The Chair hears none, and appoints the following conferees: Messrs. KIRWAN, EVINS of Tennessee, BOLAND, WHITTEN, ANDREWS of Alabama, MAHON, RHODES, DAVIS of Wisconsin, ROBISON and CEDERBERG.

JOINT FUNDING SIMPLIFICATION ACT OF 1969

Mr. BLATNIK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 14517) to provide temporary authority to expedite procedures for consideration and approval of projects drawing upon more than one Federal assistance program, to simplify requirements for the operation of those projects, and for other puroposes.

The Clerk read as follows:

H.R. 14517

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 "Joint Funding Simplification Act of 1969."

PURPOSE

SEC. 2. The purpose of this Act is to enable States, local governments and other public or private organizations and agencies to use Federal assistance more effectively and efficiently, to adapt that assistance more readily to their particular needs through the wider use of projects drawing upon resources available from more than one Federal agency, program or appropriation and to acquire experience which would lead to the development of legislative proposals respecting the consolidation, simplification, and coordination of Federal assistance programs. It is the further purpose of this Act to encourage Federal-State arrangements under which local governments and other public or private organizations and agencies may more effectively and efficiently combine State and Federal resources in support of projects of common interest to the governments, agencies, and organizations concerned.

BASIC RESPONSIBILITIES OF THE HEADS OF FEDERAL AGENCIES

SEC. 3. (a) Subject to such regulations as the President may prescribe, the heads of Federal agencies may take actions, by internal agency order or interagency agreement, including but not limited to:

(1) identification of related programs likely to be particularly suitable or appropriate for providing joint support for specific kinds of projects;

(2) development and promulgation of guidelines, model or illustrative projects, joint or common application forms, and other materials or guidance to assist in the planning and development of projects drawing support from different programs;

(3) review of administratively established program requirements in order to determine which of those requirements may impede joint support of projects and the extent to which these may be appropriately modified, and making modifications accordingly;

(4) establishment of common technical or administrative rules among related programs to assist in the joint use of funds in the support of specific projects or classes of projects; and

(5) creation of joint or common application processing and project supervision procedures or mechanisms including procedures for designating lead agencies to assume responsibilities for processing on behalf of several agencies and for designation of managing agencies to assume responsibilities for project supervision on behalf of several agencies.

(b) The head of each Federal agency shall be responsible for taking actions, to the maximum extent feasible under applicable law, which will further the purposes of this Act with respect to Federal assistance programs administered by his agency. Each Federal agency head shall also consult and cooperate with the heads of other Federal agencies in order similarly to promote the purpose of this Act with respect to Federal assistance programs of different agencies which may be used together or jointly in support of projects undertaken by State or local governments or other public or private agencies and organizations.

APPLICATION PROCESSING

SEC. 4. Actions taken by Federal agencies pursuant to this Act which relate to the processing of applications or requests for assistance under two or more Federal programs in support of any project shall be designed to assure, so far as reasonably possible (1) that all required reviews and approvals are handled expeditiously; (2) that full account is taken of any special considerations of timing that are made known by the applicant that would affect the feasibility of a jointly funded project; (3) that the applicant is required to deal with a minimum number of Federal representatives, acting separately or as a common board or panel; (4) that the applicant is promptly informed of decisions with respect to his application and of any special problems or impediments which may affect the feasibility of Federal provision of assistance on a joint basis; and (5) that the applicant is not required by representatives of any one Federal agency or program to obtain information or assurances concerning the requirements or actions of another Federal agency which could better and more appropriately be secured through direct communication among the Federal agencies involved.

SPECIAL AUTHORITIES—BASIC CONDITIONS

SEC. 5. Where appropriate to further the purposes of this Act, and subject to the conditions prescribed in this section, heads of Federal agencies may use the authorities described in sections 6, 7, and 8 (relating to the establishment of uniform technical or administrative requirements, delegation of powers and responsibilities, and establishment of joint management funds) with respect to projects assisted under more than one Federal assistance program. These authorities shall be exercised only pursuant to regulations prescribed by the President. Those regulations shall include criteria or procedures to assure the authorities are limited in use to problems that cannot be adequately dealt with through other actions pursuant to this Act or other applicable law; that they are applied only as necessary to promote expeditious processing or effective and efficient administration; and that they are applied consistent with the protection of the Federal interest and with program purposes or statutory requirements of a substantive nature.

ESTABLISHMENT OF UNIFORM TECHNICAL OR ADMINISTRATIVE REQUIREMENTS

SEC. 6. (a) In order to provide for projects which would otherwise be subject to varying or conflicting technical or administrative provisions of law, the heads of Federal agencies may adopt uniform provisions respecting:

(1) inconsistent or conflicting requirements relating to financial administration, including accounting, reporting and auditing, and maintaining separate bank accounts, but only to the extent consistent with the requirements of section 8;

(2) inconsistent or conflicting requirements relating to the timing of Federal payments where a single or combined schedule is to be established for the project as a whole;

(3) inconsistent or conflicting requirements that assistance be extended in the form of a grant rather than a contract, or a contract rather than a grant;

(4) inconsistent or conflicting requirements relating to accountability for, or the disposition of, property or structures acquired or constructed with Federal assistance where common rules are to be established for the project as a whole; and

(5) other inconsistent or conflicting requirements of an administrative or technical nature, as defined in regulations of the President and subject to such conditions as he may prescribe.

(b) In order to permit processing of applications in accordance with the purposes of this Act, Federal agency heads may provide for review of proposals for projects by a single panel, board, or committee in lieu of review by separate panels, boards, or committees when such review would otherwise be required by law.

(c) In promoting the more effective and efficient use of Federal assistance resources, Federal agency heads may waive requirements that a single or specified public agency be utilized or designated to receive, supervise, or otherwise administer a part of the Federal assistance drawn upon by any jointly funded project to the extent that administration by another public agency is determined to be fully consistent with applicable State or local law and with the objectives of the Federal assistance program involved. This authority may be exercised only upon (1) request of the head of a unit of general government, with respect to agencies which he certifies to be under his jurisdiction, or (2) with the agreement of the several State or local public agencies concerned.

DELEGATION OF POWERS

SEC. 7. With the approval of the President, agency heads may delegate to other Federal agencies any powers relating to the approval, under this Act, of projects or classes of projects under a program if such delegation will promote the purposes of that program. Agency heads may also delegate to other Federal agencies powers and functions relating to the supervision of administration of Federal assistance, or otherwise arrange for other agencies to perform such activities, with respect to projects or classes of projects subject to this Act. Delegations under this section shall be made only on such conditions as may be appropriate to asure that the powers and functions delegated are exercised in full conformity with applicable statutory provisions and policies.

FUNDING ARRANGEMENTS AND PROCEDURES

SEC. 8. (a) In order to provide for the more effective administration of funds drawn from more than one Federal program or appropriation in support of projects under this Act, there may be established joint management funds with respect to such projects. The total amount approved for such a project may be accounted for through a joint management fund as if the funds had been derived from a single Federal assistance program or appropriation. There will be advanced to the joint management fund from each affected appropriation, from time to time, its proportionate share of amounts needed for payment to the grantee. Any amounts remaining in the hands of the grantee at the completion of the project shall be returned to the joint management fund.

(b) Any account in a joint management fund shall be subject to such agreements, not inconsistent with this section and other applicable law, as may be entered into by the Federal agencies concerned with respect to the discharge of the responsibilities of those agencies and shall assure the availability of necessary information to those agencies and to the Congress. These agreements shall also provide that the agency administering a joint management fund shall be responsible and accountable for the total amount provided for the purposes of each account established in the fund; and may include procedures for determining, from time to time, whether amounts in the account are in excess of the amounts required, for returning that excess to the participating Federal agencies in accordance with a formula mutually acceptable as providing an equitable distribution, and for effecting returns accordingly to the applicable appropriations, subject to fiscal year limitations. Excess amounts applicable to expired appropriations will be lapsed from that fund.

(c) For each project financed through a joint management fund established pursuant to this section, the recipients of moneys drawn from the fund shall keep such records as the head of the Federal agency responsible for administering the fund will prescribe. Such records shall, as a minimum, fully disclose the amount and disposition by such recipient of Federal assistance received, the total cost of the project in connection with which such Federal assistance was given or used, the amount of that portion of the cost of the project supplied by other sources, and such other records as will facilitate an effective audit.

(d) The head of the Federal agency responsible for administering such joint management fund and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of such recipients that are pertinent to the moneys received from such fund.

(e) In the case of any project covered in a joint management fund, a single non-Federal share may be established according to the Federal share ratios applicable to the several Federal assistance programs involved and the proportion of funds transferred to the project account from each of those programs.

AUXILIARY PROVISIONS

SEC. 9. (a) Appropriations available to any Federal assistance program for technical assistance or the training of personnel may be made available for the provision of technical assistance and training in connection with projects proposed or approved for joint or common funding involving that program and any other Federal assistance program.

(b) Personnel of any Federal agency may be detailed from time to time to other agencies as necessary or appropriate to facilitate the processing of applications under this Act or the administration of approved projects.

FEDERAL-STATE ASSISTANCE AND AGREEMENTS

SEC. 10. Subject to such regulations as the President may prescribe, Federal agencies may enter into agreements with States or State agencies as appropriate to extend the benefits of this Act to projects involving assistance from one or more Federal agencies and one or more State agencies. These agreements may include arrangements for the processing of requests for, or the administration of, assistance to such projects on a joint basis. They may also include provisions covering the establishment of uniform technical or administrative requirements, as authorized by this Act.

AUTHORITY OF THE PRESIDENT

SEC. 11. In addition to powers and authority otherwise conferred upon him by this Act or other law, the President may take such action, prescribe such procedures, and promulgate such rules as may be necessary or appropriate to assure that this Act is applied by all Federal agencies in a consistent manner and in accordance with its purposes. He may, for this purpose, require that Federal agencies adopt or prescribe procedures that will assure that applicants for assistance to projects under this Act make appropriate efforts (1) to secure the views and recommendations of non-Federal agencies that may be significantly affected by such projects, including units of general government, and (2) to resolve questions of common interest to those agencies prior to submission of any application. The President shall also, from time to time, make reports to the Congress on actions taken under this Act and make such recommendations for additional legislative actions as he may deem appropriate, including recommendations for the consolidation, simplification, and coordination of Federal assistance programs.

DEFINITIONS

SEC. 12. As used in this Act—

(1) "Federal assistance programs" are programs that provide assistance through grant or contractual arrangements, and include technical assistance programs or programs providing assistance in the form of loans, loan guarantees or insurance;

(2) "applicant" includes one or more State or local governments or other public or private agencies or organizations acting separately or together in seeking assistance with respect to a single project;

(3) "project" includes any undertaking, however characterized and whether of a temporary or continuing nature, which includes components proposed or approved for assistance under more than one Federal program, or one or more Federal and one or more State programs, if each of those components contributes materially to the accomplishment of a single purpose or closely related purposes;

(4) "Federal agency" includes any agency in the executive branch of the Government; and

(5) "State" means of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands and American Samoa.

EFFECTIVE DATE AND EXPIRATION

SEC. 13. This Act shall become effective one hundred and twenty days following the date of enactment and shall expire three years after it becomes effective, but its expiration shall not affect the administration of projects previously approved.

The SPEAKER. Is a second demanded?

Mr. ERLENBORN. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Minnesota will be recognized for 20 minutes.

(Mr. BLATNIK asked and was given permission to revise and extend his remarks, and to include extraneous material.)

Mr. BLATNIK. Mr. Speaker, I believe H.R. 14517 to be one of the most significant forward steps yet made in improving the administration of our numerous grant-in-aid programs, and in enabling States, local governments, and institutions to more readily take advantage of the benefits those programs provide.

WHY THIS BILL IS NEEDED

All of us have been inundated with complaints about the many offices which must be approached and the bureaucratic redtape that has to be unraveled in order to get the simplest Federal grant approved. More and more our localities and institutions are now moving toward the multipurpose project assisted by funds from several Federal grant programs. This appears to be a practical way to meet many local problems. The model cities program is just one example of congressional endorsement of this approach.

Since most of our existing grant programs are categorical and designed for single or closely related purposes, they can only with considerable difficulty be adopted to the "packaging" of multipurpose projects. The difficulty is enhanced when the needed Federal resources are administered by several departments and agencies with their various procedures and requirements. The logistical problem in getting applications prepared and justified for the several grantor agencies are difficult enough for the States, large cities and big institutions, but for our many small communities they may be overwhelming.

For example, the National League of Cities advised us:

A city may have comprehensive plans to lay a new sewer system and to construct a waste treatment plant. Under present law, a city must apply for assistance to build its sewer system to the Department of Housing and Urban Development under that Department's basic water and sewer facilities program . . . (and) the Secretary of the Interior must certify that any waste carried by the sewer facility will be adequately treated to meet applicable water quality standards before it is discharged into any public waterway in order to qualify the application. The city may not receive a grant from HUD for the construction of treatment works. Instead, it must make separate application to Interior under that department's sewage treatment facilities construction grant program. The whole process involves two separate applications, the inherent delay of processing and certification and the distinct possibility that one or the other of the applications could be rejected or deferred. Hence, the city's entire program is jeopardized by possible delay or fragmentation.

I could relate many similar experiences in pollution control and numerous other examples could be cited by every Member on this floor.

What we need is a procedure that will reduce the number of applications to file for a single project, cut down the excessive points of contact which must be made by the applicant and simplify the procedure for approving and supervising such a project. But this must be done without making substantive changes in the policy Congress has adopted for these programs or in relaxing necessary fiscal controls on the grant funds. We believe these aims can be realized by this legislation.

WHAT THE BILL WILL DO

The Joint Funding Simplification Act, in short, will first, permit a single application for a project that draws upon two or more Federal grant programs; second, authorize selection of a lead agency which will process the application and secure clearances from other agencies involved. The applicant in most cases should have to deal with only one agency; third, enable an application to be approved by a single panel jointly constituted by several agencies involved; fourth, allow designation of a single managing agency to supervise the project, after approval; and fifth, allow under strict accountability, creation of a joint management fund contributed from several appropriation accounts to support joint projects.

These steps will be accomplished under regulations prescribed by the President.

You will find on pages 12 and 13 of the committee report a chart which shows the present burdensome procedures which must be followed now when a project draws upon two or more Federal grant programs and a chart showing the simplified procedures under joint funding. The advantages speak for themselves.

WHAT THE BILL WILL NOT DO

The bill will not change basic requirements for eligibility or approval of grant funds. Each grantor agency will dispense its funds in the way Congress intended in the authorizing legislation for each program. This includes matching formulas and share ratios.

This is not grant consolidation. This legislation is under consideration by our Subcommittee on Intergovernmental Relations. Grant consolidation merges whole programs together. Under joint funding simplification, administrative arrangements will be made between programs and agencies to expedite the processing of applications which may require approval by two or more agencies.

This is not revenue sharing or a step toward bloc grants. These ideas require important policy decisions by the Congress. Such decisions are not being made here.

WHO SUPPORTS THE BILL

Joint funding simplification was proposed under the previous administration but has the strong support of the Nixon administration. This is a bipartisan measure and was reported unanimously by the committee. It has been endorsed by the Advisory Commission on Intergovernmental Relations, the National Governors' Conference, the U.S. Conference of Mayors, the National League of Cities, the American Council on Education, the National Education Association, the Association of American Medical Colleges, among others.

CAUTIONS AND LIMITATIONS

I am well aware that it will not be easy to put the simplified procedures called for here into practice. Hence, we consider this legislation to be experimental and should be implemented with great caution and, at first, with a limited number of carefully selected projects.

The legislation is temporary and expires in 3 years. During that period, the Committee on Government Operations and, I am sure, the other interested committees, will closely watch the manner in which the new procedures are carried out.

I expect, of course, that fiscal policies will be observed and that the laws of accountability and the integrity of appropriations will be strictly adhered to.

Our committee has been assured on these points by the Bureau of the Budget which will play an important role in administering the bill.

I believe that this legislation should ultimately reduce, to some extent, the cost in administering grant programs. Although no estimate is possible now, this is something we can look forward to.

In his March 17 message on the quality of American Government, the President instructed the Director of the Bureau of the Budget to develop a legislative proposal that would provide for the simplification of Federal grant-in-aid programs. This statement constitutes a brief summary of the problem and an outline of the proposal that has been developed in response to the President's directive.

PROBLEM

A number of Federal assistance programs which finance different activities could be brought together in a single project to support similar or directly related purposes. Such combinations of related programs would encourage a comprehensive approach to certain problems and enable State and local governments and other grantees to use Federal assistance more effectively and efficiently.

However, existing laws and regulations often make these combinations somewhat difficult to "package" and administer. Each Federal grant program may have different requirements in such matters as application forms, accounting procedures, advisory panels, reporting dates, and so forth. Further, the grantees often must work with several Federal agencies—or constituent elements of a single agency—each with its own distinct administrative practices.

The purpose of this proposal is to remove or simplify certain administrative and technical impediments which hamper or prevent the consideration, processing, approval, and administration of

projects which draw upon resources available from more than one Federal agency, program, or appropriation.

PROPOSAL

The Joint Funding Simplification Act of 1969 would achieve this objective by first authorizing the removal or modification of certain statutory requirements; second, authorizing agency heads to delegate the approval and administration of Federal assistance programs to other agencies; third, providing for a special fund in each agency to finance joint projects; fourth, describing the actions which Federal agency heads should take to further joint projects; and fifth, authorizing the President to establish standards and procedures to implement the act. Except as specifically provided, the act would not change substantive provisions of law relating to Federal assistance programs such as eligibility criteria, maintenance of effort, matching ratios, authorization levels, program availability, and so forth. Such questions will be the focus of a later study.

WAIVER

Federal agency heads would be authorized to waive or modify certain technical and administrative statutory provisions with respect to joint projects, for example, requirements relating to reporting and auditing, merit personnel systems—under certain conditions—the timing of Federal payments, and so forth. Agency heads could also waive the requirement that a single public agency be designated or utilized to administer a specific program when that program was part of a joint project but only with the agreement of the public agencies concerned. Such waivers would have to be consistent with applicable State or local law and with the objectives of the program involved.

DELEGATION

With the approval of the President, Federal agency heads would be authorized to delegate to other agencies powers or functions relating to the approval of programs of their agencies which were component parts of a joint project if such delegation was necessary to accomplish the purposes of the act. Such delegations would have to be exercised in full conformity with applicable statutory provisions. Authority to supervise the administration of projects could also be delegated.

FUNDING

Federal agency heads would be authorized to establish joint management funds to finance joint projects.

AGENCY ACTIONS

The head of each Federal agency would be responsible for taking actions to facilitate joint funding and to expedite the processing of applications for joint projects. Such actions might include development of common application forms, establishment of common administrative rules, designation of "project managers" in one agency to supervise joint projects, and so forth.

PRESIDENTIAL AUTHORITY

The President would be authorized to first, approve the agency delegation of powers and functions noted above; second, prescribe regulations, procedures and rules to assure that Federal agencies apply the provisions of this act in a uniform manner; and third, require that Federal agencies adopt procedures which assure that applicants for joint projects under this act make reasonable efforts to secure the views and recommendations of agencies that may be significantly affected by the project, including units of general local government to the fullest extent appropriate.

In summary, this proposal would enable Federal agencies and grantees more readily to package and administer a project whose constituent elements were funded under different assistance programs and to operate it as a single, integrated project with common requirements, funding and procedures.

PROPOSED ADMINISTRATIVE OPERATION

1. PRESIDENT

As noted above, the proposed legislation would grant the President broad authority to make rules and regulations for its implementation. Those rules and regulations might deal, for example, with the format and content of application forms for joint funding, the processing of such forms, procedures for determining lead-agency or project-manager assignments, conditions under which various waivers of statutory provisions would occur, and the manner in which joint funds will be obligated and accounted for. There would probably also have to be a Presidential effort to bring agency rules, regulations and procedures into line with the needs of the joint funding process.

The President would establish methods and procedures by which the representatives of the major grant-in-aid agencies and the Bureau of the Budget would assist him in carrying out his regulatory functions. The agencies would be expected to work cooperatively to harmonize their regulations, develop procedures for disseminating information about the joint funding approach and consider problems that develop in implementation of the concept.

2. AGENCIES

Each agency will have to develop certain new rules and regulations, or modify its existing rules and regulations as necessary to facilitate the joint funding concept. Its regulations will also have to be in harmony with those issued by the President.

As experience is gained and if patterns of applications for certain types of joint funding emerge, it is expected that agencies will enter into agreements involving specific joint application forms, the processing of those forms, lead-agency or project-manager assignments and possible delegations of approval authority and allocations of funds. If possible, typical grant packages will be identified, and certain highly desirable ones may be given priority treatment.

3. GRANT RECIPIENTS

Under the proposal, grantees will fall into two broad categories: first, any eligible grantee will be able to apply for joint funding of any or all grants for which he is otherwise eligible; and second, the head of a unit of general government—for example, a governor, mayor, or county chief executive—will be able to apply for joint funding of any or all grants for which the agencies and the unit of general government under his jurisdiction are eligible.

The grantee would be faced with several possibilities once he determines what sort of a joint funding proposal he wishes to make: First, in the simplest situation, in which his proposal involves only grants from one Federal agency for which he is directly eligible, the grantee would simply apply to, and deal with that agency; second, if his proposal involves grants from more than one Federal agency but only grants for which he is directly eligible, the grantee would probably apply initially to one of those agencies pursuant to instructions and regulations as to which agency had the lead role in processing the particular type of proposal; and third, if his proposal involves grants from Federal agencies for which he is both directly and indirectly eligible—for example, if a mayor's proposal involves both direct grants to his city and grants which are made to the State and then passed on by the State—the grantee would have to apply not only to the Federal lead agency but to the State or other jurisdiction involved. In any case—except as expressly provided otherwise in the bill—the proposal would have to meet the substantive requirements of each one of the grants involved in the package. That is, the planning, eligibility, and matching requirements of each one of the component grants in the package would have to be observed. In addition, the proposal would have to provide for separate accounting for construction and nonconstruction components. However, it could involve the waiver of certain technical and administrative provisions as described in the bill.

Under the draft bill it is also contemplated that a combined application by two or more eligible grantees could be made. Thus, a State having a direct federally funded community project might combine with a community also applying separately for a Federal grant in a related area for a multigrant project to be jointly funded by the Federal Government. Similarly, a county and a city might submit a combined project application for joint funding.

At the Federal level, several alternatives for handling applications for joint funding are possible. First, the agency receiving the application may simply send copies to the other agencies involved or to the various program units within its own jurisdiction for processing, approval and granting of necessary waivers with an effort to coordinate approval of the overall proposal. Second, pursuant to interagency agreements, the agency might establish a project manager for certain types of proposals who would play an active role in coordinating the processing of the proposal. Third, again pursuant to interagency agreements, the agency might have allocated to it certain funds from other agencies and be delegated the authortiy to obligate those funds for use in certain joint funding proposals.

A section-by-section analysis of the bill follows:

SECTION-BY-SECTION ANALYSIS OF H.R. 14517

Sec. 1. Short Title: Joint Funding Simplification Act of 1969.

Sec. 2. Cites the purpose of the Act to enable Governmental and private agencies to more effectively use Federal assistance.

Sec. 3. (a) Under regulations to be prescribed by the President, Federal Agency heads may take steps to identify related Federal assistance programs suitable for joint support; develop guidelines and materials to assist in planning such projects; determine existing requirements that impede joint support and modify such requirements; establish common rules among related programs; and create joint or common application processing and project supervision including procedures for designating lead agencies to process applications for several agencies and provide supervision.

Sec. 3. (b) Federal agency heads are held responsible for furthering the policy of joint funding simplification and for cooperating with other agency heads to this end.

Sec. 4. Federal agencies in processing applications for grants to projects involving two or more programs are to review and approve such applications expeditiously; take account of timing that would affect the feasibility of such projects; require the applicant to deal with a minimum number of Federal representatives; inform the applicant promptly of decisions; and obtain information from other Federal agencies thereby relieving the applicant of this responsibility.

Sec. 5. Heads of Federal agencies may use authorities provided in sections 6, 7 and 8 of the Act only pursuant to regulations adopted by the President. The regulations prescribed by the President are to include criteria or procedures to assure the authorities are limited in use to problems that cannot be adequately dealt with through other actions pursuant to this Act or other applicable law; that they are applied only as necessary to promote expeditious processing or effective and efficient administration; and that they are applied consistent with the protection of the Federal interest and with program purposes or statutory requirements of a substantive nature.

Sec. 6. (a) Heads of Federal agencies are authorized to adopt uniform provisions that would remedy existing inconsistent or conflicting requirements of different agencies in the administration of grant programs and thereby make easier the processing and supervision of jointly funded projects.

Sec. 6. (b) To further expedite the processing of applications for joint funding, single panels may be created to review project proposals instead of the panels for each agency now required.

Sec. 6. (c) Upon the request of the head of a State or local government with respect to agencies under his jurisdiction and with the agreement of the several State or local public agencies concerned, Federal agency heads may waive requirements that a single or specified public agency be utilized or designated to receive, supervise, or otherwise administer a part of the Federal assistance drawn upon by any jointly funded project to the extent that administration by another public agency is determined to be fully consistent with applicable State or local law and with the objectives of the Federal assistance program involved.

Sec. 7. Federal agency heads may delegate to other Federal agencies their power to approve or supervise jointly funded projects if this will promote the purposes of a particular grant program and provided that the delegations are exercised in full conformity with applicable statutory provisions and policies.

FUNDING ARRANGEMENTS

Sec. 8. (a) Joint management funds may be set up to support jointly funded projects and the total amount approved for a project may be accounted for through such Joint Management Fund as if the monies had been derived from a single Federal assistance program or appropriation. There will be advanced to the joint management fund from each affected appropriation, from time to time, its proportionate share of amounts needed for payment to the grantee. Any amounts remaining in the hands of the grantee at the completion of the project shall be returned to the joint management fund.

Sec. 8. (b) Any account in a joint management fund shall be subject to agreements, in accordance with applicable law, between the Federal agencies concerned and shall assure the availability of necessary information to those agencies and to the Congress. These agreements shall also provide that the agency administering a joint management fund shall be responsible and accountable for the total amount provided for the purposes of each account established in the fund; and may include procedures for determining from time to time, whether amounts in the account are in excess of the amounts required, for returning that excess to the participating Federal agencies in accordance with a formula mutually acceptable as providing an equitable distribution, and for effecting returns accordingly to the applicable appropriations, subject to fiscal year limitations. Excess amounts applicable to expired appropriations will be lapsed from that fund.

Sec. 8. (c) Records shall be kept by the recipient of funds for each project financed through a joint management fund as the head of the administering agency will prescribe. Such records are to fully disclose the amount and dispositions of Federal assistance received, the total cost of the project, amounts supplied by other sources, and such other records as will facilitate an effective audit.

Sec. 8.(d) The head of the responsible Federal agency and the Comptroller General shall have access to any pertinent documents and records.

Sec. 8.(e) For projects covered by a joint management fund a single non-Federal share may be established according to the Federal share ratios applicable to the several Federal grant programs financing the project and the proportions of funds transferred to the project account from each of those programs. However, the Federal share ratios established by law for the applicable grant programs would not be changed.

Sec. 9.(a) Appropriations available to any Federal assistance program for technical assistance or the training of personnel may be made available for the provision of technical assistance and training in connection with projects proposed or approved for joint or common funding involving that program and any other Federal assistance program.

Sec. 9.(b) Personnel may be detailed from one agency to another to facilitate the processing of applications for joint funding and for administration of approved projects.

Sec. 10. Federal agencies may enter agreements with States or State agencies to extend benefits of this Act to projects requiring joint funding and involving one or more State agencies.

Sec. 11. The President is authorized to take such actions and promulgate such rules that the Act will be applied in a consistent manner by all Federal agencies. The President shall make reports and recommendations to Congress.

Sec. 12. Definitions

"Federal assistance programs" are programs that provide assistance through grant or contractual arrangements, and include technical assistance programs or programs providing assistance in the form of loans, loan guarantees or insurance;

"Applicant" includes one or more State or local governments or other public or private agencies or organizations acting separately or together in seeking assistance with respect to a single project;

"Project" includes any undertaking, however characterized and whether of a temporary or continuing nature, which includes components proposed or approved for assistance under more than one Federal program, or one or more Federal and one or more State program, if each of those components contributes materially to the accomplishment of a single purpose or closely related purposes;

"Federal agency" includes any agency in the executive branch of the Government; and

"State" means of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands and American Samoa.

Sec. 13. This Act shall become effective one hundred and twenty days following the date of enactment and shall expire three years after it becomes effective, but its expiration shall not affect the administration of projects previously approved.

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

Mr. BLATNIK. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, what does the gentleman estimate this simplification business is going to cost by way of added personnel or other expenses?

Mr. BLATNIK. We have no estimates of added costs. Our information is that it will be kept almost to a minimum by utilizing existing personnel in these agencies and transferring from other agencies to give the lead agency such assistance as required. It is a rearranging or a shifting of some personnel, but largely of functions. So, as far as we know, there will be no new agency created and no new personnel will be required.

Mr. ERLENBORN. Mr. Speaker, will the gentleman yield?

Mr. BLATNIK. I yield to the gentleman from Illinois.

Mr. ERLENBORN. Mr. Speaker, I would like to add to the explanation given to the gentleman from Iowa that if this works—and it is an experimental program—it gives authority only for 3 years. If it does work, I think it should actually save money in administration. Instead of having three or four agencies separately administering the grant-in-aid programs, they would be consolidated into one lead agency which could and should result in less cost to the agencies jointly for the administration of grant-in-aid programs.

This does not create a new agency or create new funding. The cost of the administration will be borne out of the present funds provided for the agencies, and it should ultimately save money not only for the recipient but also for the Federal Government and the agencies which are administering the grant-in-aid programs.

Mr. BLATNIK. Mr. Speaker, I thank the gentleman from Illinois for a very clear summary of the main objective of this legislation.

In our opinion, this will definitely save money in the sense that it will reduce

greatly the duplication of effort—not only to the Federal agencies, but also to the State agencies and municipalities. For instance, an application for a given project—for example, a vocational training school—instead of applying to four different agencies, the applicant would apply only to one, the "lead" agency; but the other three agencies would work together to keep the lead agency informed, and the four would share the funding for the separate functions of the project, but overall administration, supervision, review, funding, and accounting and auditing would be done by one agency and only one application would come in from that grantee or applicant, instead of four separate applications going to each of the four separate agencies, as now required.

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

Mr. BLATNIK. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I certainly favor anything that will provide simplification in getting information concerning various programs, and anything that will promote efficiency and economy. Certainly I am for that. But that will be the day when we get all authority that will accomplish this end, without that in itself spending a considerable amount of money—perhaps more than will be saved.

I was around here when the Defense Department was established. So far as I have been able to discover, that simply laid another really thick layer of fat on the various military establishments. I have never been able to ascertain where the office of Secretary of Defense Department saved this country any money or contributed to efficiency.

I am all for simplification, but I just do not want to see it blossom out into another layer of blubber that the taxpayers pay for one way or another—perhaps through blossoming additions in personnel in the various departments and agencies. If it is to be handled in-house, that is one thing. I hope that is the way it will be handled.

Mr. BLATNIK. Mr. Speaker, it is the intent of the committee and of the legislation to do just that. As I underestand it, I can almost say that in my judgment there will be no requests from any agency for additional personnel. What we really have is as you say, an in-house rearrangement of functions or responsibilities at the administrative and operational level to bring about true coordination, consolidation, and simplification in order to have a simpler and more efficient operation of those programs authorized by Congress.

This measure is bipartisan. It had unanimous support of the subcommittee and is coauthored by all subcommittee members. As I recall, it was also unanimously reported by the full committee.

The outside groups endorsing this legislation are: the Advisory Commission on Intergovernmental Relations, the National Governors' Conference, the U.S. Conference of Mayors, the National League of Cities, the American Council on Education, the National Education Association, and the Association of American Medical Colleges, among others.

Mr. GROSS. Does the gentleman from Minnesota state categorically that H.R. 14517 does not provide for additional personnel or authorize money for the creation of a management team, or whatever it may be called to provide for so-called simplification?

Mr. BLATNIK. The gentleman is correct. Nowhere in this bill is there any provision authorizing additional personnel or additional expenditures.

Mr. GROSS. I thank the gentleman.

Mr. ERLENBORN. Mr. Speaker, I yield myself such time as I may consume.

I believe the chairman of our subcommittee, the gentleman from Minnesota, has quite adequately described this bill.

I should like to point out its genesis really is from the Advisory Commission on Intergovernmental Relations.

The Bureau of the Budget of the last administration picked this title out and recommended its introduction as a separate bill, which was done. We held hearings at that time, but never took final action.

The bill was again introduced this year with the support of this administration. It truly has bipartisan support at the administrative level as well as bipartisan support here at the legislative level.

The bill will provide temporary authority in the nature of experimental authority over the next 3 years to see if this joint-funding concept will work.

I believe it has a potential of saving a good deal of money for the individual localities which have projects involving several grant-in-aid programs, where they will only have to make one application and deal with only one agency in the administration of the several grant-in-aid programs.

It has a potential of saving funds for the Federal Government in administrative costs, because it will avoid a duplication of effort in the handling by the agencies conducting the several grant-in-aid programs.

I believe it is a good move toward the desire of all of us to save funds and to simplify this grant-in-aid program proliferation.

I would only add, I would hope the Congress would act on another proposal for consolidation of grant-in-aid programs. We have varying estimates of from 500 to 1,200 Federal grant-in-aid programs providing funds for the municipalities and the States. Joint funding may help as to this problem of the proliferation of the grant-in-aid programs, but the real answer would be to reduce the number of grant-in-aid programs now existing.

I believe the other legislation now pending before our committee, calling for the consolidation of grant-in-aid programs, will help to make sense out of the vast number of conflicting and overlapping grant-in-aid programs we presently have.

I support this legislation.

Mr. REUSS. Mr. Speaker, will the gentleman yield?

Mr. ERLENBORN. I am happy to yield to my colleague from Wisconsin.

Mr. REUSS. I want to commend the leadership of the gentleman from Illinois as I do the leadership of the gentleman from Minnesota (Mr. BLATNIK), and of the gentleman from California (Mr. HOLIFIELD), and others on this bill.

It is a good, albeit a small, first step toward trying to made federalism work. I agree specifically with what the gentleman from Illinois just said, that this must be a first step. There is much room for improvement elsewhere, including in the consolidation of our proliferated grant-in-aid programs. So I am proud to be associated with this bill. It does not do it all, but it is a good beginning, and the gentleman should take pride in his contribution to it.

Mr. ERLENBORN. I thank the gentleman for his contribution.

Mrs. DWYER. Mr. Speaker, the Congress as well as the general public are attracted in most instances to the glamour issues of Government—enactment of big money programs with fancy titles, grandiose projections, predictions and promises of success and achievements, and so forth. The humdrum of daily administration, the tedium of painstaking planning, negotiation, and execution, and the frustrations of failures and delay are too frequently ignored or downgraded. Yet, to anyone who has witnessed multimillion—even multibillion—dollar waste in program administration or who has confronted the hard facts of programs gone sour or who has observed at firsthand the disillusionment and hardening bitterness at unkept promises soon has the truth brought home loud and clear: more money, new programs, and increased bureaucracy cannot solve any of our problems unless we are prepared to accept the burden and responsibility for the effective and efficient administration of such Government programs.

Repeatedly in recent years, we have been confronted with the reality of a nation in crisis. This is no longer news or new. Urban decay, enviromental pollution, transportation breakdowns, crime, inadequate education, human disorientation, racial frictions—these and many other calamitous conditions face us daily. What is new is the increasing awareness that the people are no longer willing to sit still and accept second-class lives, second-rate treatment, second-class citizenship, or secondhand conditions.

Cries of concern are being met by chants of protest. Demands for action now are being confronted with voices of reaction. Appeals for a more equitable sharing of financial burdens are being offset by heated retorts of taxpayer rebellions.

We must face the fact that serious and troubling days lie ahead. America is not going to return to the comparatively peaceful times of the 1950's. Too much progress has been made—in equality and in human welfare—to turn back to yesterday. Because of this progress toward a more enlightened, free, and intelligent citizenry, I remain basically optimistic over the long run. But, all depends on whether we can solve the crises that presently surround us. Means must be found to transfer money from the re-

dundant or the routine to programs of a higher priority. Efforts must be made to continue the creation and implementation of new ideas and fresh approaches. Measures must be taken to evaluate existing programs effectively in order to weed out the unessential. Attention must be devoted to improving personnel selection and training, planning, information and data retrieval, and a number of other areas of management and administration.

No subject is more in need of immediate attention, however, than that of strengthening intergovernmental coordination and simplifying the funding and administration of grant-in-aid programs—still the principal means of Federal-State-local cooperation.

As I have stressed above, all the money in the world and all the brilliantly conceived plans will go for naught if we are unable to harness effectively our financial resources to the realization of program objectives. While we have become aware in recent years that Washington could solve few problems by itself, little effort has been made to commence the difficult task of rehabilitating and modernizing our federal system. But we have made a start.

In the past Congress, we helped to enact a breakthrough piece of legislation—the Intergovernmental Cooperation Act of 1968, Public Law 90–577. This act, in effect, represented one of the first creative efforts of the Government to salvage and repair our federal system.

Today, we are moving on. The Joint Funding Simplification Act, which I have introduced, can further advance intergovernmental cooperation, can further strengthen our federal system, can further rationalize the spending of the taxpayers' money, and can further extend our efforts to resolve the Nation's problems.

This bill would, in effect, enable a Government agency or department charged with the responsibility for administering two or more related grant-in-aid programs to join the funding and administration of such programs in a single package. Such a package arrangement would enable State and local governments, first, to reduce the time, money, and effort required to apply for and win approval of needed assistance; second, to ascertain more readily the most desirable combination of programs which are available for meeting special needs; and third, to administer grant assistance programs in ways that will enhance the chances of successfully carrying out the objectives of such programs.

Joint funding simplification would also authorize a similar type of joint management and funding arrangement for related types of grant programs which are under the jurisdiction of two or more departments and agencies. Such interdepartmental arrangements would be limited to a 3-year period of experimentation.

Twenty-five billion dollars is budgeted for fiscal year 1970 intergovernmental financial assistance. These funds are essential today if State and local governments are to meet the rising social welfare needs of their citizens—especially in areas of urban crisis.

For 1969, approximately 18 percent of total State-local revenues will be supplied through Federal financial assistance. This, in turn, will represent almost 24 percent of all Federal expenditures for civilian domestic programs. Of this grand total, close to $17 billion of the $25 billion will be spent in metropolitan and urban areas where two-thirds of the country's population now resides and where 80 percent of this decade's population growth has occurred. Yet, in spite of the increased growth and expended needs of metropolitan area residents, one must not lose sight of the fact that the country is divided overall into 50 States and 80,000 units of local government. Therefore, even though a majority of the population is heavily concentrated, the needs of the rural minority must also be adequately cared for, especially since some of our most severe poverty problems exist in these areas.

This is not the end of the maze, however. For, in addition to the large sums of money and the multiple units of government, grant-in-aid program administration is spread among more than 400 separate programs, operated by 20 or more separate departments and agencies and hundreds of subunits. The task of identifying and matching the special needs of each government to categorical program authorizations which are scattered among multidimensional strata and substrata of departments, agencies, bureaus and offices is almost beyond comprehension—especially for smaller units of government. Is there any wonder that we are facing a breakdown in the government's ability—Federal, State or local—to meet the needs of the people—especially when there is added to the above proliferation the fact that each program has a different form and a different requirement for matching formulas, planning, financial administration, merit personnel systems, and so forth? What the Report of President Nixon's Task Force on Education said in regard to the problems of education can easily be applied to all areas of Federal assistance programs:

> It is clear that the chief problems today in regard to the Federal Government's performance in education are the inadequacy of its mechanisms for policy formulation and for intra-Governmental coordination. The Federal effort has, indeed in recent years been characterized by a multiplicity of uncoordinated, and sometimes conflicting, initiatives from many different departments and agencies of the Executive Branch and from the Congress.

Congress has in the past sought to meet specific problems by fashioning particularized categorical grant programs. In many cases, this was necessary to permit an effective and early attack to be mounted upon a problem. As time goes on and as conditions change, there is a need to review and revise many categorical grants. Yet, the growth of parochial attachments and paternalistic guardianship has all too often prevented an effective administrative overhaul—all in the name of protecting program objectives and Congressional prerogatives.

It has become all too clear today that not only has the public welfare suffered from program proliferation and intergovernmental breakdown, but the intended program objectives as set down by Congress are being undermined through overlap, bewilderment, duplication, confusion, lack of coordination and every other horror of a burgeoning bureaucracy.

The people of our Nation are facing unprecedented trials and disturbances. Solutions will not be easy. The way to a better tomorrow may be long and difficult. But I remain an optimist, because I know that the American people are ready and able to turn adversity into strength and crises into growth. The proposed legislation before us today is admittedly limited in scope and restricted in application. Yet, through its enactment we in Congress will again demonstrate our intention to get on top of our pressing domestic problems which are so intimately intertwined with effective intergovernmental coordination. The momentum commenced last year by the enactment of the Intergovernmental Cooperation Act of 1968 can be ably carried forward in this Congress by enactment of the Joint Funding Simplification Act.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the motion of the gentleman from Minnesota that the House suspend the rules and pass the bill H.R. 14517.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill H.R. 14517, which passed the House today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

TOWARD PEACE WITH JUSTICE IN VIETNAM

Mr. COLMER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 722 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 722

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 resolution (H. Res. 613) toward peace with justice in Vietnam. After general debate, which shall be confined to the resolution and shall continue not to exceed four hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the resolution shall be considered as having been read for amendment. No amendment shall be in order to said resolution except amendments offered by direction of the Committee on Foreign Affairs, and such amendments shall not be subject to amendment. At the conclusion of the consideration of the resolution for amendment, the Committee shall rise and re-

port the resolution to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

CALL OF THE HOUSE

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

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. McFALL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

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

[Roll No. 293]

Abbitt	Flood	Mills
Anderson, Tenn.	Ford, William D.	Mollohan
Annunzio	Frelinghuysen	Moss
Ashley	Fulton, Tenn.	Nix
Barrett	Gallagher	O'Neal, Ga.
Bell, Calif.	Gettys	Passman
Betts	Giaimo	Patman
Bolling	Gibbons	Pepper
Bow	Goldwater	Pollock
Brasco	Gray	Powell
Brooks	Griffin	Preyer, N.C.
Burton, Utah	Hanna	Pryor, Ark.
Button	Hansen, Wash.	Railsback
Cabell	Harrington	Reifel
Cahill	Hastings	Rivers
Carey	Hébert	Roberts
Celler	Hosmer	Rostenkowski
Chisholm	Ichord	St Germain
Clay	Johnson, Pa.	St. Onge
Corbett	Jones, Ala.	Sandman
Cramer	Jones, Tenn.	Saylor
Daddario	Kirwan	Scheuer
Davis, Ga.	Kluczynski	Schwengel
Dawson	Landrum	Sisk
Delaney	Leggett	Skubitz
Denney	Lipscomb	Smith, Iowa
Dent	Long, La.	Stuckey
Diggs	Long, Md.	Teague, Calif.
Edwards, La.	McCarthy	Thompson, N.J.
Eilberg	Madden	Utt
Esch	Mathias	Weicker
Fascell	Meskill	Whalen
		Whalley

The SPEAKER pro tempore (Mr. ALBERT). On this rollcall 336 Members have answered to their names, a quorum.

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

TOWARD PEACE WITH JUSTICE IN VIETNAM

The SPEAKER pro tempore. The Clerk will continue the reading of the resolution.

The Clerk concluded the reading of the resolution.

The SPEAKER pro tempore. The gentleman from Mississippi (Mr. COLMER) is recognized for 1 hour.

Mr. COLMER. Mr. Speaker, I yield the customary 30 minutes to the minority to the able and distinguished gentleman from California (Mr. SMITH), pending which I yield 5 minutes to the gentleman from Texas (Mr. WRIGHT).

Mr. WRIGHT. Mr. Speaker, if we want to make a responsible contribution to the peaceful settlement of the war in Vietnam by the process of fair and honorable negotiation, then it is imperative that this rule be adopted and this resolution be passed by an overwhelming majority.

A reading of the transcripts of the Paris peace talks makes one fact clear: The adversary has refused any effort to negotiate in good faith because it actually believes that the United States is literally rent by disunity and on the verge of internal collapse. Only the U.S. Congress—and particularly this House which speaks most directly for the people—can effectively and credibly correct that fatal misimpression.

Certainly I do not contend that the resolution is impeccably perfect or beyond the possibility at least of improvement. But it does have the virtue of clarity. It is straightforward. Its message is profoundly direct and simple. And this obviously is the message which a substantial majority of the Members of this House wish to speak in behalf of the Nation. Otherwise the resolution would not have been independently introduced by nearly three-fourths of the membership.

Obviously it would be impossible to draft any set of words which would reflect precisely and in full all that every individual Member would desire to say on so complex a subject. The House is composed of 435 wordsmiths, each possessing a unique combination of convictions and verbal preferences. Some, no doubt, would like to change a word here or add a phrase there. And each such change which pleased one, no doubt, would displease another.

When I appeared before the Rules Committee, I said that I would have no personal objection to a completely open rule permitting every Member to offer whatever amendments he might choose. But the Rules Committee upon careful reflection determined otherwise. The Committee's reasons appear to be good.

First, the clearly established precedents in an unbroken chain for at least the past 15 years have brought foreign policy resolutions to the House on a closed rule. A well-intended though inadvertent phrase, or a mere slip in punctuation, could profoundly alter the meaning and unintentionally obfuscate the message.

Second, there was no fair way to permit one Member to offer an amendment while denying that privilege to others. To discuss in full and vote down every single amendment that might be offered could consume an entire week or more, and at this stage of the legislative session the demands of the congressional schedule made any such procedure absolutely prohibitive.

Third, and most important of all, there is an overriding need to speak now on this subject. Progress in the peace talks already has been too long delayed. Too long have the Vietcong and North Vietnamese leaders found comfort in their adversity, sanction for their ideology, reinforcement for their rigid and inflexible negotiating posture, and hope for our total ultimate capitulation in the publicly spoken words of a few Members of the Congress.

Too long have the talks been stalled by the gross misconception that Americans in the main do not support their President, that we are literally torn apart by dissension, and that the adversary therefore does not need to negotiate in good faith but simply await our imminent dissolution.

The time has come to demonstrate clearly that the vast majority of us do support the President in his negotiating efforts. And that we do support the principle of nonviolent electoral self-determination.

This is not a war resolution. It is a peace resolution. It does not threaten; it invites. It is an inducement to honest negotiation. It does not broaden any Executive powers. It is an initiative of the U.S. House of Representatives. It is not a statement of polarization. It is a statement of unity.

For my colleagues who so ardently cherish their right of dissent, I pledge to you my total defense of that right. That is part of what this struggle is all about. There is no such right in Hanoi. For the past months we have heard you extol your viewpoint at great length on the floor of this House.

And I simply plead with you now that—just as you cherish your right of individual dissent—you give to the majority of us in both our great political parties the privilege of expressing our affirmation of the efforts of the President of the United States to achieve a just and lasting peace in Vietnam—and that you join us in that expression.

Mr. FRASER. Mr. Speaker, will the gentleman yield?

Mr. WRIGHT. I yield to my friend from Minnesota.

Mr. FRASER. I appreciate the gentleman's yielding. I am especially grateful because I was unable to get any time for myself.

Is this resolution an endorsement of the President's statement of November 3?

Mr. WRIGHT. It is a statement of policy rather than a comment on a speech as such. It is a statement concerning the President's efforts to negotiate a just peace. The resolution, in fact, was drafted prior to the President's speech of November 3.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. WRIGHT. May I have 1 additional minute to answer the question?

Mr. COLMER. No. I am sorry.

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

Mr. Speaker, House Resolution 722 provides for a closed rule, with 4 hours of debate for the consideration of House Resolution 613, which is directed toward peace with justice in Vietnam. Some 315 Members have cosponsored similar resolutions. The first 100 Members, 50 from each side of the aisle, joined in sponsoring resolutions in accordance with the rules of the House. Thus, Mr. Speaker, the subject being considered at this time is nonpartisan.

According to the report, the Committee on Foreign Affairs urges that House Resolution 613 be adopted by the House. The committee feels that such action will dispel current and generally widespread confusion which exists in many parts of the world as to whether the President, in his efforts to negotiate peace, truly speaks for the United States. It is apparent that such confusion has contributed to an intransigent attitude on the part of North Vietnamese spokesmen, de-

layed genuine negotiations, and thus tragically postponed the day of peace.

According to a "dear colleague" letter dated November 26 over the signature of the gentleman from Illinois (Mr. FINDLEY) he intends to request the House to vote down the previous question, so that he can offer an amendment. The amendment is to the effect that the House supports the President's expressed determination to withdraw our remaining ground combat forces at the earliest practicable date. I think that we are all in favor of this being done. I think that we all want this war ended as soon as is possible. But, my concern is that if the previous question is voted down for the purpose of offering this amendment, that there will be many more amendments offered. My further concern is that some may be directed toward instructing the President as to the dates of withdrawal and the number of men to be withdrawn. This could be catastrophic and could defeat the entire purpose of the resolution. Accordingly, I sincerely hope that the previous question will be approved and that this resolution will be passed unanimously. The more overwhelmingly the resolution is approved, the stronger and more effective will be the resolution's inducement.

As stated by the gentleman from Texas (Mr. WRIGHT) in his "dear colleague" letter of November 24, to include some expression urging the President to withdraw American troops more rapidly would seriously dilute our message. As Commander in Chief, the President must make those decisions on the basis of current information available to him on a day-to-day basis. The House cannot presume foreknowledge of future military possibilities. The resolution does make approving reference to "numerous peaceful overtures which the United States has made in good faith." The House is not attempting herein to advise the President on military matters. It is expressing support for his efforts to negotiate peace.

In connection with this resolution coming to the floor of the House under a "closed rule," let us recall that this was the case with the Formosa resolution, the Middle East resolution, the Hungary resolution, the Berlin resolution, the Cuban resolution, the Southeast Asia—Gulf of Tonkin—resolution, and the United Nations resolutions. Thus this is not a precedent.

It is the belief of the President and his advisers in this area that North Vietnam will be more willing to negotiate a settlement of this war if its leaders are convinced that public opinion and the Congress are in back of the President; if its leaders are convinced that the President cannot be forced into precipitate withdrawal by the demands of a relatively small group of Americans.

A Gallup poll released last Thursday reported that four out of five Americans are opposed to such a withdrawal. Our support of this resolution will reinforce those findings and could have a significant effect on the North Vietnam leaders. The resolution was purposely drawn broadly enough so that there is room under it for divergent views on just how we are to reach an honorable settlement. Any attempt to narrow it or make it more specific could well defeat its purpose.

Mr. Speaker, it is especially important at this time that the world know that the President has the broad support of both the Congress and the people. For the sake of our country and for the sake of peace, I urge the adoption of House Resolution 722, which will provide a closed rule for the consideration of House Resolution 613 with 4 hours of debate. I hope further, that this body, the greatest legislative body in the world, will then pass House Resolution 613 unanimously to show that we are solidly in support of the President's efforts in Vietnam.

Mr. Speaker, I reserve the balance of my time.

Mr. COLMER. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. HOLIFIELD).

Mr. HOLIFIELD. Mr. Speaker, I rise in support of the rule. I intend to vote in the affirmative on the previous question. I intend to vote for resolution 613.

Mr. Speaker, I want to make is very clear that insofar as I am concerned I am confining my interpretation of what I am voting for to the resolution, House Resolutions 613 and 612, which is a similar one which I helped to sponsor as the original resolution.

I am not going to accept any charge that I am approving President Nixon's domestic policy or all of his international policies. That has nothing to do with the resolution that is before us.

This resolution sets forth certain very plain objectives. They are in line with supporting the President as we supported President Johnson in his attempt to negotiate a peace and his attempts to see that there are free elections in Vietnam and in every instance—if there is anyone who can rise and show something in this resolution which he cannot morally, spiritually, and patriotically accept, then I would yield the few seconds of my valued 3 minutes to him for that purpose.

Now, Mr. Speaker, there will be attempts to bring in all kinds of partisan and extraneous issues into this debate probably this afternoon. But I want again to reiterate that I am supporting the resolution and the principles contained in that resolution.

I supported them under President Kennedy, I supported them under President Johnson and I am going to support them under President Nixon. He is the President of the United States. The Constitution places upon him the negotiating power with foreign governments for peace. I believe he wants peace just as badly as President Johnson wanted peace. I believe he is going down the same route to try to get that peace. He is perservering in the deescalation of the bombing above the DMZ; he is prohibiting our troops from crossing that line. He is following the same principles that former President Johnson followed.

Therefore, I would be less than consistent and honest if I did not uphold his hands in the search for peace the same as I upheld President Johnson's hands.

Therefore, Mr. Speaker, I am going to support the rule and I am going to vote in the affirmative on the previous question and I am going to support the resolution.

Mr. SMITH of California. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois (Mr. FINDLEY).

Mr. FINDLEY. Mr. Speaker, before we criticize young people for seeking escape by smoking pot we should take a look at ourselves.

After all, we have our own escape machine. In it we can waft dreamily through the stormiest clouds, never get struck by lightning, or even experience the slightest discomfort. In it we get a false sense of well-being and self-satisfaction.

Our own escape machine is, of course, the closed rule. With the cooperation of just eight members of the Rules Committee, it works flawlessly for the rest of us.

It is equal to the toughest assignment. Consider the rule now before us. It is a real tripper. It brings to the floor the first resolution in 5 years dealing with Vietnam policy, but it permits no amendments. It protects everyone from voting on anything politically sensitive, because it confines House action to policy over which there is no controversy. At the same time, it lets us appear to rise above partisanship to support the President against Hanoi.

Nevertheless I oppose the escape machine and implore my colleagues to vote down the previous question on the rule to permit amendment.

I do so realizing the odds against beating city hall, if I may be permitted the expression. City hall clearly wants the escape machine. The rule was secured in unusual circumstances. Although House Resolution 613 was ready for 6 days—plenty of time for the customary notice in the RECORD and the press—the rule was granted in a hastily arranged unpublicized meeting called at an unusual hour.

I do not abuse the Rules Committee. That gallant band generally does what most of us want done, taking the heat we ourselves do not want to take. After all, who can seriously question that the House of Representatives is badly hooked on its escape machine?

Nevertheless the issue involved here transcends the ordinary and fully justifies kicking the habit just this once.

The closed rule keeps us from fulfilling adequately our gravest constitutional responsibility. It keeps us from considering the most fundamental decision the President has made—his plan for troop withdrawal.

It therefore puts in question the very competence of this body.

It tends to confirm charges that this body is too cumbersome, too provincial, too ill-informed to deal with important war policy questions.

No one likes tough decisions. Admittedly, under an open rule amendments might be offered which would fix a precise deadline for troop withdrawal—going far beyond the amendment I wish to offer. Others might call for all-out attack on Hanoi. I, and most others, would oppose any of these extremes.

Nearly 3 years ago I made my earliest plea for the Congress to deal with the

fundamental question of war policy. One of the oldtimers on my side of the aisle came to me, shaking with emotion, and said, "FINDLEY, if you keep this up, one of these days you'll have us voting on whether to declare war or not." He added, "That's the last thing I want to do."

What a pity we never did face up to the fundamental question of war policy in Vietnam. We ducked it. We were afraid of it.

But neglect born of fear does not erase responsibility. As we contemplate the bloody events of the past 6 years, those who have been in the Congress must reserve a large measure of accountability to themselves.

We can partly atone for our sins of omission in the past by starting today to meet our responsibility. The President has made a momentous decision. He has announced a plan for the complete withdrawal of our ground combat forces.

Will we help the President by giving support to his plan and thus help unite the country behind it? Or, by our silence, will we let it be his decision alone?

To ride today in the escape machine, while a great lifesaving, war-ending plan needs our support is to turn our backs on our trust and worst of all on our men in battle.

If the previous question is voted down and I am recognized by the Speaker, I will seek to amend the rule to make in order for consideration the following amendment—and only this one—adding the following language "and supports the President's expressed determination to withdraw our remaining ground combat forces at the earliest practicable date."

If adopted this would meet the problems posed by an earlier speaker, that is, a week or more of debate which he said is completely out of the question in this busy Christmas season. But it would permit consideration of an amendment dealing directly with the question of troop withdrawals, the "front" the President described as more promising than the diplomatic negotiations front.

Let us vote down the previous question and get on with the job the Constitution gives us.

Mr. SMITH of California. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. MOSHER).

Mr. MOSHER. Mr. Speaker, I am listed as one of the more than 300 cosponsors of House Resolution 613, and I assume I will be voting for it on final passage.

Nevertheless, I am troubled by certain aspects of the situation or mood in which the House will be discussing and interpreting this resolution. So much will depend on how popular opinion—in America as well as Saigon, Hanoi, Paris, and around the world—will interpret our support of this resolution. I submit it surely will be interpreted in various ways.

I now am troubled by the rather simplistic words of House Resolution 613; although at the time I agreed to be a cosponsor, the very simplicity seemed a probable virtue. I suspect general debate here in the House will reveal the resolution's ambiguities and the dangers of misinterpretation.

The big danger, as I see it, results not so much from what House Resolution 613 actually says. I accept at face value what it says. Rather, the big danger results from that which it leaves unsaid, and thus the various meanings that will be read into it—somewhat conflicting meanings, I fear.

Note again, Mr. Speaker, the amazing list of well over 300 cosponsors for this resolution, and consider the fundamental fact of which all of us are actually aware, that there are here today many honest and strong differences of opinion among us concerning the nature of the war in Vietnam, concerning our commitment there, and the various strategies by which we can best try to end the fighting and achieve a viable peace there.

Yes, I certainly assume that all of us profoundly wish for the fighting to end, but still we do disagree as to how, and how soon, that can be accomplished.

House Resolution 613, as I interpret it, puts us on record only in support of President Nixon's efforts to negotiate a just peace in terms of a political settlement of the war. I reemphasize my use of the word "only."

This resolution definitely does not speak one way or another, not even by implication, to any of the questions of military policy that may seem to be involved. Support of this resolution in the form introduced most certainly does not imply any support for a so-called military victory in Vietnam, nor on the other hand does it imply united support for any plan, strategy, or timetable for withdrawal of our military forces.

Personally, I wish the resolution did express our strong support for a much more rapid withdrawal from the fighting. Specifically, I would like at the very least to include by amendment, as proposed by the gentleman from Illinois (Mr. FINDLEY), the following phrase, to be added at the conclusion of House Resolution 613: "and supports the President's expressed determination to withdraw our remaining ground combat forces at the earliest practicable date."

Therefore, I will oppose the motion for the previous question on the rule, in the hope that we can then approve an open rule, making House Resolution 613 open for amendment.

I submit, Mr. Speaker, there are absolutely no public policy questions facing us today, and few that have faced America throughout its history, that are so terribly, tragically crucial as are these Vietnam questions. But is not today really the first time in several years that this House has addressed itself in formal debate to any of the larger questions of our horrible dilemma in Southeast Asia?

And was not the consideration of House Resolution 613 in the Committee on Foreign Affairs rather brief and limited? The committee report, and especially the supplemental, additional, and minority views as appended to that report, indicate that much further consideration, clarification, and probably substantive amendments are warranted.

I repeat, therefore, I will vote for an open rule here today. I assert there is a desperate need for full and enlightened debate in the Congress on the broader spectrum of Vietnam issues, and on other policy alternatives.

I urgently suggest that one way the Congress could best reassert its somewhat neglected constitutional obligation and responsibility in the making of American foreign policy—and specifically reassert the congressional right to determine when this country is to engage in war—would be for this House to approve an amendment to the 1964 Gulf of Tonkin resolution, terminating the warmaking authority of that resolution no later than December 31, 1970. Several of us joined on October 23 in introducing House Concurrent Resolution 426 which would do just that. I suggest such action would be far more significant than we are contemplating here today, and would stimulate a more significant, revealing debate.

Many of us painfully remember the fact that in 1964 we voted for the Gulf of Tonkin resolution without adequate study or debate of its full meaning, blindly unaware that it would be accepted and interpreted as granting the President very broad and open-ended authority to commit vast American combat forces to a massive land war in Vietnam. Today, surely we do not want to be guilty again of delegating unrecognized new authority, by giving too hurried and too limited attention to House Resolution 613.

I do take some comfort in the assurance contained in the Committee on Foreign Affairs report accompanying House Resolution 613, page 7, where it states,

> The resolution does not give the President any authority whatsoever, either by reference or implication It is simply a formal expression by the House of Representatives in support of the President's efforts to negotiate a just peace in Vietnam.

House Resolution 613, as I read it, definitely does not speak to the larger issues or implications, especially not to the military matters, discussed by President Nixon in his nationally televised speech of November 3 on Vietnam policy. As I understand the facts, the original sponsor of House Resolution 613, the Gentleman from Texas (Mr. WRIGHT) prepared his resolution in advance of President Nixon's November 3 speech and without knowing the content of that speech. Some of the cosponsors were enlisted before November 3.

Thus, this resolution stands on its own and deserves to be considered at its own face value, without being interpreted as either directly supporting or opposing any of the broader content of the President's November 3 speech. That certainly is the sense in which most of us cosponsored it.

Also, I submit that House Resolution 613 does not speak either for or against any plan that may exist in some quarters to leave residual forces of some 100,000 to 200,000 American support troops in South Vietnam for an indefinite period of years to come, to bolster up the present Government of South Vietnam. At this point, my own attitude would be in opposition to any such proposal.

Nor does House Resolution 613, as I interpret it, say anything which implies support for the so-called domino theory

which was so long used by some to justify our massive American military presence in Southeast Asia, and which I believe now is a theory of very questionable validity.

Moreover, I do not interpret House Resolution 613 as speaking at all to questions of what the rate or timing of withdrawal of our military forces from Vietnam shall be. Specifically, it does not speak either in support of or in opposition to President Nixon's November 3 indication that his timetable for American withdrawal will be dependent on decisions and actions by the Vietnamese governments in Saigon and Hanoi. Frankly, I personally believe President Nixon is far more committed in his own mind to a definite and more rapid course of American withdrawal, independent of decisions and actions by Saigon and Hanoi, than he feels wise to admit publicly at this time. Or am I being too optimistic in that belief?

If there was any threat to reescalate the war in the President's November 3 remarks, I certainly do not read into House Resolution 613 any attitude toward such a threat one way or the other. My own vote for House Resolution 613 certainly will not indicate any support for such a threat.

As I interpret it, House Resolution 613, by its very welcome emphasis on the right of all the people of South Vietnam—presumably including the Vietcong—to participate in free elections, certainly does imply our support for a government in South Vietnam much broader based politically than the present government, and probably in fact for the creation of a nonalined coalition government. I have long been convinced that just such a step as that is one essential to achieving peace in Vietnam.

And I also strongly support the proposal in House Resolution 613 that the broader based Vietnam Government should be elected under international supervision. It seems imperative to me that the vacuum in Southeast Asia which will be created by our American military withdrawal must be at least partially filled during an indefinite transition period by some international authority there.

Mr. Speaker, my comments have been longer than first intended. But I have tried to straighten out some of the ambiguity inherent in House Resolution 613 and in the hurried way it has been brought to a vote. I have tried to outline more precisely what the resolution does say, and does not say, at least so far as my own vote for it may signify.

Of course, the American people and the Members of this House overwhelmingly want peace in Vietnam, and will support practically any effective way to end the fighting there; but unfortunately we still disagree as to how that should be accomplished.

An obviously hurried, stage-managed demonstration of "unity" here will not really help. The very essence of America's greatness and strength is found in our pluralism, in our respect for diversity of opinion, in our resilient capacity to accommodate and to change course when necessity requires it or when we have been wrong.

Obviously, the big change in our Vietnam policy that has been made thus far by the Nixon administration is the beginning of our withdrawal of combat troops, and the President's announced intention to withdraw them all. The resolution we are about to consider should recognize that, and encourage it; but as now worded, it neglects that. Therefore, it should be made open for amendment.

Mr. COLMER. Mr. Speaker, I yield 5 minutes to the gentleman from Washington (Mr. ADAMS).

Mr. ADAMS. Mr. Speaker, I rise today in opposition to the granting of a closed rule on House Resolution 613 originally introduced by Congressman WRIGHT of Texas which provides for a sense-of-the-House resolution on the conflict in Vietnam. The effect of a closed rule will not only be to prevent any amendments by which the House can indicate its position on many aspects of the complex and difficult problems this Nation faces in Vietnam, but it will also prevent any use of the 5-minute rule normally available on amendments so that Members can fully develop all aspects of the subject. The proposed rule will place control of all time in the hands of the committee chairman and the ranking minority member, both of whom voted for the resolution and have indicated their support for it in its present form.

I am concerned as much for the integrity of our whole representative system, and particularly the House of Representatives, as I am about the ultimate meaning of the words in the resolution. There have been no hearings on this resolution. The total time spent in executive session in the committee was less than 2 hours. The total time under this rule will be 4 hours. The sponsors have repeatedly stated to me that the basis for this resolution is to produce unity in the country.

WILL THIS PROVIDE UNITY?

This type of resolution if it passes this body by unanimous vote will neither produce unity nor an appearance of unity. It is like placing wallpaper over a crack in the wall and stating that all is now corrected.

I do not say this lightly or from some personal feeling. I say it from the events I have experienced since February 15, 1965, when we started escalating our military involvement in Vietnam. I will give you one short, simple example:

On October 15, 1969, I returned to my district to work with those who were preparing a peaceful dissent in the form of a candlelight march on the University of Washington campus. I participated in this and the event occurred without violence, without signs, and in a very sincere manner. Those young people who may fight in Vietnam were pleading for help.

Another demonstration was planned for November 15 by the Student Mobilization Committee, a separate group from the Moratorium Committee. I indicated I did not intend to participate in the November 15 activity, and the more radical leaders who resented some of us trying to bridge the gap between old and young said the following, to quote Stephanie Coontz:

This illustrates why we don't have much trust in politicians. When people like Adams come to us and say "Stop demonstrating and trust me" we say "Trust us first."

THE AMENDMENTS I WOULD OFFER

The refusal of this House to hold hearings on a Vietnam resolution and then to refuse to allow amendments or discussion under the 5-minute rule plays directly into the hands of radicals who say "Trust us first." Whenever in parliamentary democracy we do not fully debate and continually face changes in our democratic processes, then we encourage those who would operate outside of our regular democratic system.

You may ask what differences any of us could have with this resolution if we could amend it. I have received a letter from Representative PAUL FINDLEY dated November 26, 1969, in which he indicates he would offer House Resolution 564 as an addition to the resolution. I signed this resolution with over 100 Members of this House, and we should at least have an opportunity to present it. Representative MINK has indicated she would offer House Resolution 730, and I would also support this amendment.

WHY AMENDMENT IS NECESSARY

There has been an exchange of correspondence between myself and Congressman WRIGHT, starting on November 17, 1969, when he urged me for a second time to sign his resolution. He indicates this would induce negotiations and that it is a peace resolution. I am including herewith three of these letters:

WASHINGTON, *D.C.*,
November 17, 1969.

Hon. BROCK ADAMS,
House of Representatives,
Washington, D.C.

DEAR BROCK: Please read carefully the enclosed copy of a Paris AP dispatch which came on the ticker Thursday. It provides the most indisputable reason why it is necessary to adopt a Vietnam resolution such as the one which 309 members (including a clear majority of all Democrats) now have joined in co-sponsoring.

The AP story makes it clear why there must be an affirmative statement of some sort to induce negotiations. Negotiation depends upon some willingness on both sides to make concessions. Otherwise, negotiation is impossible.

Absent the possibility of peaceful negotiation, what are the alternatives? Either reescalate and bomb Hanoi into submission, or bow to Hanoi's demands and get out—"on their terms" in the words of the AP dispatch. Obviously, neither is desirable—nor consistent with our basic ideals.

The resolution, then, attempts a middle ground peace offensive which—if it is to have a chance of being effective—must come as a decent, credible statement backed by a substantial show of unity.

It tells Hanoi that we are not on the verge of internal collapse and reminds Saigon that we are committed to solution by truly fair and free elections open to all South Vietnamese.

So please read the resolution carefully and see if it does not say what you honestly believe. As you know, I have been at pains not to pressure anyone to join me in this. I am writing to you now, Brock, because I like you and respect you and very much want to have your support.

Read the AP dispatch, and consider why this resolution must be passed if there is to be any chance for a negotiated settlement. Thanks, and fond personal regards.

Sincerely,

JIM WRIGHT.

PEACE TALKS

PARIS.—North Vietnam and the Viet Cong made it plain today they were counting on growing protests in the United States to speed the end of the Vietnam war on their terms.

U.S. Ambassador Henry Cabot Lodge told the North Vietnamese they were harboring "false expectations." He said "the great majority of the American people support president Nixon as he seeks a just peace."

This exchange took place at the 42nd weekly session of the Vietnam peace talks while opponents of the war in the United States marshalled their forces for a massive demonstration this weekend.

Nixon's November 3 broadcast was denounced by North Vietnamese ambassador Xuan Thuy.

He said Nixon's declaration "has aroused a strong wave of protest in American public opinion."

"It is certain the American people will oppose with increasing vigor the Nixon administration's policy of aggression," he continued.

In the meantime, Hanoi's man warned, North Vietnam will not modify its demand for a unilateral U.S. withdrawal from South Vietnam and the overthrow of the Saigon government. If Nixon refuses to comply he said, "the people of the world will certainly strengthen their solidarity with the Vietnamese people."

NOVEMBER 19, 1969.

Hon. JIM WRIGHT,
House of Representatives.

DEAR JIM: I have received your letter of November 17, 1969, in which you enclosed a copy of the Paris AP displatch and an additional copy of your resolution on Viet Nam.

I was very disturbed by the use that was made of your resolution by President Nixon. He not only used it to attack any alternative to his policies but indicated that it could well be used as a type of "Tonkin Gulf" resolution to say that Congress has approved his past positions in total and will support him in whatever he does in the future.

As you know, when I came to Congress in 1965 I supported President Johnson in his conduct of the Viet Nam war, and it was only after much soul-searching and a great many conversations with those who had been in Viet Nam both in the military and otherwise that I began to have doubts about whether the contained increase in number of U.S. troops would be effective. You will remember that many of us finally urged the President that the policy of aiding the Saigon Government by more and more American military might was not going to work because that government did not have a broad enough base and was not instigating the social, political and economic reforms that were necessary to bring the South Vietnamese peasants to the aid of the Saigon government.

This is a very deep and complex problem and I have taken the position with President Nixon that I refuse to simply listen to his rhetoric but believe that the Congress should take positions on what he does as his actions occur. I do not know from his November 3rd speech what he plans to do. Perhaps he has communicated this plan to Saigon or to some Members of the House of Representatives but the rest of us do not know whether he intends to continue an orderly withdrawal or if he intends to freeze our troops at the present level or some other slightly lower level or if he intends to escalate by placing more troops in Viet Nam if in his mind conditions warrant it.

I was greatly disturbed by his speech on the House floor which used your resolution to say that the Congress was in support of his policies and then seemed to say that his plan was to Vietnamize the war. Many of us advocated this many months ago in the hope that the Saigon Government would strengthen itself so that it could defend itself and the American troops could leave in an orderly manner. I no longer have confidence that the Saigon Government will be able to do this and that President Nixon may be deluding himself that he can "win the war" by a Vietnamese proxy rather than the use of American troops. The great danger in this thinking to all of us is that we may have a withdrawal of American troops continuing into the spring of next year and find that the South Vietnamese cannot defend themselves and hold the country, and at that point the President will face a decision of whether to replace American troops in Viet Nam or to face the fall of the Saigon Government.

The very deep constitutional issue involved in all of this to me concerns the integrity of the legislative branch. In World War I, World War II and the Korean War, the constitutional process of debate and declaration of war or granting of emergency powers to the President was passed by the legislative branch, and the whole country went to war. In the Viet Nam situation, we have the Presidential conduct of foreign affairs being stretched into something different without direct Congressional action but instead through a series of lightly-debated, indefinite resolutions, such as the Tonkin Gulf Resolution and your proposed "just peace" resolution. These resolutions can be supported by nearly everyone as general expressions of respect for the Presidency but can be used by the President as indicating complete support for specific policies which he may formulate in the future.

When we have nearly 500,000 men in physical combat required to go there through a draft, then we have a very different situation than the usual Presidential conduct of foreign affairs. You will find in America today that the draft is supported by the segments of society which are not involved in physical combat, and a great preponderance of the young people below 25 who are not represented in Congress and are not running the nation are opposed to it because they are doing the actual fighting.

I do not think we should polarize the country any further by resolutions which can be used to indicate support or rejection of future Presidential policies but that we in the House of Representatives should see what President Nixon does and either support or oppose his specific policies as they are proposed to us according to the individual conscience and constituency of each member. I think this deeply involves the integrity of the House.

I would not object to a resolution which would be similar to the one I have enclosed which indicates respect for the office of the Presidency but indicates that future policy decisions are to be presented to the Congress in the orderly manner provided for in the constitution and the traditions of the nation. I also believe the least we could do is to strike the words "affirms its support for the President in his efforts" and simply substitute "urges the President to negotiate" in the first part of the resolution.

I hope you are aware that a different set of letters was sent to the Republican members of the House than your letters to the Democratic members, and that these letters indicated the resolution had the approval of the White House and that it indicated support for the President's actions. This meant that a definite Republican partisan effort was going to be made to use the resolution as was done by the President when he visited the floor.

I am deeply concerned about this whole matter and I am not a "fluttering dove" who advocates immediate precipitous withdrawal, but neither am I one who wants to give up my responsibility as a United States Representative with a number of my constituents involved in physical combat in Viet Nam to whatever future policy the President may deem necessary to establish "free elections" or that I affirm whatever the President may have done to negotiate a just peace in Viet Nam (which carries by implication an approval of continuing the same efforts).

I am so deeply concerned about this that I am sending a copy of this letter to the Speaker and to the Majority Leader and I will discuss it with some other concerned members so that you understand why some of us are so deeply concerned about this resolution being presented on the floor in its present form next week.

Yours very truly,

BROCK ADAMS,
Member of Congress.

WASHINGTON, D.C.,
November 20, 1969.

Hon. BROCK ADAMS,
House of Representatives,
Washington, D.C.

DEAR BROCK: Thank you very much for your letter of November 19. Surely I recognize the depth of your convictions in this matter, Brock, and would not for one second question your sincerity.

The resolution which I have introduced, however, is clearly distinguishable from the Tonkin Gulf resolution on at least three counts.

(1) The thrust of *this* resolution is toward *peace*, not war. The Tonkin resolution, on the other hand, specifically referred to acts of military reprisal ("all necessary steps, including the use of armed force"). The present resolution, by contrast, explicitly supports and encourages the President in his efforts to negotiate peace. The *direction* is entirely different.

(2) The Tonkin resolution, by inference at least, seemed to broaden Presidential powers ("the United States is prepared, *if the President determines*, to take all necessary steps . . .") and ("this resolution shall expire when the President shall determine . . ."). Nothing in the present resolution could be in any way so construed. It does not broaden any Presidential powers.

(3) The Tonkin resolution implied approval for *future* acts by the Executive (". . . all necessary measures"). This resolution, by contrast, explicitly refers to acts already taken and positions already expressed.

For these reasons, Brock, a careful reading will reveal to you the clear difference between the two.

Thanks again, and very best wishes.

Sincerely,

JIM WRIGHT.

I have set forth in my letter to Mr. WRIGHT that this resolution apparently involved consultation by its sponsors with the President of the United States.

After the resolution sponsors passed 300 the President appeared in the House of Representatives on November 13, 1969, and said:

Yesterday I was informed by a bipartisan group from the House of Representatives that over 300 Members of the House had joined in sponsoring a resolution for a just peace in Vietnam along the lines of the proposals that I made in a speech on November 3, 1969.

The President went on to say:

But I do know that when the great issues are involved that in this House, that what happened yesterday with that announcement on the part of Members of both sides of the aisle are well over a majority supporting the policy of the President of the United States, I realized that that was in the great tradition of this country.

I do not know what the plan of the President of the United States is. In his November 3 speech he stated:

I have not and do not intend to announce the timetable for our program.

Further, the President said:

If I conclude that increased enemy action jeopardizes our remaining forces in Vietnam, I shall not hesitate to take strong and effective measures to deal with that situation.

I do not think this House should legislate by general resolutions such as the Gulf of Tonkin resolution nor by a fuzzy exchange between certain Members of the House and the President of the United States in public speeches. If we are to authorize a future course of action as indicated by the President in his speech to this House on November 13, then the Committee on Foreign Affairs should hold hearings and call the Secretary of State, the Secretary of Defense, and our negotiators in Paris to appear before that committee and determine what policy we are following. Then all of us might be informed of America's future plans and we could indicate support or opposition to those plans.

This war is different than World War I and World War II or the Korean war. In all of these actions the Congress of the United States issued either a declaration of war or a declaration of emergency powers after full debate, and thus the entire legislative and executive process of the United States indicated that this country was at war or in a national emergency. None of these things have been done in Vietnam and all decisions on our policy there have remained within the executive branch. I have supported many of these decisions. I may very well want to support President Nixon's policy, particularly if it involves an orderly withdrawal of our troops and a required broadening of the base of the Saigon government. I cannot tell at this date whether that will occur. If I have an opportunity in the general debate, I will certainly ask the sponsor of this resolution and the proponents on the Foreign Affairs Committee to tell me whether this resolution means that I am supporting all future policies of the United States, including first, a possible reescalation of our troop involvement if the President deems it necessary as he indicated on November 3, and second, whether this resolution states that I am approving of everything done in negotiations since January 21, 1969, including the acceptance of the resignation of our negotiators in Paris with no apparent replacements to be offered in the near future. I have other questions about future activities which I would also ask if time were available.

I hope this House will vote down the previous question so that we may have full debate, and if the Members should feel that the floor of the House is not a place to conduct a full-scale debate on Vietnam, then the rule should be defeated and the entire matter should be sent back to the Foreign Affairs Committee so the regular House procedures could be followed.

Mr. OTTINGER. Mr. Speaker, will the gentleman yield?

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

Mr. OTTINGER. I commend the gentleman from Washington for his remarks. Many of us desire to limit the resolution by amendment so that it would not have any prospective implications. The authors say they would have no objection to that kind of limitation, that they do not intend the resolution to be an authorization for future action of any kind by the President. If that is really their intention, why do they not permit an amendment making the resolution's meaning clear? And why did they vote down such an amendment in committee? The only conclusion reachable is that they want to leave the resolution ambiguous on this question so that the President may at some future time use this resolution for any action he deems appropriate.

Mr. Speaker, regardless of how one may feel about the merits of House Resolution 613—and I am sure feelings in this House vary widely—I just do not see how we can support the procedure under which the resolution is coming before us.

In the first place, we are again confronted with a closed rule, prohibiting any amendments. In my view, such a limitation on a resolution dealing with the most vital issue facing this Nation, is unconscionable. It means that we must accept or reject, in toto, a resolution reported by the committee without any hearings and adopted after only 80 minutes of debate.

If this is not a gag rule, I have never seen one.

In addition, the rule divides the 4 hours of general debate equally between the chairman of the committee and the ranking minority member—both of whom are sponsors of this resolution. This too, in my view, is indefensible.

I would remind my colleagues that the procedure under which House Resolution 613 is being considered bears a striking similarity to the Gulf of Tonkin resolution passed by this House in 1964. Recriminations at this point would accomplish nothing; however, we should profit from our mistakes, not repeat them.

Just as the Congress had no way of knowing that passage of the Gulf of Tonkin resolution would be used by President Johnson as support for intensification and escalation of U.S. involvement in Vietnam, so do we have no way of determining how this resolution will be used by President Nixon.

I know that many of my colleagues interpret the resolution as endorsement of a policy of withdrawal from Vietnam, but I would point out that there is no mention of withdrawal in the resolution: the controlling phrase states that the House "affirms its support for the President in his efforts to negotiate a just peace in Vietnam." This could just as well be interpreted as support of the President's threat of reprisals, presumably increasing our military involvement, should Hanoi resume its offensive.

What does "support for the President in his efforts to negotiate a just peace" mean? How will it be used by the White House? President Johnson talked in April 1965 of "the path of peaceful settlement," and by the end of that year there were nearly 200,000 troops in Vietnam.

Let there be no mistake: there still are strong pressures on the President, from the military and from others, to step up our military pressure on North Vietnam and the Vietcong. The dream of a military victory is very much alive among the Joint Chiefs of Staff and in the Pentagon. And we should be alert to the possibility that someday the President might come to us and say: "The only way to achieve a just peace in Vietnam is to destroy the enemy's ability to continue the war." How would this resolution look then?

House Resolution 613 is entirely too broad, too vague, too subject to self-serving interpretation. It must be opened to amendment so that the will of the House may be made crystal clear. I therefore urge defeat of the closed rule so that we may proceed with consideration of the resolution under a fair and democratic procedure.

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

Mr. ADAMS. I yield to the gentlewoman from Hawaii.

Mrs. MINK. I commend the gentleman for his statement and associate myself with his remarks. I ask the House to vote down the previous question and vote down the rule in order to give this House a chance to work its will with regard to this most important matter facing our Nation.

Mr. LOWENSTEIN. Mr. Speaker, will the gentleman yield?

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

Mr. LOWENSTEIN. I commend the gentleman for his remarks and wish to associate myself with them. Millions of Americans will be watching to see if this House thinks it is worth more than 4 hours of our time every 5 years or so to debate a resolution about the war in Vietnam.

Members who support the proposed resolution tell us it is supposed to show that a united country supports the President. They keep asking what it is we disagree with in the resolution. That would seem a sensible question to raise and discuss, if the purpose of the proposed resolution is in fact as stated repeatedly by its sponsors. But as often as these questions are raised, there never seems time to listen to any effort to answer them, which when you think about it, is really rather a curious thing. Asking questions and refusing to allow them to be answered will not win new support for the resolution. It will not help persuade anyone to join in the show of unity that is supposed to be desired.

But proceeding under a rule that prohibits amendments and allots 30 seconds for discussion to each Member will have certain other effects. It casts doubt on the motives—or at least on the judgment—of those who profess to seek greater national unity. It will further antagonize those who already disagree with the President's policy. And it adds fuel to those who fire at our democratic institutions.

All this is very sad for the House, and for the country. The greatest representative body on earth ought not function with less freedom that most high school student councils would accept as a respectable minimum. We are becoming in-

creasingly what we treat ourselves as if we already were: second-class citizens with dwindling relevance to the awful events that surround and soon may engulf us.

Mr. HATHAWAY. Mr. Speaker, will the gentleman yield?

Mr. ADAMS. I yield to the gentleman from Maine.

Mr. HATHAWAY. I rise to commend the gentleman in the well for his remarks and associate myself with him.

Mr. Speaker, I believe the President deserves broad bipartisan support in his efforts to reduce our military involvement in Vietnam. However, on such an important issue as this, the most hotly contested issue of this decade and one which is polarizing our society, hasty action is the last thing to which we should resort.

I view this resolution as a kind of Presidential overture to the Congress to join with him in the formulation of our foreign policy in Southeast Asia, and I welcome this invitation. The public debate on Vietnam which has been going on for the past few years has brought out many points, but the overriding manifestation of this debate is that the people should have a greater role in the formulation of our foreign policy. The Congress, as a forum of public opinion, has a deep obligation to the American people to examine the implications of this resolution and to clarify the commitment the Congress would be accepting if the resolution passed. Because no hearings were held on this measure, because the Foreign Affairs Committee deliberated only 1 hour and 20 minutes behind closed doors before transmitting the resolution to the Committee on Rules, and because the Rules Committee chose to send the resolution to the House floor under a closed rule, I am opposing this rule and urging that the resolution be sent back to the Foreign Affairs Committee where members can have the benefit of hearings on the resolution, its text and implications. I would welcome the opportunity to question administration officials and other experts regarding the facts of the situation in Vietnam and their views of the probable effects of various policies of disengagement. It is almost impossible to imagine Congress approving a tax program, an aid to education bill, or any other pending legislation without first fully examining its contents and implications. The same procedure should apply to any measure regarding Vietnam. Such an important issue deserves our most careful examination and considered judgment. Both "hawks" and "doves" have many questions to ask. For example:

What is the meaning of the "just peace" referred to in the resolution?

What is the meaning of "free elections" mentioned in the resolution? Does it include participation of the NLF?

Does the provision for "free elections" preclude the possibility of a national plebiscite for the unification of Vietnam?

Why does the resolution contain no mention of the withdrawal previously announced by the President?

Does the entire resolution give the President carte blanche to negotiate any kind of a "just peace"?

These are only some of the questions which should be answered on the resolution itself. When we consider the many ramifications of the resolution, a multitude of other questions pertaining to our whole foreign policy in southeast Asia should be answered.

Since peace in Vietnam is one of the most urgent tasks facing the Nation today I feel we must give our most careful and considered judgment to a resolution on this subject. Therefore, I urge the Members to reject the rule so that the matter can be sent back to the committee for hearings, or at least vote down the previous question so that rule can be amended to provide for an open rule that allows amendments to the Vietnam resolution to be considered.

Mr. SMITH of California. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois (Mr. ANDERSON).

Mr. ANDERSON of Illinois. Mr. Speaker, my friend from Washington who has just spoken has decried the fact that, without the 5-minute rule, we will not have the lengthy period of debate that he would like to see. I would say in reply to him and also to the gentleman from Illinois (Mr. FINDLEY), who spoke earlier, and who indicated that we were taking some kind of hashish or smoking pot or adopting an escape-hatch mechanism by adopting a closed rule that, with all due respect to these gentlemen, I think they have completely misapprehended the singular purpose and function which we try to serve here today by the adoption of this resolution.

We are not here trying to hammer out on the anvil of free debate, as we frequently are, a particular position with respect to Vietnam. That is not it at all. I think the gentleman from Texas has made it abundantly clear what we are trying to do is merely express our feeling of support for the efforts of the President of the United States to negotiate a just peace in Vietnam.

What in Heaven's name can be wrong with that?

We could have acted a little bit earlier under suspension of the rules to limit debate to 20 minutes on each side and, without any arguments being intended, we could have adopted this resolution overwhelmingly under the suspension of the rules provision of this House. Instead we have provided what I think an examination of the precedents will show is the longest period of debate that has been permitted on a foreign policy resolution of this kind in the last 15 years.

As to the charge that the Rules Committee met mysteriously under cover of half darkness and at an unusual hour, I do not think there is anything unusual about this committee trying to be responsive to the wishes of 320 Members. Again I ask, why should we not act with some dispatch in deference to the wishes of more than two-thirds of the Members of this body?

As a member of the Rules Committee, I voted for a closed rule despite the fact that I am usually inclined to grant an open rule and thus allow the House to work its will through the amendment process. I think I therefore do owe this body some explanation for my position on this particular resolution.

House Resolution 613 now has 320 cosponsors. It has been offered on a nonpartisan basis as a gesture of support for the President's Vietnam policy. It was introduced with the hope that we, as the people's Representatives, could present a united front to the Nation and the world in our sincere desire for peace in Vietnam and our unflagging support for the President's efforts to achieve that objective. The response in this body has been overwhelming and I think it accurately represents the response of the American people to the President's November 3 Vietnam pronouncement.

On November 13, President Nixon did us the unprecedented honor of coming before us and publicly thanking us for our firm support of a just peace in Vietnam. In the President's words:

> As I saw that resolution, I realized its great significance, its great significance from a historical standpoint and its great significance in terms of the effect it might—and I believe could—have in hastening the day that that just peace may come.

After reviewing the historical record of the Congress on matters of foreign policy, the President concluded:

> When the security of America is involved, when peace for America and for the world is involved, when the lives of our young men are involved, we are not Democrats, we are not Republicans, we are Americans.

Mr. Speaker, that is the spirit in which this resolution was offered, that is the spirit in which nearly three-fourths of our membership joined in cosponsorship, and that is the spirit which prevails as we consider this resolution on the floor of the House today. When we considered this in the Rules Committee it was my feeling that it would serve no useful purpose to open this resolution to amendments when such an overwhelming majority of Members support the resolution in its present form and when the major thrust of the resolution was in the direction of unity. I felt then as I feel now that if we opened this resolution to amendments we could severly jeopardize the spirit of unity that underlies this resolution. If we began to change this word and that word and make further concessions to this faction or that faction, we could well be risking an endless and heated debate that might never be resolved. We could well end up considering 435 separate resolutions since I am sure each of us has our own ideas as to how this resolution might be improved. I do not consider myself an exception.

But I for one do not want to risk losing a large number of cosponsors simply because I think I might have a better resolution in mind. The fact is the House has already displayed an impressive degree of unity, bipartisan unity, in support of the existing resolution. I think the resolution should therefore stand or fall on its merits, and I have no doubt, given the 320 cosponsors, that it will receive overwhelming approval.

The gentleman from Illinois says:

> Smoke a little bit of pot if you will, and have the escape mechanism by closing the rule, but open it up for me and let me get my language in, to which I am irrevocably wedded.

He says, I am sure with the very best of intentions in mind, that the President needs the encouragement of the adoption of his language supporting a policy of withdrawal. I heard the Secretary of State, Mr. Rogers, as recently as yesterday afternoon say that we in this administration are irrevocably committed to a policy of withdrawing troops from Vietnam. We are inflexible on that. So the President of the United States does not need the encouragement of that resolution or that language. He is going to pursue the policy of withdrawing from Vietnam.

Let me say this, that in the language of the majority report it is said this is an effort to escalate the peace effort. There is not a single operative clause in this resolution that gives the President any authority he does not now have. I challenge those gentlemen who say, as they do in their minority views, that this gives the President some great discretion that he does not now have.

I can appreciate—believe me, Mr. Speaker, as one who has been deeply scarred himself by the traumas of Vietnam—the reservations that Members may have, and they may feel we are somehow signing an open-ended and great big blank check to the President of the United States. That is not my intention, and I do not think it was the intention of the 320 Members who introduced this resolution, nor will it be the intention of the overwhelming majority who, today, will vote for the previous question and adapt the resolution and the language submitted by the gentleman from Texas.

We are rather showing that there does, even in a democracy, come a time when we have to show we can act with some moral certainty, that without the support of fanaticism or anything of that kind, we can act in a simple declaration to show that, as a people, we are united behind the efforts of the President of the United States to bring peace.

That is all this resolution means. Please do not try to read any occult interpretation into this language. There are not any booby traps, and there are not any hidden meanings. It is simply an effort to transmit—more than an expression of support to the President—a signal to Hanoi that this country is united behind its President.

Let me say in closing to those who are decrying the fact that the negotiations have not gotten anywhere, that in the New York Times on yesterday there was a very interesting article by Harrison Salisbury entitled "Talking: Search for a Break in the Impasse," in which he indicates:

> When the dust had settled both Washington and Hanoi seemed to have accomplished one thing. They had demonstrated to each other and the world that they wanted to keep on talking even though they may still be a long distance away from agreement.

I think this is a very crucial time in the whole Vietnam effort for us to register our emphatic support for the efforts of the President to bring about a negotiated peace in Vietnam.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Speaker, I thank the gentleman from Illinois for yielding. I think it is significant that the former Ambassador, who served in Paris under the previous administration, in response to a direct question the other day, said he would have liked very much to have had a resolution just like this when he was negotiating in Paris.

Mr. ANDERSON of Illinois. I thank the gentleman for his contribution.

Mr. SMITH of California. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. McCLOSKEY).

Mr. McCLOSKEY. Mr. Speaker, I am glad to support the President in his search for a just peace in Vietnam. I was one of the sponsors of this resolution.

I rise urging a vote against the previous question, however, not so much because of the closed rule but because of the lack of an opportunity to polish up this resolution in the hearings which ordinarily would have been held by the Foreign Affairs Committee.

All of us are in agreement that the purpose of this resolution is to support the President's hand in Paris and hopefully to bring this terrible war to a close more quickly through a reasonable negotiating position on both sides.

I want to point out to the Republican Members of the House that this resolution can be misconstrued by those with whom we negotiate. If we read what the North Vietnamese have had to say over the years since they have fought for independence, since they achieved victory at Dienbienphu and fought for a unified country, they have always said that the real goal of the United States is to preserve a permanent and final division of Vietnam, North and South, and to preserve an American base in South Vietnam.

This resolution is susceptible of this misinterpretation.

I want to say that, if I am recognized, should the rule be opened, I will offer an amendment to lines 8 through 11, deleting the words "that the people of South Vietnam are entitled to choose their own government by means of free elections open to all South Vietnamese and supervised by an impartial international body," and replacing them with these words "that all parties should agree to observe the Geneva Accords of 1954, permitting an early reunification of Vietnam by means of free elections supervised by an impartial international body."

That is what the Geneva accords said, and that is what the President said on May 15 when he made his historic policy speech on Vietnam. The President said, and I quote:

> All parties should agree to observe the Geneva Accords of 1954.

That means a reunification of Vietnam.

In my judgment, Mr. Speaker, this resolution, representing the will of this body, the Congress of the United States, the body with the power to declare war and the power to continue to fund this war, should provide that this body go clearly on record that we will accept a peace based on the Geneva accords and reunification of Vietnam if this can be done by some fair and impartial process.

To merely say that the South Vietnamese are entitled to choose their own government by means of free elections is to continue the ambiguity of a position which the North Vietnamese construe as a demand on our part that South Vietnam be preserved as an independent nation in perpetuity.

Through bitter experience, we have learned that American foreign policy is wrong to seek to divide a country against the will of its inhabitants. The greatest potential sources of future wars lie in those countries so divided, Korea, Germany, Palestine, as well as Vietnam.

President Nixon recognized this by his reference to the Geneva accords in his May 15 speech, and I suggest that the Congress should likewise confirm this by appropriate amendment of the resolution before us today.

If the North Vietnamese are thus made certain of our willingness to accept the reunification of Vietnam, I believe it will assist the President's search for a just peace more than a congressional declaration which can be interpreted as demanding a permanent division of Vietnam.

So that the Members may have ready reference to the actual documents which comprise the Geneva accords of 1954, I will insert them in the Extensions of Remarks to today's RECORD.

I urge a "No" vote on the previous question.

Mr. WRIGHT. Mr. Speaker, will the gentleman from Mississippi yield for a unanimous-consent request?

Mr. COLMER. I yield to the gentleman from Texas for a unanimous-consent request.

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that there may be printed in the RECORD at this point telegrams which I received today; from Maxwell D. Taylor, former U.S. Ambassador to Vietnam; from Elbridge Durbrow, former Ambassador to South Vietnam; from Livingston T. Merchant, U.S. Executive Director for the World Bank; and others.

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

There was no objection.

The telegrams are as follows:

DECEMBER 1, 1969.

Hon. JAMES C. WRIGHT, Jr.,
House of Representatives,
Washington, D.C.:

Sincerely hope your Vietnam resolution receives an overwhelming vote of approval. As evidence of American unity behind the policy of our Presidents, it is an important step toward a just peace.

MAXWELL D. TAYLOR,
Former U.S. Ambassador to Vietnam.

WASHINGTON, D.C.,
November 30, 1969.

Hon. JAMES C. WRIGHT,
House of Representatives,
Washington, D.C.:

Having been U.S. Ambassador to South Vietnam from 1957 to 1961 I have naturally followed very closely developments in that area ever since. I'm therefore most encouraged to hear about the efforts you and your patriotic colleagues are making for the adoption by the House of a strong bypartisan resolution giving firm and full backing to President Nixon's effort to unify behind him the vast majority of Americans who back his efforts to live up to our commitments and obtain an honorable and just peace in Viet-

nam and the rest of Southeast Asia. You have my full backing.

ELBRIDGE DURBROW.

DECEMBER 1969.

Congressman JAMES C. WRIGHT,
House Office Building,
Washington, D.C.:

I completely endorse your resolution supporting President Nixon's Vietnam policy.

LIVINGSTON T. MERCHANT,
U.S. Executive Director for World Bank.

NOVEMBER 30, 1969.

JAMES C. WRIGHT Jr.,
House of Representatives,
Washington, D.C.:

A large part of the American public is most grateful to you for introducing the Wright resolution. We are behind you in your effort to bring about a just peace. Best wishes.

ALFRED M. GRUENTHER,
General U.S. Army (Retired).

DECEMBER 1, 1969.

Congressman JAMES C. WRIGHT, Jr.,
House of Representatives,
Washington, D.C.:

Fully support your efforts to gain honorable peace in Vietnam by supporting efforts of President in this direction. Count on my support in any way.

JOHN W. HANES, Jr.,
Former Assistant Secretary of State.

DECEMBER 1, 1969.

Congressman JAMES C. WRIGHT,
House Office Building,
Washington, D.C.:

I understand that the Wright resolution supporting President Nixon's efforts to achieve a just peace in Vietnam will come before the House of Representatives today for debate and vote. I want you to know just how important I believe it is for this resolution to pass with a smashing majority. Not only does the President and his efforts to bring the war in Vietnam to an honorable conclusion deserve the support of both Houses of Congress but the opportunity to bring the North Vietnamese into meaningful negotiations very hopefully depends on their realization that the great silent majority of the American people and a large majority of the Congress are fully back of the President's efforts. Most of my friends here and throughout the country with whom I have discussed this question also support the President on this issue and would hope your resolution passes by a large majority.

WILLIAM H. DRAPER, Jr.,
Former Special U.S. Representative to Europe with rank of Ambassador

---

DECEMBER 1, 1969.

Hon. JAMES C. WRIGHT, Jr.,
House of Representatives,
Washington, D.C.:

I wish to express my strong endorsement of the Wright resolution expressing support for the President's policy on Vietnam. I wish you all success in your endeavor to secure its passage by the Congress.

H. CHAPMAN ROSE,
Former Under Secretary of the Treasury.

Mr. COLMER. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. FARBSTEIN).

Mr. FARBSTEIN. Mr. Speaker, I am afraid that this closed rule will prove counterproductive, because if this rule were open instead of 320 you might get 400, or perhaps even more than 400, votes for the rule.

There is no degree of urgency at all contained in the resolution.

I want to ask the gentleman from Illinois, when he says he is here to escalate the peace effort, why is that not in the resolution or a statement calling for an early withdrawal or peace settlement? Perhaps if either of those phrases were in the resolution you might get a number of votes you will not get now.

There is no question in my mind that the President wants to make peace. The question is when he wants to make peace? How soon? We have been in Vietnam too long already.

It would seem to me that if this rule were opened so that there could be contained therein some of the ideas that some of the men on the Committee on Foreign Affairs had at the time the resolution came before them, it might well be that the vote, instead of being 21 to 8, might have been unanimous.

I do not oppose the efforts of the President to achieve a just peace in Vietnam. I oppose the rule because it is a closed rule which is not open to amendment. I do it because this resolution was adopted after one session of the Foreign Affairs Committee. There were no hearings; there were no witnesses; and those of us who opposed the resolution as it is had only approximately 1 hour and 20 minutes to discuss the issue and amendments to the proposed resolution. Now we are confronted with a closed rule.

This is my basic objection to the granting of this rule. In committee there were some amendments offered which would have clarified the intent of the language contained in the resolution. Amendments that would have expressed the congressional desire that there be no escalation under the resolution were defeated. The resolution does not convey a sense of urgency on the part of the Congress that the U.S. involvement in Vietnam be terminated as soon as practicable, nor does the resolution mention the role that the South Vietnamese Government must play in bringing the war to an early end.

By denying the right to amend this resolution on the floor, the sponsors of the resolution have made it impossible for me and perhaps others in good conscience, to support a resolution that in my opinion is as openended as was the so-called Gulf of Tonkin resolution.

Mr. Speaker, the least that this body can do on a subject as important to the national security as is Vietnam is to defeat this rule. Then maybe we can all combine to adopt a meaningful resolution, one which will reflect the concerns that I have raised, and one which will not divide this House, but one under which we can all unite.

I urge defeat of the rule.

Mr. COLMER. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. ECKHARDT).

Mr. RYAN. Mr. Speaker, will the gentleman yield?

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

Mr. RYAN. Mr. Speaker, I rise in opposition to the previous question on the closed rule.

Mr. Speaker, the most burning issue before the Nation today is the war in Vietnam. This is the first time, except for supplemental Vietnam and other military authorization and appropriation bills, that the House has had the opportunity to deal with United States policy in Vietnam since 1964.

I strongly object to the proposed closed rule under which House Resolution 613 is to be considered.

The House Foreign Affairs Committee considered this important resolution for only 1 hour and 20 minutes. During that time it rejected two separate motions for hearings—one for open hearings and one for 2 days of closed hearings. It also rejected two amendments aimed at clarifying the language of the resolution.

Senator MANSFIELD, who introduced a modified version of the resolution in the Senate, expressed hope that the Senate Foreign Relations Committee would consider "the text thoroughly, very throughly, perhaps, as part of hearings on Vietnam."

I cannot understand how the House Foreign Affairs Committee could report House Resolution 613 without hearing testimony on President Nixon's Vietnam plans and whether these plans will lead to a rapid disengagement or a continued involvement in the war.

The resolution speaks of President Nixon's efforts to negotiate a "just peace" in Vietnam.

President Johnson justified the policy of escalation in terms of seeking such a peace; and untold death and destruction and cost has occurred in an attempt to achieve it; but peace has not been forthcoming. Neither administration has been willing to recognize the political realities in South Vietnam.

House Resolution 613 is aimed at showing congressional support for President Nixon's policy. The sponsors of the resolution argue that it in no way can be distorted the way the Gulf of Tonkin resolution was distorted. They argue that the resolution in no way broadens Presidential powers.

President Nixon believes that it is an endorsement of his Vietnam speech of November 3. Although the sponsors of the resolution claim it is not an endorsement of the speech, the President made an unprecedented visit to the House on November 13 to thank the cosponsors of the resolution. In his speech to the House, he said:

> Yesterday I was informed by a bipartisan group from the House of Representatives that over 300 Members of the House had joined in sponsoring a resolution for a just peace in Vietnam along the lines of the proposal that I made in a speech on November 3.

The President obviously feels that House Resolution 613 is a resolution in support of his November 3 speech. And although the resolution's sponsors may say this is not the case, the passage of this resolution will be taken by the President as support for his Vietnam policy in the past, now, and in the future.

I do not think the House can afford to pass, without significant debate, a resolution which supports a plan which the President himself has not spelled out.

According to the President's November 3 speech, his plan for Vietnamization of the war, that is the replacement of United States ground combat forces by South Vietnamese forces, depends upon three factors:

First, progress at the Paris talks;

Second, the level of enemy activity; and

Third, progress of the training program of the South Vietnamese forces.

In other words, it is open ended and to be determined not by us but by the government of North Vietnam and the Government of South Vietnam.

In addition, the President made it clear that he would not hesitate to take strong action if North Vietnam were to increase the violence.

Therefore, support of the President's November 3 speech through support of the resolution leaves open the possibility of a reescalation of the war.

The President's November 3 speech posed only two options—"precipitate" withdrawal or his Vietnamization plan.

The adoption of the previous question and the pending rule will put the House in the position of being able to vote only upon the Nixon plan. The consideration of any alternative will be foreclosed. It is a disservice to this parliamentary institution to prevent a full-scale debate on the administration's policy in Vietnam and an opportunity to consider various alternatives to its policy.

The millions of Americans who participated in the October 15 moratorium, the more than one-quarter million Americans who came to Washington on November 15, and millions more who quietly pray for peace in Vietnam want peace now. Their feelings and their voices should not be ignored. The House should not be denied the opportunity to vote on the question of immediate troop withdrawal from Vietnam.

I have sponsored along with 13 of my colleagues, House Concurrent Resolution 403 which expresses the sense of the Congress that all U.S. forces should now be withdrawn from Vietnam, the pace of the withdrawal to be limited only by steps to insure the safety of our forces, and that the United States should assist in the provision of asylum in friendly countries for those Vietnamese who might be endangered by our disengagement.

If the previous question is defeated, and it is then possible to offer amendments, I intend to offer the substance of House Concurrent Resolution 403 as a substitute for House Resolution 613.

The House Rules Committee has seen fit to follow the lead of the Foreign Affairs Committee in its attempt to stifle a real debate on the administration's policy in Vietnam. Those who support the closed rule have suggested that an open rule might lead to a week of debate.

I think the issue of the war in Vietnam is worth a week of debate—and whatever time is necessary. The time has come for Congress, which alone has the constitutional power to declare war, to discuss a war that has been going on for over 5 years. The only way this can be accomplished is by a free and open debate of the war on the House floor.

All Americans, whether they belong to the so-called silent majority or the so-called vocal minority, are concerned about this war.

I urge the defeat of the previous question and, if it is moved, then the defeat of the rule, House Resolution 722.

Mr. ECKHARDT. Mr. Speaker, on November 4, House Resolution 612 by the gentleman from Texas (Mr. WRIGHT) and House Resolution 613 by the gentleman from Ohio (Mr. HAYS) were introduced in the House. Three hundred and ten Members of the House in these and identical resolutions affirmed "support for the President in his efforts to negotiate a just peace in Vietnam," approved and supported "the principles enunciated by the President," and supported the President "in his call upon the Government of North Vietnam to announce its willingness" to honor elections and resolve controversies in accordance with the President's proposals. My distinguished colleague, the gentleman from Texas (Mr. WRIGHT), who is my good friend has said that the resolutions were intended as general, nonpartisan support of the President in his "efforts to negotiate peace." Also see committee report, page 1.

But since the resolutions were introduced on the day after the President addressed the Nation, they were vulnerable to interpretation as a sweeping, prior endorsement of such policies, programs, and demands as might unfold in the present and future conduct of the foreign policy of the Nation. Exploiting such vulnerability, the President on November 13, in what he himself called "perhaps an unprecedented procedure," appeared before the House and embraced what had come to be called the Wright-Hays resolution—House Resolution 613. He stated that it went along the lines of a proposal made in a speech of November 3, and he characterized it as showing that "a majority were supporting the policy of the President of the United States."

Therefore the posture of the resolution in this political context is now changed. I am sure that many Members who had cosponsored it, along with those who had refrained from doing so, feel that certain basic points must be made to clarify their support. Such clarification could be made by amendment or by permitting every Member full debate had not the rule foreclosed amendment and debate. Within 48 hours after House Resolution 613's introduction, the House Foreign Affairs Committee, in an executive session, reported it out and the Rules Committee has submitted it to the floor under a closed rule.

I think we all entertain the fondest hope that the President will exert all "his efforts to negotiate a just peace in Vietnam," all hope that "free election open to all Vietnamese" will ultimately determine political control there, as it should in the rest of the world, and all favor, generally, the influence of "impartial and international" bodies in seeking such ends in Vietnam, as elsewhere in the world. Above all, we fervently desire that the "controversy be peacefully resolved in order that the war may be ended and peace be restored at last in Southeast Asia." Therefore many of us will, I am sure, vote "aye" on the resolution itself, but with deep concern about the process by which it has come to the House and with the same reservations as those voting "no." It would be far better to report this resolution out under an open rule. If the purpose is to unite us, why not try to find common ground on the basis of the usual debate and compromise? The major reason for opposing the resolution is that it contains a fundamental ambiguity:

First. House Resolution 613 may be construed as support of the Presidency as an institution, but second, it may also be construed as support of this President's continuously implemented policy.

One may agree with the first purpose, but not the second. The second is a Tonkin Gulf-type resolution.

Ultimate policy decisions respecting war and peace must continue to be the function of Congress, and it is the duty of Congress to maintain at all times its oversight and review of such policy decisions without delegating the same to any other authority. It is not appropriate nor is it consonant with the authority and dignity of Congress to give any general affirmation to an existing and continuing course of action of the Presidency so as to erode such role of Congress.

Because many feel that the resolution has an element of such general affirmation of an ill-formulated policy of the President, I think a large number of my colleagues may, for the very good reasons stated above, vote against the resolution.

I feel that the resolution is without much real substance and that it has been employed largely as a political gambit. I feel that Congress should take a more affirmative stand in its proper role as formulator of U.S. policy, both domestic and foreign. If we should amend the rule to permit amendment, I would support an amendment to the resolution urging first, efforts to reduce the level of violence in Vietnam; second, the broadening of the political base of the Saigon government; and, third, the immediate designation of a high-level replacement for retiring delegate Henry Cabot Lodge.

These are the reasons why I arise to oppose the closed rule.

Mr. COLMER. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. EDWARDS).

Mr. EDWARDS of California. Mr. Speaker, I oppose the closed rule. I oppose it because with a closed rule this House will pass a second Gulf of Tonkin resolution.

I suggest that this House in its rubber-stamping of the first Gulf of Tonkin resolution should have learned its lesson.

After its precipitous and unstudied passage President Johnson was able to carry that resolution in his hip pocket—able to wave it constantly as evidence of congressional support of the massive escalation of the Vietnam war.

Today's resolution, which also will undoubtedly be rubberstamped by the House, can be President Nixon's hip-pocket authority to do so as he pleases in Vietnam. We are likely to rue this day.

President Nixon outlined on November 3 his policy for peace in Vietnam. This resolution says the House of Representatives approves the policy 100 percent.

I respectfully suggest that my colleagues read again and with more care

the November 3 speech of President Nixon defending his Vietnam policy.

By approving this resolution the House accepts as true the President's fallacious conclusion that he has only two choices, Vietnamization or "precipitous withdrawal."

This, of course, is nonsense. There are many proposals to end the war before Congress, sponsored by both a Republican and Democrat.

In particular, let me point out that this resolution gives House approval to highly questionable portions of Mr. Nixon's plan.

You are approving Mr. Nixon's plan to achieve by Vietnamization and gradual withdrawal, exactly what would be achieved by military victory—preservation of the Saigon government.

Only U.S. combat forces are to be withdrawn. During this period, while we train and arm the South Vietnamese forces, the North Vietnamese and the Vietcong are expected to sit by and reduce their attacks.

At the same time, while we step up arms and support the Saigon army, Mr. Nixon reserves the right to reescalate U.S. action at any time.

By passing this resolution we are also adopting as our own Mr. Nixon's definition of a "just peace," one resulting from an election held by the present military Government of South Vietnam. I suggest we remember the last election run by this same government in September 1967. It was a farce, with Truong Dinh Dzu, the peace candidate who ran second, clapped in jail soon after the election, where he still languishes.

It is for these reasons that I must in good conscience vote "no," and instead urge support of House Resolution 704 which calls for withdrawal of U.S. forces in South Vietnam on an orderly and fixed schedule—neither precipitate nor contingent on factors beyond U.S. control—to extend only over a period of time as would be necessary to: First, provide for the safety of U.S. forces; second, secure the release of American prisoners of war; third, assist any Vietnamese desiring asylum and fourth, enable the United States to make an orderly disposition of its facilities in South Vietnam.

This House and its Members do have a choice beyond the false choices presented by this resolution and by President Nixon. I would hope that we will have the courage to exercise them.

Mr. COLMER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Ohio (Mr. HAYS).

Mr. HAYS. Mr. Speaker, I had not intended to speak on the rule, but the gentleman who just preceded me made, I am sure inadvertently, several misstatements which I think need to be cleared up.

This resolution does not in any way whatever say anything about escalation of the war, directly or implied. This is a peace resolution. All you have to do is to read it. It says that the only thing we say we support the President on is this: It affirms its support of the President in his efforts to negotiate a just peace in Vietnam. That is what we support the President on. The rest of it calls attention to various things that have gone before. It calls attention to the fact that the Johnson administration made overtures to Hanoi, if you want to interpret that in there, because it says numerous peaceful overtures which the United States has made in good faith. I heard some of these same people who are here opposing this resolution today say over a year ago, "Oh, if we had only stopped the bombing; all we need to do is stop the bombing and we can have peace." Hanoi has not budged an inch since we stopped the bombing.

Mr. SMITH of California. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. CONTE).

Mr. CONTE. Mr. Speaker, the rule before us for consideration deals with "toward peace with justice in Vietnam." I think it is clear that all of us in this body support such a noble goal.

The problem is not, however—and President Nixon has consistently made this point—whether we want peace. We all want peace, and we all want it to be a fair and just peace.

The issue is how we can best, and most quickly, achieve that peace. This is indeed a matter about which reasonable men may differ.

The procedures followed by this body to date however, with regard to House Resolution 613 in no way recognize this simple but basic truth.

Mr. Speaker, we are asked by the proposed rule today to consider a resolution dealing with the most critical issue facing this Nation, without the opportunity for amendment or change.

We are asked to do this furthermore following the failure by the Foreign Affairs Committee to hold even one day's hearings with regard to the resolution.

In short, we, the elected representatives of some 200 million people, are to be limited to a quick and severely restricted yes or no vote regarding the one issue which has completely dominated this Nation and its people for more than 5 years.

I believe this to be blatantly unfair, improper and in the worst possible traditions of governmental and legislative process.

I, therefore, urge all of my colleagues to vote down the previous question and to open this resolution for the full consideration is so clearly demands.

Regarding House Resolution 613 itself, I do not quarrel with its general language, insofar as it goes. I support the President in his negotiation efforts. I believe that the future of South Vietnam must be decided by her people, and her people alone. I recognize that we have tried in good faith to settle our differences with North Vietnam. And of course, I share the hope of all our people for peace in Vietnam.

But I also believe there is the need for more specific commitments concerning U.S. withdrawal from Vietnam and regarding meaningful peace efforts to end this tragic conflict.

And I further believe that we must make the maximum effort possible to reduce the level of hostilities and violence in this war-torn and ravaged country.

In addition, this amendment as it stands now is capable of being interpreted as a blanket endorsement of present and future Vietnam policy.

Now this brings sharply to my mind something that I—and many of my colleagues—have lived to deeply regret. I refer of course to the infamous Gulf of Tonkin resolution of 1964.

Let me make clear that I have no reason whatsoever to believe that the present administration would misinterpret House Resolution 613 as the past administration did in the case of the Tonkin resolution.

But I believe we in Congress have our own legislative responsibilities to assure that this is not permitted to happen again.

Any resolution of the nature we are considering should be crystal clear in not giving blanket prospective approval to whatever the President may decide to do in Vietnam.

In conclusion, in the event we are unsuccessful in opening this resolution for amendment I intend to vote in favor of it. I will do so not because I believe it represents the complete position we in the House should be taking, but because its basic premise insofar as it goes, is the goal of peace, and our legislative expression here today is limited to a yes or no on this point.

But I want it to be absolutely clear that my vote today does not constitute any blanket prospective approval of administration policies in Vietnam. And I want it further understood that I believe there can be no justification whatsoever for the procedures and approach which the House has followed in the consideration of this vital matter of national interest.

Mr. COLMER. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. VANIK).

Mr. VANIK. Mr. Speaker, I take this time to rise in opposition to a closed rule on House Resolution 613, which completely bars amendments or modification of language, and demeans the individual Member of the House. It reduces a Representative's power to that of rubber-stamping "approval" or "disapproval" on the content of the resolution. It constitutes a "forced feeding" of position on a critical national policy.

Although there is historical and hysterical precedent for this kind of action, such precedent does not make it right. The closed rule constitutes a parliamentary strangulation of orderly legislative processes. The House of Representatives cannot attain a respectable stature as long as it permits rules which suppress amendment or even limited legislative options to better express the will of its Members.

The closed rule is based upon the falacious presumption that some Members of this body have qualifications to write legislation which are superior to that of their colleagues. The rule is designed to protect this draftsmanship from the general membership of the body, as if there were some reason to fear open deliberation.

This resolution is designed to meet a confrontation with dissent in America on the continuation of the war in Viet-

nam. Words, however artful, cannot substitute for the deeds and actions which can bring peace. The semantics of peace which could endorse a prolongation of the war are not acceptable.

This resolution could be easily made acceptable if it were to specify a program for peace and disengagement. In its present form, it is a blank check which could be construed to mean peace through more war. I cannot in good conscience endorse such a resolution or the rule which insures it.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. VANIK. I yield to the gentleman from Illinois.

Mr. YATES. Mr. Speaker, I rise in opposition to the rule. I cannot understand why the Vietnam resolution must be brought to the floor under a closed rule. The reason given is that foreign policy resolutions have always been brought to the floor under a closed rule and therefore that is reason enough to do so in this case. Obviously, Mr. Speaker, that kind of reasoning is inadequate. A precedent that was wrong in its inception is wrong today. Bringing this resolution to the floor under a closed rule does not permit full expression of their views by Members of the House of Representatives.

It is bad enough when closed rules are employed for the consideration of tax bills and tariff bills when the purported justification is that the bills are so complex as to be beyond the grasp of the Members of the House. But that rationalization is not appropriate in connection with the resolution to be considered. The bill is certainly not technical, it is not complicated. The Vietnam resolution does not even have that faulty excuse to chop off, as it does, alternative suggestions which might be offered through amendments.

I had thought this House had learned its lesson from the Gulf of Tonkin resolution that we should not accept upon short notice, under a closed rule, important and complex foreign policy questions. How many Members of the House would like to have the opportunity to recall their vote on that resolution? In fact, two members of the President's party have filed a resolution to repeal it.

There are other constructive suggestions that have been made as alternatives to the proposed resolution, but if this rule is not opened up, the House will not be able to consider them, which I think is unfortunate and injurious not only to the prestige of the House but to the resolution itself.

For these reasons, Mr. Speaker, I shall vote against the closed rule.

Mr. SMITH of California. Mr. Speaker, I yield 5 minutes to the distinguished minority leader, the gentleman from Michigan (Mr. GERALD R. FORD).

Mr. GERALD R. FORD. Two minutes ago, Mr. Speaker, the distinguished gentleman from Ohio (Mr. HAYS) corrected the RECORD in remarks that had been made by a preceding speaker when he pointed out very emphatically that there was nothing in this resolution that was a legislative authorization for the President of the United States to escalate our military commitment in Vietnam.

I am fortunate to have the opportunity now to correct the RECORD as far as the gentleman from Ohio (Mr. VANIK) is concerned, the gentleman who just preceded me. There is nothing in this resolution that would lead to more war, as he says. That is a most ridiculous statement if you read the resolution. I am amazed that the gentleman would speak out in that way because the resolution itself is a peace resolution, and not one to legislate authority for the Chief Executive to undertake more war in Vietnam.

Let me say this, Mr. Speaker: The main thrust of this resolution is aimed at calling upon the South Vietnamese to have a government of their own choosing in free elections supervised by an impartial international body.

I have heard literally hundreds of speeches made in this body over the last 3 or 4 years calling for free elections, and insisting that the United States abide by those free elections. The President of the United States has said that our policy is that, and this resolution simply calls upon us in this body to support him in that regard. I think this is a proper course of action for this body at this time.

Some people would raise the question that this resolution is unique. Well, it is unique in one thing, it does not go as far as previous resolutions approved by this body in the last 15 years. We have had more than one experience in the last 15 years in this body where we gave to the Chief Executive far more authority to move ahead in one way or another militarily or otherwise. This resolution is rather limited. It is a peaceful resolution.

Some of these other resolutions, it could be argued, had war-like authority, or at least gave to the Chief Executive far more liberty than this one does.

Let us go back in 1955—under President Eisenhower, with a Democratic Congress, we approved the Formosan resolution. It was a closed rule. I do not recall anybody fighting the closed rule at that time and trying to open it up. It was needed and necessary to support the President in our problems in Southeast Asia, and the House of Representatives approved it.

Mr. FRASER. Mr. Speaker, would the gentleman yield on that point?

Mr. GERALD R. FORD. I will yield to the gentleman if I have time at the end.

In 1957 we had the Middle East resolution before us in this body. President Eisenhower was our Chief Executive. The resolution came from the House Committee on Foreign Affairs with a closed rule. I do not remember any of these great speeches we have heard this afternoon in reference to that awful process or parliamentary procedure. That resolution went through. No question about its propriety.

Then in 1962 we had President Kennedy's problem of Berlin. We had a Democratic Congress. The Committee on Foreign Affairs approved the resolution with a closed rule. I do not recall any great speeches about the House being strangled, prevented from proper consideration of the proposal. I do not recall any arguments being made that the House was not given a chance to work its will.

Then in 1962, President Kennedy was still our Chief Executive, and we had the Cuban resolution coming from the House Committee on Foreign Affairs, with a closed rule. I do not recall any great protest being made at that time for the House to work its will by opening up the closed rule.

The truth is that in every one of the resolutions I have mentioned there was less debate authorized under the rule than there is under this rule.

In 1964 when President Johnson was the occupant of the White House and the 88th Congress, again a Democratic Congress, the House Committee on Foreign Affairs authorized the so-called Tonkin Gulf resolution. On that resolution the House considered the matter under a closed rule and there was no protest.

As a matter of fact, there was a voice vote on the rule, which was a closed rule. Where were all the protests at that time? That resolution gave to the then Chief Executive far more operational authority than this resolution does by any stretch of the imagination. Where were all the voices who are now so concerned at this time, when that resolution came before the House of Representatives?

Mr. FINDLEY. I was one of those voices.

Mr. GERALD R. FORD. I did not yield, Mr. Speaker.

But the gentleman from Illinois did not ask for a rollcall vote on the rule.

Mr. FINDLEY. We have learned something since then, I hope.

Mr. GERALD R. FORD. The rule went through unanimously and no rollcall vote was asked for. Now, as a matter of fact, on that vote the vote was 414 to 1, with one of our colleagues voting "present," the gentleman from New York (Mr. POWELL).

Mr. FRASER. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. Please let me go on and finish, if I might.

Mr. Speaker, if this rule is opened, let me say as a practical matter there will be literally scores of amendments offered.

I have a lot of faith in the capability of this body to discern what is a bona fide amendment. I have a great deal of faith in the wisdom of this body to maintain intact a resolution which has as its author a distinguished gentleman on the Democratic side of the aisle. I am convinced that this body could work its will in a responsible manner. But it seems to me, if we are to achieve the objective that is sought by this resolution sponsored by a Democrat and supported by the leadership on both sides of the aisle, it is far wiser for us to take this vehicle—a resolution for peace and approve it as it has been recommended.

Therefore, Mr. Speaker, I urge that we vote for the previous question and support the rule.

The SPEAKER. The time of the gentleman from Michigan has expired.

The gentleman from California (Mr. SMITH) has 1 minute remaining, and the

gentleman from Mississippi has 11 minutes remaining.

Mr. SMITH of California. Mr. Speaker, I yield myself the final minute simply to state that the resolution we are considering (H. Res. 613) has the names of 25 Members on it. They are all Democratic Members. That is all we can have under the rules of the House—25 names.

There are three more resolutions that are set forth on pages 2 and 3 of the report, one with Democratic Members and two with Members on the Republican side. So as I originally said, there were 50 on each side of the aisle sponsoring the original resolution.

So if you are questioned later on, when you go home as to whether your resolution passed—they are all identical and they are set forth on page 2 and 3 of the report.

The SPEAKER. The time of the gentleman from California has expired.

GENERAL LEAVE

Mr. SMITH of California. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may insert their remarks in the body of the RECORD during the discussion on the rule.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ASHLEY. Mr. Speaker, 6 weeks ago—on the occasion of the first Vietnam moratorium—I said in a floor speech that hindsight may well confirm that our involvement in Vietnam was a result of misreading the history of the area, misjudgment of the political viability of South Vietnam, and mistaken reliance on military and intelligence advice that has been found wanting in accuracy and reliability from the very start.

At that time, I also suggested we should remember that in the early years of the struggle our Nation largely supported the proposition that small, underdeveloped nations should have an opportunity to shape their own political, social and economic institutions, and that failure to thwart aggression in some circumstances can lead to larger, often catastrophic confrontations.

Today, more than a decade later, with no military resolution of the conflict and little progress toward a political solution, we find ourselves engaged in a searching reappraisal of the national purposes and objectives for which 40,000 Americans have died in Vietnam.

I still believe, Mr. Speaker, that it is quite possible to compound mistakes of the past with mistakes of the present. If it was bad judgment to get involved in Vietnam, let us not insist on equally bad judgment in the means we choose to terminate our presence there.

The Nixon administration is pursuing a policy of gradual demilitarization and troop withdrawal in an effort to persuade Hanoi of our good faith and genuine desire to end the conflict. At best this is a difficult policy to pursue because, as we have seen to date, its effect may be to encourage continued stalemate of negotiations and insistence by Hanoi on further and further compromise on the part of the United States.

In the final analysis, responsibility for mapping a strategy for peace rests with the President of the United States. We must look at him to terminate the U.S. presence in Vietnam at the earliest possible moment, not as an end in itself, but as a means of achieving conditions upon which permanent peace can be predicated.

Mr. Speaker, as one of the original sponsors of the Vietnam Resolution being considered in the House of Representatives today, I shall of course vote in favor of the measure, with the qualifications which I shall amplify upon later.

I take this time, Mr. Speaker, only to state for the record that I am opposed to a closed rule prohibiting any amendment whatever. I recognize that the drafting of a resolution of the character of the one under consideration is a delicate and difficult task and that it is a considerable feat to have accomplished this to the apparent satisfaction of the more than 300 Members of the House who joined in its sponsorship.

I am far from satisfied, however, that perfection has been achieved or that debate on proposed amendments would serve no useful purpose, whether the amendments be adopted or not. The issues involved in the Vietnam conflict are real and serious; they should not and cannot be avoided by recourse to a parliamentary device which makes it necessary, in the absence of proposed changes, to either vote the measure up or down.

Mr. GILBERT. Mr. Chairman, I intend to vote against the previous question. If the previous question is not ordered, the Vietnam resolution will then be open for debate and amendments, as it should be. I see no reason for a closed rule. This is a resolution on foreign policy of such importance, it should be on the House floor under an open rule. A matter of such vital concern to all of us as individuals and to our country should not be a hand-tailored product that we either accept or reject. I am hopeful the previous question is defeated, thus opening the resolution for discussion and amendment.

Mr. Chairman, I shall also vote against the resolution. I intend to make a statement on the resolution and why I can not support it, but at this moment I simply want to announce how I intend to vote, and why, on the previous question.

Mr. HANLEY. Mr. Speaker, the House of Representatives is presently engaged in the consideration of a resolution which affirms House support for the policy of the President with regard to Vietnam.

This debate is being acted out under a cloud. Those of us who have been spending many hours each week in committee hearings and executive sessions on legislation pending before the House are concerned at the rapidity of the Foreign Affairs Committee consideration of this resolution. I am disappointed that no hearings were held to gather views from the Members with regard to the specific language of the resolution. The failure to hold formal hearings should be explained, particularly because of the mounting controversy over exactly what the resolution means and what its purposes are.

The fact that no hearings were held on the resolution reinforces my opposition to the closed rule under which the resolution is to be debated. The closed rule adds an air of sterility to this debate which cannot be lost on observers of this scene, including the North Vietnamese delegation at Paris, for whom this resolution is intended, according to the Foreign Affairs Committee. I shall vote against this rule.

It would have been better for the Foreign Affairs Committee to present us with a resolution which defines the President's policy, which we are rushing to endorse. I support the President's policy, to the extent that I have an understanding of what that policy is. There is considerable misunderstanding and confusion surrounding this policy, and our resolution adds to this situation by not defining in exact terms what it is we are called on to endorse.

For example, I feel that the central consideration in the President's program is his intention to withdraw American troops in an orderly and gradual manner and to turn the war and the future of Vietnam back into the hands of the Vietnamese people. This policy is not even mentioned in the resolution pending before us today. It should be the central theme so that no one can mistake our understanding of U.S. policy. The President has stated that he is embarked on a policy of taking America out of the war in Vietnam in an orderly fashion and this is the policy I endorse. It is regrettable that it is not clearly expressed in the resolution.

Also, this resolution should not be interpreted as advance approval for future decisions on Vietnam. In all probability, I will be voting to approve the resolution on final passage should a rule be granted but I do not want my vote interpreted as anything but support for the announced intention of the United States to conduct an orderly withdrawal from Vietnam. Only if future decisions implement this policy can House Resolution 613 be considered as an endorsement of those decisions.

Mr. WALDIE. I support the President in his efforts thus far to withdraw American troops from Vietnam. I condemn the enemy for their intransigence at the Paris Peace Conference. I condemn the South Vietnamese for their half-hearted efforts to build a nation and to fight an aggressor. I would urge the President to escalate his withdrawal policies and not to condition them on the willingness of South Vietnam to begin that which she has not done for 10 or more years; namely, defend herself.

Yet, this resolution forecloses me from expressing these views. The closed rule, adopted, we are told, after White House intervention, prohibits amendments. The policy of the President, then, must be as expressed in the resolution and if we wish clarification of its meaning, we are denied that opportunity. There appears to be great fear in the White House and among the congressional leadership to permit full debate and amendment on this policy. They seek to construct a

manufactured unity which does not exist in this country. Their desperate effort to avoid debate or examination of the President's policy only indicates their fear of the results of such examination. The policy, as stated in this foolish, meaningless resolution, is incapable of such scrutiny. That incapability cannot be construed as unity no matter how convoluted or anxious the efforts might be to present a charade of support.

Mr. KARTH. Mr. Speaker, I rise in support of an open rule for House Resolution 613, "Toward Peace With Justice in Vietnam."

I do so for several reasons. First, irrespective of what the authors contend, the resolution endorses President Nixon's past, present, and future Vietnam policy.

The President's past policy is questionable since it has produced no meaningful results. His present policy is questionable because I have been unable to ascertain its direction. His future policy is unknown because in his November 3 televised speech he said he could not publicly divulge it.

Everyone wants peace. Everyone urges the President to continue pursuit of a just peace in the negotiations now in progress. In fact I and more than a dozen other members introduced House Resolution 730 which urges him to do just that. But I cannot endorse his actions in a resolution on the Vietnam war when I do not know what his actions will be.

Congress should remain a distinctly separate entity in this and all other matters of war and peace. In retrospect, it was a sad day that an earlier Congress passed the Tonkin Gulf resolution thereby providing a "blank check" to a previous administration. I remember, all too well, how subsequently when some of us protested that we did not intend to authorize a deeper involvement in Vietnam we were sharply reminded of our support of the Tonkin Gulf resolution.

Mr. Speaker, I for one intend to learn this lesson of history and not to repeat it. I support the defeat of the closed rule so that we can adopt the language of House Resolution 730.

Mr. PODELL. Mr. Speaker, House Resolution 613, "Toward Peace With Justice in Vietnam," while undoubtedly a sincere effort fails in purpose because it is accompanied by a calculated effort to stifle debate. No mention is made of troop withdrawals, Vietnamization and other terribly significant issues. Instead, with solemn protestations of bipartisanship, some seek to influence events which have already passed this House completely by. For these and other reasons, I oppose this resolution as well as the rule. Nothing this Congress says in terms of peace with justice is going to have the slightest influence upon the course of the Paris negotiations.

It is patently obvious they have trailed off into bitter stalemate, offering us nothing save a totally blank wall. How can we even begin to pretend we can walk right through it with some lush metaphors and hollow phrases? Only substance will do, and substance is just what is lacking. Vietnam is a disaster for our country—morally, physically, militarily, and economically we are wasting our substance. All efforts at a negotiated peace have failed. The Saigon regime is an even worse cropper than our policy, yet we continue to whistle our way past the cemetery, hoping against hope grim reality will turn into the stuff dreams are made of. Never have we indulged in greater self-delusion.

Instead of making the Saigon Government reflect all elements in Vietnamese life, we have offered this legislative kiss of a resolution. Instead of inexorably eliminating our presence there, the atmosphere here is filled with thunder about honor, unity, and bipartisanship. Of late the air has been filled with political statements of the rankest sort by highly placed members of our Armed Forces. One Marine officer even had the temerity to state that internal national unity would have ended the war there a year ago.

More recently, a war hero has been publicly intimating that those who oppose the war are guilty of something approaching treason or sedition. Our ruling clique shouts of patriotism constantly, implying that those who believe this war to be ultimate folly are helping prolong it. Such exercises in political chicanery and posturing render no aid to any cause save their own personal one.

No matter what the state of dissent is in America, the war will go on. Our enemies in the field welcome disagreement here for their own reasons, which does nothing to detract from the logic of that same dissent. So as our frustration and involvement have deepened and lengthened, increasingly we have turned upon one another, seeking excuses and whipping boys rather than solutions. Now we have this resolution, closed to real debate and amendment, which signifies nothing. What will it be next month? Another tin cannon filled with talcum powder, to go off with a loud bang and bright flash, as millions cheer and thousands die? This war is corroding the very soul of our land. In addition to the Green Berets and schools for assassins, which have already been revealed, other horrors are surfacing. The Pinkville case seems to be the ultimate revelation. Is it? Are there others, past and future?

How then, can we bellow about our Nation fighting in Vietnam in defense of moral principles, especially the right of self-determination, when the latest case heaves national morality in our teeth? It is like a person who has murdered his parents asking for the court's mercy on the grounds that he is an orphan. If we countenance such atrocities, how can we pose as defenders of morality? In the face of such revelations, this resolution is a grotesque, macabre play on words and principles supposedly sacred to America.

Mr. Speaker, there are Members here, I am sure, who have vivid memories of World War I and the Battle of Paschendaele. There the British, refusing to admit to the reality of defensive warfare, lost several hundred thousand men over a period of months—destroyed in blind attacks against fortified trench lines. On and on they came, until all England moaned in agony and grief. Finally, through sheer weight of casualties, they won through; a nation united behind military leaders who pressed the onslaught. When it was over, speeches ended and graves filled in—what had Britain won? A blasted heath. A wasteland of destruction. A few square miles of devastation, covered with water-filled shellholes stinking of death, decay, and pestilence. Even today the very name of the place is a stench in British nostrils. And there was always the next line of ridges. We can all draw our own conclusions about this war, its effect on America now and for years to come, the campaign waged against dissent and this present resolution; "Toward Peace With Justice in Vietnam."

What does peace mean to the dead and crippled? What does justice mean to the civilians of Pinksville? What does honor mean to the hungry and sick? And morality? How about morality? Tell it at the graveside of William Terry of Birmingham, Ala., who was killed in action in Vietnam and buried in a segregated, "blacks only" cemetery, because another burial ground in his home town will not have his body. But that city turned out the biggest Loyalty Day parade in the land. That is morality, is it not?

Let us hear these cheers for truth, honor, justice, and morality. Loud and clear. Let us hear them. Let us hear them for House Resolution 613, "Toward Peace With Justice in Vietnam." Hip, hip, hurray.

Mr. PELLY. Mr. Speaker, I support this rule and I intend to vote in the affirmative on the previous question which, of course, would preclude amendments. It is all very well to talk about the greatest legislative body in the world, but we all know that each Member of Congress has his individual ideas and would welcome the opportunity to amend this resolution in some respect. And, I am sure many such amendments would suit me, but in general it is not advisable to draft legislation on the floor. I am fearful some amendments might pass of which I do not approve, and I do not want to disapprove of this legislation. I want to register support for peace.

Mr. Speaker, I support everything in House Concurrent Resolution 613 as it is now before the House. I want to support the President in his attempt to obtain a just peace. This resolution expresses the hope for peace. It approves the principles expressed by the President that the people of South Vietnam are entitled to their own government determined by free elections and impartially supervised by an international body.

It states that this Nation is willing to abide by the results of such an election, and it supports the President's call upon North Vietnam to state its willingness to honor such an election and to allow the issues to be peacefully resolved in order that we may end this war and peace may be restored.

So, Mr. Speaker, as a sponsor of this resolution, I do not want it changed and especially I do not want to dictate when and how the President is to withdraw American troops. I am confident he will do this on the basis of the facts, and in this regard, he is better informed than Members of the Congress.

I am mindful that closed rules are not popular, but certainly precedence exists for closed rules in the consideration of foreign policy resolutions in the House.

So, I say, Mr. Speaker, I support the rule and oppose any attempt to vote down the previous question.

Mr. SYMINGTON. Mr. Speaker, what America's enemies, America's friends, and Americans themselves should never be encouraged to do is mistake democracy for weakness. We here should be the last to provide such encouragement. For my own part the resolution as drawn is sufficiently unexceptionable to survive intact the close and varied examination of the patriotic men and women who serve here. And there are no other kind.

The President surely wants the support of this House for his reasonable initiatives to conclude hostilities in Vietnam. But what President would prefer the endorsement of a muffled House to that of a free-speaking one? Certainly not one who has in fact called upon the silent majority to speak. We do not represent a mere majority of the silent and the talkative in this country. We represent them all. The single phenomenon which history may emphasize concerning this period is the illumination it provides of a great nation seeking limited ends with almost unlimited power, and doing so under the demanding requirements of representative government. We may disappoint ourselves and history in some respects. Let us not in this.

We are urged to proceed with a closed rule for three reasons: it saves needed time for legislation remaining to be handled in this session; it would illustrate our overwhelming support for a negotiated peace; and it would follow at least 15 years of precedent whereby foreign policy resolutions have been brought out with a closed rule. Taking these points in order:

One, it is wrong to save time at the cost of shared judgment. We are here to help save lives, not time; peace, not convenience. If the greatest deliberative body on earth does not have the time to deliberate over a problem, the problem can wait until it has such time. Two, a simple headcount of previous statements both on and off the floor, would reveal clearly the majority sentiment of members generally favoring the President's course, so that even in the absence of further resolutions to that effect there should be no confusion in the minds of friend or foe. Three, the 15 years of precedent cannot be said to constitute this House's proudest contribution. Indeed, if anything emerges from public commentary on the action of Congress it is that we have too often stood aside and refrained from playing a creative role in the formulation as well as approval of foreign policy. It is said that the President broke precedent by requesting an opportunity to address the House on the war and associate the resolution with his policy. Precedent should be no bar to proper innovation by any branch of Government.

Should the resolution be offered under a closed rule I will support it, because I consider any reservations I might have concerning its assumptions or its future application secondary to inferences that would be drawn in certain quarters from its rejection.

I am mindful of the President's interpretation put upon this resolution 2 weeks ago. So it seems to me that an administration which faces the foe unflinchingly could face this House in the same way.

Mr. BOLAND. Mr. Speaker, I am opposed—strongly opposed—to bringing up this legislation under a closed rule. The resolution, a vague and muddled document that says virtually nothing about the administration's policies in Vietnam, should be open to amendment. Consciously contrived to elicit as much support as possible, the resolution speaks only of the desirability of a just peace. Certainly, Mr. Speaker, no rational man can dispute that goal. Nor can any rational man deny support to President Nixon in his efforts to achieve that goal. But many men—many Members of Congress, as a matter of fact—challenge the administration's means of reaching a peace settlement in Vietnam.

The resolution says nothing—nothing, quite literally—of those means. It does not say how quickly combat forces will be withdrawn from Vietnam. It does not say what kind of South Vietnamese government would be politically palatable to the administration once hostilities do eventually cease. It does not say how—or even whether, for that matter—the administration is seeking common ground with North Vietnam for a cease-fire agreement. And, even more astonishingly, it does not allude even in the most remote and tenuous way to the celebrated policy speech Mr. Nixon delivered over nationwide television.

Yet the administration has been stridently trumpeting this resolution as support for that speech. The resolution itself was drafted—and its sponsors recruited—even before the President made the November 3 speech. The most cursory glance at the text of this resolution makes clear it is not a statement of support for the policies Mr. Nixon enunciated the first of last month. A terse document that shuns any topic the administration deems nettlesome or controversial, the resolution simply urges the President to continue his efforts to achieve an honorable settlement. I do not object to such a resolution. Indeed, the goals set forth in it are highly laudable.

But I do object to the administration's attempt to make the resolution appear to be a kind of blanket endorsement of its policies. It is no such thing. It does not give Mr. Nixon carte blanche in this country's Vietnam policy, furnishing him with prior approval of any future decisions he may reach. One further fact should be made plain: the resolution most emphatically is not another Gulf of Tonkin resolution.

I feel the resolution should be amended to speak clearly and explicitly about the means of achieving peace. Revising its text, I think, would dispel the confusion over the meaning of the resolution.

Again, I oppose a closed rule.

Mrs. MINK. Mr. Speaker, I rise in opposition to the rule and urge this House to vote against it that we might have an opportunity to fully debate the matter of our policy in Vietnam. This is the first such resolution to come before the House since I have been privileged to serve as a Member. Yet it comes to us under a closed rule which prevents the offering of any amendments. The resolution itself was subject to only 90 minutes of discussion in the House Committee on Foreign Affairs, and no hearings were held. From the explanations that I have heard, and more particularly from the news articles that I have read about this resolution, it is being represented as an endorsement of President Nixon's policy as stated in his November 3 speech. President Nixon himself stated as much when he made his unprecedented appearance before the House on November 13.

On November 3 President Nixon told this Nation:

> We have offered the complete withdrawal of all outside forces within one year. We have proposed a cease-fire under international supervision.

But House Resolution 613 does not make a single mention of this offer of complete withdrawal; nor does it make any reference to the proposal of cease-fire under international supervision. By this glaring omission, does this House fail to support the President in this regard? I believe it does leave this impression, and therefore its adoption without these two important provisions contributes nothing materially toward our present drive for peace.

House Resolution 613 speaks only of supporting the President in his efforts to negotiate a just peace in Vietnam, acknowledges our peaceful overtures, supports the principles of free elections by the people of South Vietnam and our willingness to abide by them, and urges the Government of North Vietnam to do the same.

President Johnson in the joint declaration of Honolulu on February 8, 1966, stated our "commitment to the search for just and stable peace." That declaration said:

> The United States is pledged to the principles of the self-determination of peoples, and of government by the consent of the governed. It therefore gives its full support to the purpose of free elections proclaimed by the Government of South Vietnam.

On September 29, 1967, in a speech before the National Legislative Conference at San Antonio, Tex., President Johnson reiterated his willingness to negotiate a settlement by saying:

> We and our South Vietnamese allies are wholly prepared to negotiate tonight. I am ready to talk with Ho Chi Minh, and other chiefs of state concerned, tomorrow. I am ready to have Secretary Rusk meet with their Foreign Minister tomorrow. I am ready to send a trusted representative of America to any spot on this earth to talk in public or private with a spokesman of Hanoi.

On March 31, 1968, President Johnson said:

> We are prepared to move immediately toward peace through negotiations. So, tonight, in the hope that this action will lead to early talks, I am taking the first step to de-escalate the conflict. We are reducing—substantially reducing—the present level of hostilities. And we are doing so unilterally, and at once.

On October 31, 1968, President Johnson discussed the progress of talks in Paris, and said:

Now, as a result of all of these developments, I have now ordered that all air, naval and artillery bombardment of North Vietnam cease as of 8 a.m. Washington time, Friday morning. I have reached this decision on the basis of the developments in the Paris talks. And I have reached it in the belief that this action can lead to progress toward a peaceful settlement of the Vietnamese war.

My point in setting forth the statements of our policy by President Johnson is to show that House Resolution 613 which is now before us is nothing more than an affirmation of the policy of the former administration. Had the House had an opportunity to vote its approval of President Johnson's efforts on October 31, 1968, in a resolution identical to House Resolution 613, I would have welcomed the opportunity to vote for it.

But it comes now a year too late. It comes at a time when we have a new administration with new directions indicated by the very words of the President in his speech of November 3, 1969.

Words in a resolution which reflect only policies of the past administration serve no purpose and degrade the new steps which have been taken which, I believe, are important and which chart for us new initiatives for peace. We cannot fail in this opportunity to clearly state our support for a systematic withdrawal of all our troops. The President told us in his speech of November 3 that such an offer had been made. How can we say we support the President if we adopt a resolution which makes no mention of our support of the orderly withdrawal of our troops?

I hope this House will vote down the previous question so that amendments can be offered. Without the changes that I have suggested, without new substantive statements of our present policy, it reflects nothing of this new administration and is devoid of meaning. I hope this House does not demean its image as the greatest deliberative body in the world by refusing to allow for a meaningful debate which could lead to the formulation of a resolution which is supportive of our new initiatives for peace.

Mr. BINGHAM. Mr. Speaker, as I indicated on the floor last Wednesday, I believe the closed rule procedure is totally inappropriate in this case. There may be some reason for not permitting amendments to be offered when the House has before it a complicated tax bill, but I can see no logical reason whatever for it in the case of a short resolution on foreign policy like the one before us.

Precedents are cited, but as the gentleman from Minnesota (Mr. FRASER) has brought out, in those cases at least hearings were had by the House Foreign Affairs Committee. And as my colleague from New York (Mr. ROSENTHAL) has said, eight wrongs do not make a right. If the procedure was wrong before, let us correct it.

It seems to me an insult to those millions of people around the country who are disturbed about our Vietnam policy that the House should allow this first resolution on the subject of our policies in Vietnam in 5 years to be brought before us without possibility of amendment.

What are sponsors of the amendment afraid of, in supporting a closed rule? Do they fear that their brainchild is so feeble that it would not be able to withstand suggestions for change or improvement? If they were really seeking unity instead of polarization, they might well have garnered additional support for their resolution by permitting a few well-worded changes.

But the juggernaut is rolling and it probably will not be derailed.

Clearly the cause of peace in Vietnam will not be served by this ruthlessness on the part of the Rules Committee and the leadership on both sides, supported by a docile majority of this House. But the reputation and the dignity of this House, and therefore its effectiveness, will not be served either.

Mr. COLMER. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. ROSENTHAL).

Mr. ROSENTHAL. Mr. Speaker, the distinguished gentleman from Michigan, the minority leader, has suggested that we adopt a program—a philosophy—of eight wrongs make a right.

I might suggest to my colleagues that many of us feel we should not become simply a stamping ground for resolutions that have great impact. The fact we have done that in the past seems to me a good reason for us to call a halt now.

The time has come for us to assert ourselves, the world's greatest deliberative body. I do not know how in Heaven's name anyone can ever stand up and face an audience in their district and suggest that we belong to the world's greatest deliberative body when on the first Vietnam resolution the House Committee on Foreign Affairs has considered in 5 years, we spent 1 hour and 21 minutes in executive session. We had a dozen amendments offered and rejected. We urged the committee on that Thursday morning to hold 1 day of closed hearings—1 day, the following Friday—but the juggernaut rode through and said, "No hearings, no discussion: Just pass it."

Mr. COLMER. Mr. Speaker, I yield 1 minute to the gentleman from Minnesota (Mr. FRASER).

Mr. FRASER. Mr. Speaker, the problem with the precedents of the past—the Formosa resolution, the Middle East resolution, the Berlin resolution, and the Cuban resolution, all of which had closed rules—is that in every single case the resolution came out of the committee with a legislative history consisting of testimony by witnesses as to the meaning of the resolution and the need for it—every single case.

There is no such record here, not a word of testimony. We made to separate motions in the House Foreign Affairs Committee to have hearings, either closed or open, and they were both voted down, essentially by a combination of those who are prepared to support the rule on the floor today.

I personally do not regard this resolution as having much significance one way or the other. It deals only with a very small piece in a very complicated and tragic situation. The difficulty I have is with the interpretation that has been given to the resolution by the press and by the President. The President has indicated in his speech of November 3 that he may escalate the war again if the other side proves intransigent or if it should choose to step up the level of warfare. He claims this resolution gives him general support for his Vietnam policies.

The SPEAKER. The time of the gentleman has expired.

Mr. COLMER. Mr. Speaker, I yield myself such time as I may consume, not to exceed the amount of time remaining.

The SPEAKER. The gentleman from Mississippi is recognized for 9 minutes.

Mr. COLMER. Mr. Speaker, we have gone through the usual process here when a closed rule is brought out of the Rules Committee that this House has set up. Those who oppose the subject matter that is brought to the floor by the rule see fit to use the old Rules Committee as a good whipping boy. Let me say to those of you who feel that way about it that the Committee on Rules is now in the process of writing a reorganization bill under the chairmanship of the very able and broadminded gentleman from California (Mr. SISK). Those of you who want to amend the rules to provide for open rules and to abolish closed rules will find an open forum up there, and you might find the chairman of this beleaguered Rules Committee in accord with your objective. So much for that.

There is nothing unusual about this. This is the traditional way that these resolutions are handled, as has been pointed out here repeatedly by other Members who have preceded me.

Let us see what is involved here for a moment. What is there in this resolution that you are opposed to?

Last night I took the resolution and broke down its sentences and clauses. It states—

Resolved, That the House of Representatives affirms its support for the President in its efforts to negotiate a just peace in Vietnam.

Is anybody in this House opposed to that?

Mr. OTTINGER. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I have to under the circumstances, but I do not want to set a precedent because of the limitation of my time. I yield to the gentleman from New York.

Mr. OTTINGER. How can we be assured, if the President thinks a negotiated peace can only be secured by increasing the war effort, that he will not use that as a justification?

Mr. COLMER. I do not think that is a suitable question under the circumstances. There is nothing in this resolution that would authorize escalation.

The second question, and I ask the question again and Members can answer it—not to me now under the limited time of this rule, but answer it when they go back home—when they go back to their electorate and tell them why they opposed this resolution for a just peace and for the other provisions. And do not forget for one moment, sirs, that

the boys over there who are wading through the rice paddies want a just peace. And do not forget, sirs, that they and their parents, when a Member's name appears on that ticket next year, will remember whether a Member sat here and voted to say he was against a just peace in Vietnam and supported the President in his efforts to end this war honorably.

The resolution goes on to say: "expresses the earnest hope of the people of the United States for such a peace"—is there anything wrong with that? Who is opposed to that language?

The resolution continues: "calls attention to the numerous peaceful overtures which the United States has made in good faith toward the Government of North Vietnam"—is there anything wrong with that? Did not President Eisenhower and President Kennedy and President Johnson, as well as President Nixon, seek that objective? Is this resolution not along the same line, I ask Members who would like to oppose it—but I would advise them not to—with what the previous President, President Johnson, was advocating and enunciating? What is wrong with that?

It also provides: "approves and supports the principles enunciated by the President that the people of South Vietnam are entitled to choose their own government"—who is opposed to that?

The resolution further reads: "that the United States is willing to abide by the results of such elections"—who is opposed to that?

It goes on: "and supports the President in his call upon the Government of North Vietnam to announce its willingness to honor such elections and to abide by such results and to allow the issues in controversy to be peacefully so resolved."

Who can honestly oppose this provision?

My friends, never in the history of this proud young Republic has the President of the United States, whoever he was, bowed, as it were, almost to his knees and begged North Vietnam to come to the peace table and negotiate in good faith for peace. Every conceivable effort has been made. We have humbled ourselves as a great powerful nation to this third-rate group over there. And what do they do? They say: "We will discuss only one thing and that is that you withdraw completely."

I have been a hawk. I would prefer the term eagle. But I have come reluctantly to the conclusion that we have to get out of Vietnam. So has the President, so let us give him a little applause too. So did President Johnson.

But why have I come to that conclusion? I have come to it simply because we have made the mistake under all the administrations that have been in power since this war started, of following the old appeasement policy. We have been permitting the other side to call the signals, and we have been running the defensive play. We cannot win a war that way. We cannot win a diplomatic peace that way anymore than a football game can win under such rules of the game. The people of this country became wearied of the war under this "no win" policy, as was inevitable.

Finally, now that it is apparent that the President, the Congress and the people want to see this war brought to a speedy but honorable conclusion. And, now that the President, who inherited this war, and is apparently as interested as anyone in seeing our forces withdrawn, I would ask those who oppose this resolution, what it is they want. The President has already begun withdrawing our troops. Are these opponents asking that he withdraw them overnight? Is it possible that such precipitous action could be taken without running the risk of one of the greatest bloodbaths in history, with both our South Vietnam allies and our own troops doing the bloodletting. Surely, reasonable Members must realize that he is following the only practical conclusion under the unfortunate circumstances in which he, as the constitutional Commander in Chief and foreign policymaker, can sensibly follow.

With all deference to the dissenters, permit me to warn you that a defeat of or a substantial vote against this resolution will serve only to further the mistaken view of Hanoi that this country is divided and does not support the President of the United States.

We could have won this war if we had been united in the beginning and stayed united and gone out to win, rather than trying to appease some foreign power, to wit, Russia or China.

Russia wants war no more than we want war.

China wants war no more than we want war.

I call attention to the fact the neither one of them has ever committed a single man to fire a gun, but they have used other people to do their fighting.

I ask the Members to support this resolution and to send the word over there that we are backing the President of the United States in his effort to withdraw our forces in an orderly manner and win a just peace.

The SPEAKER. The time of the gentleman from Mississippi has expired. All time has expired.

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

The SPEAKER. The question is on ordering the previous question.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. FINDLEY. 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 Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 225, nays 132, not voting 76, as follows:

[Roll No. 294]

YEAS—225

Abernethy
Adair
Albert
Alexander
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Aspinall
Ayres
Baring
Beall, Md.
Belcher
Bennett
Berry
Bevill
Blackburn
Blanton
Boggs
Bray
Brinkley
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson, Tex.
Burton, Utah
Bush
Byrnes, Wis.
Caffery
Camp
Casey
Cederberg
Chamberlain
Chappell
Clancy
Clark
Clausen, Don H.
Clawson, Del
Collier
Collins
Colmer
Conable
Corbett
Cowger
Crane
Cunningham
Daniel, Va.
Davis, Wis.
Dennis
Devine
Dickinson
Dorn
Dowdy
Downing
Duncan
Edmondson
Edwards, Ala.
Erlenborn
Eshleman
Evins, Tenn.
Fallon
Feighan
Fish
Fisher
Flowers
Flynt
Ford, Gerald R.
Foreman
Fountain
Frelinghuysen
Frey
Fuqua
Galifianakis
Garmatz
Gray
Green, Oreg.
Grover
Gubser
Hagan
Haley
Hall
Hammer-schmidt
Hansen, Idaho
Harsha
Harvey
Hays
Henderson
Hogan
Holifield
Hull
Hunt
Hutchinson
Ichord
Jarman
Johnson, Calif.
Jonas
Jones, Ala.
Jones, N.C.
Kazen
Kee
King
Kleppe
Kluczynski
Kuykendall
Kyl
Landgrebe
Langen
Latta
Lennon
Lloyd
Lujan
Lukens
McClory
McClure
McCulloch
McDonald, Mich.
McEwen
McFall
McKneally
McMillan
Mahon
Mailliard
Mann
Marsh
Martin
May
Mayne
Michel
Miller, Calif.
Miller, Ohio
Minshall
Mize
Mizell
Monagan
Montgomery
Morgan
Morton
Murphy, Ill.
Murphy, N.Y.
Myers
Nelsen
Nichols
O'Konski
Passman
Pelly
Perkins
Pettis
Philbin
Pickle
Pirnie
Poage
Poff
Price, Ill.
Price, Tex.
Purcell
Quillen
Randall
Reid, Ill.
Rhodes
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Roth
Roudebush
Ruth
Satterfield
Schadeberg
Scherle
Schneebeli
Scott
Sebelius
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, N.Y.
Snyder
Springer
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stubblefield
Taft
Talcott
Taylor
Teague, Tex.
Thompson, Ga.
Thomson, Wis.
Waggonner
Wampler
Watkins
Watson
Watts
White
Whitehurst
Whitten
Widnall
Wiggins
Williams
Wilson, Bob
Wilson, Charles H.
Winn
Wold
Wright
Wyatt
Wylie
Wyman
Yatron
Young
Zablocki
Zion

NAYS—132

Adams
Addabbo
Anderson, Calif.
Ashbrook
Biaggi
Biester
Bingham
Blatnik
Boland
Brademas
Brock
Brown, Calif.
Burke, Mass.
Burlison, Mo.
Burton, Calif.
Byrne, Pa.
Carter
Celler
Clay
Cleveland
Cohelan
Conte
Conyers
Corman
Coughlin
Culver
Daddario
Daniels, N.J.
de la Garza
Dellenback
Derwinski
Diggs
Dingell
Donohue
Dulski
Dwyer
Eckhardt
Edwards, Calif.
Evans, Colo.
Farbstein
Findley
Foley
Fraser
Friedel
Fulton, Pa.
Gaydos
Gilbert
Gonzalez
Green, Pa.
Griffiths
Gross
Gude
Halpern
Hamilton
Hanley
Harrington
Hathaway
Hawkins
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks
Horton
Howard
Hungate
Jacobs
Karth
Kastenmeier
Keith
Koch
Kyros
Lowenstein
McCloskey
McDade
Macdonald, Mass.
MacGregor
Matsunaga
Meeds
Melcher
Mikva
Minish
Mink
Moorhead
Morse
Mosher
Natcher
Nedzi
Nix
Obey
O'Hara
Olsen

O'Neill, Mass.
Ottinger
Patten
Pike
Podell
Pucinski
Quie
Rarick
Rees
Reid, N.Y.
Reuss
Riegle
Robison
Rodino
Roe
Rogers, Colo.
Rosenthal
Roybal
Ruppe
Ryan
St Germain
St. Onge
Scheuer
Stafford
Stokes
Sullivan
Symington
Tiernan
Tunney
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waldie
Whalen
Wolff
Wydler
Yates
Zwach

NOT VOTING—76

Abbitt
Ashley
Barrett
Bell, Calif.
Betts
Bolling
Bow
Brasco
Brooks
Button
Cabell
Cahill
Carey
Chisholm
Cramer
Davis, Ga.
Dawson
Delaney
Denney
Dent
Edwards, La.
Eilberg
Esch
Fascell
Flood
Ford, William D.
Fulton, Tenn.
Gallagher
Gettys
Giaimo
Gibbons
Goldwater
Goodling
Griffin
Hanna
Hansen, Wash.
Hastings
Hébert
Hosmer
Johnson, Pa.
Jones, Tenn.
Kirwan
Landrum
Leggett
Lipscomb
Long, La.
Long, Md.
McCarthy
Madden
Mathias
Meskill
Mills
Mollohan
Moss
O'Neal, Ga.
Patman
Pepper
Pollock
Powell
Preyer, N.C.
Pryor, Ark.
Railsback
Reifel
Rivers
Roberts
Rostenkowski
Sandman
Saylor
Schwengel
Smith, Iowa
Stuckey
Teague, Calif.
Thompson, N.J.
Utt
Weicker
Whalley

So the previous question was ordered.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Thompson of New Jersey against.

Mr. Lipscomb for, with Mr. Ashley against.

Mr. Dent for, with Mrs. Chisholm against.

Mr. Saylor for, with Mr. McCarthy against.

Mr. Mollohan for, with Mr. Powell against.

Mr. Edwards of Louisiana for, with Mr. Brasco against.

Mr. Pollock for, with Mr. William D. Ford against.

Until further notice:

Mr. Barrett with Mr. Weicker.

Mr. Leggett with Mr. Teague of California.

Mr. Rostenkowski with Mr. Button.

Mr. Abbitt with Mr. Utt.

Mr. Madden with Mr. Betts.

Mr. Mills with Mr. Bow.

Mr. Carey with Mr. Cahill.

Mr. Smith of Iowa with Mr. Denney.

Mr. Moss with Mr. Goldwater.

Mr. Fascell with Mr. Cramer.

Mr. Brooks with Mr. Goodling.

Mr. Cabell with Mr. Esch.

Mr. Pepper with Mr. Reifel.

Mr. Patman with Mr. Mathias.

Mr. Flood with Mr. Johnson of Pennsylvania.

Mr. Rivers with Mr. Hosmer.

Mr. Delaney with Mr. Meskill.

Mr. Giaimo with Mr. Hastings.

Mr. Gallagher with Mr. Sandman.

Mr. Roberts with Mr. Railsback.

Mr. Jones of Tennessee with Mr. Schwengel.

Mr. Davis of Georgia with Mr. Whalley.

Mr. Hanna with Mr. Bell of California.

Mr. Preyer of North Carolina with Mr. Eilberg.

Mr. Fulton of Tennessee with Mr. Gettys.

Mrs. Hansen of Washington with Mr. Griffin.

Mr. Gibbons with Mr. Long of Louisiana.

Mr. Kirwan with Mr. Long of Maryland.

Mr. Landrum with Mr. Pryor of Arkansas.

Mr. Stuckey with Mr. O'Neal of Georgia.

Mr. FRIEDEL changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the resolution.

Mr. FRASER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 252, nays 100, not voting 81, as follows:

[Roll No. 295]

YEAS—252

Abernethy
Adair
Albert
Alexander
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Aspinall
Ayres
Baring
Beall, Md.
Belcher
Bennett
Berry
Bevill
Biaggi
Biester
Blackburn
Blanton
Boggs
Bray
Brinkley
Brock
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson, Tex.
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Caffery
Camp
Carter
Casey
Cederberg
Celler
Chamberlain
Chappell
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Collins
Colmer
Conable
Corbett
Coughlin
Cowger
Crane
Cunningham
Daniel, Va.
Daniels, N.J.
Davis, Wis.
de la Garza
Dellenback
Dennis
Derwinski
Devine
Dickinson
Dorn
Dowdy
Downing
Duncan
Dwyer
Edmondson
Edwards, Ala.
Erlenborn
Eshleman
Evins, Tenn.
Fallon
Feighan
Fish
Fisher
Flowers
Flynt
Ford, Gerald R.
Foreman
Fountain
Frelinghuysen
Frey
Friedel
Fulton, Pa.
Fuqua
Galifianakis
Garmatz
Gray
Green, Oreg.
Grover
Gubser
Hagan
Haley
Hall
Hammer-schmidt
Hansen, Idaho
Harsha
Harvey
Hays
Henderson
Hogan
Holifield
Horton
Hull
Hunt
Hutchinson
Ichord
Jarman
Johnson, Calif.
Jonas
Jones, Ala.
Jones, N.C.
Kazen
Kee
King
Kleppe
Kluczynski
Kuykendall
Kyl
Landgrebe
Langen
Latta
Lennon
Lloyd
Lujan
Lukens
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McKneally
McMillan
MacGregor
Madden
Mahon
Mailliard
Mann
Marsh
Martin
Matsunaga
May
Mayne
Michel
Miller, Calif.
Miller, Ohio
Minshall
Mize
Monagan
Montgomery
Morgan
Morton
Mosher
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nelsen
Nichols
O'Konski
Passman
Patten
Pelly
Perkins
Pettis
Philbin
Pickle
Pirnie
Poage
Poff
Price, Ill.
Pucinski
Purcell
Quie
Quillen
Randall
Reid, Ill.
Rhodes
Robison
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Roth
Roudebush
Ruppe
Ruth
Satterfield
Schadeberg
Scherle
Schneebeli
Scott
Sebelius
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, N.Y.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stratton
Stubblefield
Taft
Talcott
Taylor
Teague, Tex.
Thompson, Ga.
Thomson, Wis.
Ullman
Vander Jagt
Waggonner
Wampler
Watkins
Watson
Watts
White
Whitehurst
Whitten
Widnall
Wiggins
Williams
Wilson, Bob
Wilson, Charles H.
Winn
Wold
Wright
Wyatt
Wylie
Wyman
Yatron
Young
Zablocki
Zion
Zwach

NAYS—100

Adams
Addabbo
Anderson, Calif.
Ashbrook
Bingham
Boland
Brademas
Brown, Calif.
Burke, Mass.
Burlison, Mo.
Burton, Calif.
Clay
Cohelan
Conte
Conyers
Corman
Culver
Daddario
Diggs
Dingell
Donohue
Dulski
Eckhardt
Edwards, Calif.
Evans, Colo.
Farbstein
Findley
Foley
Fraser
Gaydos
Gilbert
Gonzalez
Green, Pa.
Griffiths
Gross
Gude
Halpern
Hamilton
Hanley
Harrington
Hathaway
Hawkins
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks
Howard
Hungate
Jacobs
Karth
Kastenmeier
Keith
Koch
Kyros
Lowenstein
McCloskey
Macdonald, Mass.
Meeds
Melcher
Mikva
Minish
Mink
Moorhead
Morse
Nedzi
Nix
Obey
O'Hara
Olsen
O'Neill, Mass.
Ottinger
Pike
Podell
Rarick
Rees
Reid, N.Y.
Reuss
Riegle
Rodino
Roe
Rosenthal
Roybal
Ryan
St Germain
St. Onge
Scheuer
Stokes
Sullivan
Symington
Tiernan
Tunney
Udall
Van Deerlin
Vanik
Vigorito
Waldie
Whalen
Wolff
Wydler
Yates

NOT VOTING—81

Abbitt
Ashley
Barrett
Bell, Calif.
Betts
Blatnik
Bolling
Bow
Brasco
Brooks
Broyhill, N.C.
Bush
Button
Cabell
Cahill
Carey
Chisholm
Cramer
Davis, Ga.
Dawson
Delaney
Denney
Dent
Edwards, La.
Eilberg
Esch
Fascell
Flood
Ford, William D.
Fulton, Tenn.
Gallagher
Gettys
Giaimo
Gibbons
Goldwater
Goodling
Griffin
Hanna
Hansen, Wash.
Hastings
Hébert
Hosmer
Johnson, Pa.
Jones, Tenn.
Kirwan
Landrum
Leggett
Lipscomb
Long, La.
Long, Md.
McCarthy
Mathias
Meskill
Mills
Mizell
Mollohan
Moss
O'Neal, Ga.
Patman
Pepper
Pollock
Powell
Preyer, N.C.
Price, Tex.
Pryor, Ark.
Railsback
Reifel
Rivers
Roberts
Rostenkowski
Sandman
Saylor
Schwengel
Smith, Iowa
Stephens
Stuckey
Teague, Calif.
Thompson, N.J.
Utt
Weicker
Whalley

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Ashley against.

Mr. Railsback for, with Mr. Thompson of New Jersey against.

Mr. Gallagher for, with Mrs. Chisholm against.

Mr. Button for, with Mr. Powell against.

Mr. Denney for, with Mr. Brasco against.

Mr. Delaney for, with Mr. William D. Ford against.

Mr. Cramer for, with Mr. McCarthy against.

Until further notice:

Mr. Moss with Mr. Lipscomb.

Mr. Barrett with Mr. Saylor.

Mr. Carey with Mr. Sandman.

Mr. Brooks with Mr. Cahill.

Mr. Fascell with Mr. Johnson of Pennsylvania.

Mr. Leggett with Mr. Hosmer.

Mr. Gibbons with Mr. Bush.

Mr. Blatnik with Mr. Pollock.

Mr. Rostenkowski with Mr. Hastings.

Mr. Cabell with Mr. Schwengel.

Mr. Fulton of Tennessee with Mr. Reifel.

Mr. Mollohan with Mr. Whalley.

Mr. Davis of Georgia with Mr. Betts.

Mr. Flood with Mr. Goodling.

Mr. Mills with Mr. Bow.
Mr. Gettys with Mr. Goldwater.
Mr. Griffin with Mr. Broyhill of North Carolina.
Mr. Kirwan with Mr. Esch.
Mr. Eilberg with Mr. Bell of California.
Mr. Giaimo with Mr. Weicker.
Mrs. Hansen of Washington with Mr. Teague of California.
Mr. Hanna with Mr. Utt.
Mr. Dent with Mr. Meskill.
Mr. Patman with Mr. Mathias.
Mr. Edwards of Louisiana with Mr. Price of Texas.
Mr. Roberts with Mr. Mizell.
Mr. Smith of Iowa with Mr. Long of Louisiana.
Mr. O'Neal of Georgia with Mr. Long of Maryland.
Mr. Jones of Tennessee with Mr. Abbitt.
Mr. Landrum with Mr. Pepper.
Mr. Preyer of North Carolina with Mr. Stephens.
Mr. Stuckey with Mr. Pryor of Arkansas.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. HAYS. 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 House Resolution 613.

The SPEAKER. The question is on the motion offered by the gentleman from Ohio.

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 House Resolution 613, with Mr. FLYNT in the chair.

The Clerk read the title of the resolution.

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

The CHAIRMAN. Under the rule, the gentleman from Ohio (Mr. HAYS) will be recognized for 2 hours and the gentleman from Indiana (Mr. ADAIR) will be recognized for 2 hours.

Mr. HAYS. Mr. Chairman, I yield 10 minutes to the gentleman from Texas (Mr. WRIGHT), one of the authors of the resolution.

Mr. WRIGHT. Mr. Chairman, when my father was in his twenties he went to France as a member of the American Expeditionary Force. Inspired by the magnificent idealism of Woodrow Wilson, my father felt that he was helping to make the world safe for democracy in what his generation grandly dreamed might be a war to end wars.

The war was won, but the peace was lost—largely through our precipitate haste to wash our hands of the whole sordid mess, to be done with the world and its mundane miseries. They called it isolationism. And, true to President Wilson's prophecy, war came again.

In my 20th year, I was awarded a commission in the Army Air Corps and flew missions against the Japanese in the Southwest Pacific. Hating war and its gory panoply—not hating the Japanese—I nonetheless knew that aggression must not be tolerated. I took comfort in Franklin Roosevelt's four freedoms and in the hope that their promise might be extended to all mankind.

My desire to come to Congress was born of a yearning to make some decent contribution to the arranging of a sane and orderly world in which men, coming to look upon one another as fallible brothers, might learn to compose their differences by the rule of reason, and from which the threatening damoclean sword of war which had hung so menacingly over two generations might be removed forever. And that was my dream.

Two weeks ago, my son returned from his second tour of duty in Vietnam.

This grim and haunting spectacle, intensely personal though it is, is mirrored in many thousands of families throughout this land. It brings us face to face with a deeply philosophical question:

Must each generation make this quest anew merely to find at the end of its rainbow neither golden peace nor holy grail, but only another pot of bitter disillusionment? Is the human race doomed to repeat Lady Macbeth's nightmare, ad infinitum, through tomorrow and tomorrow and tomorrow to no other end than dusty death?

Must we perforce abandon hope, and wash our hands and quit?

Or is there still in the mind and innate purpose of civilized man the hope to keep trying—to search until we find the way to settle our conflicts in peace? I am committed to the proposition that there still can be the hope and the faith to keep trying. I believe that President Nixon earnestly shares that hope and that commitment.

In Paris our negotiators seek—so far with little result—to find a basis on which the Vietnam war may be ended without deserting reason or doing violence to justice.

A careful reading of the transcripts of the Paris peace talks lifts one central fact into bold relief and indisputable clarity. U.S. negotiators have been consistently conciliatory, reasonably ameliatory, and responsibly flexible in their sincere search for avenues of possible agreement; the North Vietnamese and Vietcong representatives have been doggedly dogmatic and intractably unyielding in their intransigent insistence upon a wholly one-sided settlement embodying their rigid and unrealistic demands which include the immediate and total withdrawal of all U.S. military presence and the forced overthrow of the elected South Vietnamese Government prior even to the discussion of any other matters.

One cannot study this transcript with any objectivity and escape the conclusion that the adversary fully anticipates our total capitulation to its terms and bases this expectation upon the tragic misconception that the American public and the American Congress do not support the President in his efforts to achieve a just settlement and in fact oppose the basic principles upon which our negotiating posture has been based.

The North Vietnamese Government clearly expects that the people and the Congress in short time will insist upon our official abandonment of the principle of nonviolent local self-determination, through the electoral process and will acquiesce instead in supine submission to a forced imposition upon South Vietnam of an appointed coalition government in the nature of that which was forced upon China some 23 years ago and which quickly succumbed through internal intrigue to the monolithic government of Mao Tse-tung.

That is the inescapable conclusion one must draw from a study of the transcripts of the Paris peace talks.

Given this inflexible position of the adversary and the misconception of American opinion upon which it is based, what are our alternatives?

If we should forsake all hope for a negotiated end to the war, we would have two major basic choices:

We could sharply escalate our military response, bring to bear our most awesome weaponry in a total military commitment, reduce North Vietnam to a ruin of cinders and charred rubble—and in so doing risk the possibility of world war III.

Or we could submit to the terms demanded by Hanoi, abandon the people of South Vietnam to whatever fate may befall them, withdraw our forces and thus desert the basic principle for which we already have sacrificed so much.

Neither of the aforestated courses would be consonant with the American character or with our most profound historic convictions. Neither would leave us with a clear conscience.

The only real alternative is a just and fair negotiated peace.

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

Mr. WRIGHT. Yes. I am sorry I did not have an opportunity to answer the gentleman's question more fully in the debate on the rule.

Mr. FRASER. Mr. Chairman, the gentleman says there are only two alternatives.

Mr. WRIGHT. If the gentleman will yield, I said there are these two major alternatives if we simply abandon hope of a negotiated settlement. There may be others, and various shades and gradations of these two.

Mr. FRASER. The only reason I raise the question is because the principal alternative the President discusses is neither of those two. What he talks about is Vietnamization of the war, a concept which does not contemplate settlement or capitulation.

Mr. WRIGHT. Mr. Chairman, I would certainly take issue with the gentleman on his statement that the President does not anticipate a negotiated settlement. I think the President definitely does. He has said repeatedly that this is a quick way out of the war.

Mr. Chairman, I do want to answer a bit more fully the question raised by the gentleman earlier. I think it is a fair question, and it deserves a fair answer. The gentleman asked earlier, if I remember correctly, whether or not I interpreted the passage of this resolution to be an endorsement of everything that was said by the President in his November 3 speech.

Of course, the resolution was drafted prior to the November 3 speech. I do not suppose it should be taken so much as an endorsement of a speech as it is an endorsement of a policy, and I think the policy is extremely clear in the resolution itself.

In answer to those who ask what is its intent, the intent is clearly stated in the words of the resolution. There is no hidden meaning. It means exactly what it says. It affirms the efforts of our President in his search for a just peace and in his efforts to negotiate such a peace. I want to affirm that support. I believe most of the membership so desires.

Beyond this, the resolution calls attention to the numerous peaceful overtures that the United States has made in good faith toward the Government of North Vietnam. Those certainly include the reduction of forces initiated by President Nixon as well as the cessation of bombing ordered by President Johnson.

But principally it makes this great thrust, that the people of South Vietnam are entitled to choose their own Government by means of free elections. President Nixon has said that the one essential ingredient to a just peace is that the people of South Vietnam are entitled to choose their own future. I emphatically agree with that. The South Vietnamese Government itself, attacked and criticized as it has been by a few Members of the House and others, has publicly embraced the idea of free elections in which all the political parties and groups, including the Vietcong, which is now bearing arms against the Government, can freely participate.

I am quoting from the words of President Thieu:

> If they pledge themselves to accept the results of the elections, an electoral commission could be set up, in which all political parties and groups, including the NLF, now fighting against us, could be represented. The electoral commission will assure equal opportunities in the campaigning to all candidates.

It truly seems to me some of our people have been to great pains to find fault with the Saigon Government which, after all, is an elected government. Composed of mortal creatures, that government no doubt has faults. Perhaps it is not an immaculate paragon of virtue. I do not know how many governments in the world are. But it clearly does have one honest credential of having been chosen in an election. As for the Government in Hanoi, it was not elected by anybody.

We can stand all day and in good conscience on the principle of local nonviolent self-determination, first enunciated by Woodrow Wilson. I believe that is in historic harmony with every civilizing act of progress since the signing of the Magna Carta.

If we would negotiate a peace, there must be certain clear purposes upon which our negotiating posture is based. The President has declared that the one basic principle to which we commit ourselves is that the future of South Vietnam shall be determined by the people of South Vietnam—through elections open to all South Vietnamese, including the Vietcong, and supervised by an impartial international agency.

The President has affirmed our willingness to let the people speak and then to abide by their decision. Could there possibly be a fairer basis for settlement? Could we in good conscience settle for less? This resolution affirms that position.

Much has been said about the worldwide ferment of ideas and about the revolution of nationalistic aspirations among underdeveloped countries. Some see in this the hope of the future. Very well. But must the revolutions be bloody? Must they of necessity be determined by the clash of arms? Must the victory inevitably go to him who can raise the largest army or employ the most diabolical tactics of terror? Is not the only logical alternative to be found in establishing orderly processes for democratic change, in the peaceful electoral method of ascertaining and assuring the public will? Does not our hope—and that of mankind itself—lie in the substitution of ballots for bullets?

This is the heart of the matter. This is the thorn upon which the negotiations are stalled. The adversary thus far has scorned the possibiilty of elections. It holds out instead for a coalition government—appointed, not elected—imposed from the outside by the negotiators. And this is the direct antithesis of all in which we believe.

We have said that we are there not to impose upon the Vietnamese a government of our choice but to protect their right to a government of their choice. This is a sacred principle. This is the principle for which nearly 40,000 brave American men have died. This is the principle which this resolution affirms.

I do not see how we could settle for less than that.

It seems to me we are saying to Hanoi, to the Vietcong, "Yes, we want peace. Yes, we want a fair negotiated peace. Yes, we are willing to talk about any of those possibilities which might open up avenues of agreement. The only thing we would regard as a fundamental and indispensable foundation for that peace is that the people of South Vietnam themselves should have an opportunity to say what kind of a government and what kind of a future they will have."

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

Mr. WRIGHT. I yield to the gentleman from Minnesota.

Mr. FRASER. Just on the question of the meaning of the resolution, does the resolution, as the gentleman understands it, give approval to the policy of Vietnamization which the President enunciated on November 3?

Mr. WRIGHT. I certainly would think so, by inference at least, because I believe it may be a part of what we refer to when we say "peaceful overtures," those acts and overtures of good will. Certainly the resolution does not, by either word or inference, take issue against this initiative of President Nixon.

The Vietnamization of the war certainly I embrace. I believe the rate and speed of the Vietnamization of the war is a thing which the President must in his own good sense determine. As Commander in Chief, the President must make those decisions on the basis of current information available to him on a day-to-day basis. The House cannot presume foreknowledge of future military possibilities. The resolution does make approving reference to "numerous peaceful overtures which the United States has made in good faith." As I have said, these obviously include the cessation of bombing ordered by President Johnson and the systematic troop reductions initiated by President Nixon. The House is not attempting herein to advise the President on military matters. It is expressing support for his efforts to negotiate peace.

The CHAIRMAN. The gentleman from Texas has consumed 10 minutes.

Mr. ADAIR. Mr. Chairman, if the gentleman would like, I should be glad to yield 5 minutes to the gentleman.

Mr. WRIGHT. I would be very happy if the gentleman would.

The CHAIRMAN. The gentleman from Texas is recognized for an additional 5 minutes.

Mr. WRIGHT. Mr. Chairman, it seems to me there is in all this yet one other thing involved.

We have spoken of the international principle—whether or not we support the President in his call, his essential call, for a government determined by the people of South Vietnam. If we agree to that, I do not see how anybody could find anything in this resolution that would be distasteful to him.

Then it seems to me there is one other question, and a very proper question, involved, and that is not an international question so much as it is a domestic question.

More than a decade ago, Walter Lippmann posed the question in his book, "The Public Philosophy." We wondered aloud whether a nation such as ours, depending as it does upon public support for major international policies, could survive the stresses and strains of a world grown suddenly small and keenly demanding.

Is representative democracy still workable? We face what has been variously called a crisis of the institution and a crisis of confidence. Is policy capable of being made by the duly chosen representatives of the people, meeting in deliberative assembly? Is it to be determined by newscasters? Or is it to be set by him who can shout the loudest, or raise the largest crowd in the streets, or threaten the greatest disruption if his whim is not obeyed?

And this largely domestic question has a bearing on and must be seen as part and parcel of the broader international principle involved—whether all of our tomorrows must be stained as dark with blood as our yesterdays; or whether so sublime a sacrifice as has been made may help to usher in a new day in which reason may replace riot, negotiation may replace gunfire, and ballots may supplant bullets as instruments of self-determination.

Each of these questions is deeply involved in the resolution presently before you. For my part I have no doubt as to the outcome and no fear for the future. We—and the system we represent—shall prove equal to the challenge.

I do not believe that anything less than this minimum resolution could be em-

braced in good conscience by the Members of this House. It seems to me this is the least we could do. It is in the tradition of responsible foreign policy, and it seems to me it is our clear obligation as Members of the Congress of the United States to uphold a responsible, bipartisan foreign policy and to uphold the President, who, under our Constitution is the one person charged with the responsibility of executing international negotiations for the Nation.

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

Mr. WRIGHT. I yield to the gentleman from Washington.

Mr. ADAMS. One of the concerns we have is that the Secretary of State has not testified. The Secretary of Defense has not testified. None of the negotiators have testified. There is no record on which we can base the legislative action.

In the President's speech of November 3—and you indicated your support of the policy of Vietnamization, and that is all we have to go on—he says:

> If I conclude that increased enemy action jeopardizes our forces in South Vietnam, I would not hesitate to take strong, effective measures to deal with that situation.

What we want to know from the gentleman in the well is if in the spring or in the summer the South Vietnamese forces collapsed—as one Member of this House has said, you do not get victory by proxy—then does that mean we will go back in with additional troops and reescalate the war and go back to what it was 2 years ago? Maybe that is what we should do. I do not know.

Mr. WRIGHT. First let me comment on the gentleman's statement that there was no formal testimony on this resolution by people from the executive branch of Government. This resolution is not an expression of the executive branch. This is an expression of the House. There is no reason why we should seek advice or testimony from outside sources. Among the resolution's cosponsors are 25 members of the House Foreign Affairs Committee. After all the months of our concern with this issue and the literally millions of words that have been spoken on the floor of the House, surely every Member knows how he feels on a question so basic as this. If any Member of the House still has no opinion, it is doubtful that lengthy hearings would help him arrive at one.

And now with respect to the gentleman's hypothetical question. The gentleman from Washington wants me to tell him what I would do—or what the President would do—or what all of us should do—if unaccountably the South Vietnamese forces should suddenly collapse. How on earth could I be expected to answer such a question as that? Of course, the resolution does not anticipate any such contingency. It would be ridiculous and unreasonable in the extreme to expect it to do so. All the evidence points in the other direction. There is no indication whatever that the South Vietnamese forces are about to collapse.

Merely to raise such a question at this point, or to expect me to address myself to it with some all-wise finality, is surely unwise and wholly beside the point of this resolution. To anticipate such a contingency is to assume that our negotiating effort will fail, and that our military effort will fail, and that our Vietnamization effort also will fail. To make such an assumption quite obviously would be to do an injustice to our negotiators and to make their task still more difficult. It also would be an injustice to the brave American men and the dedicated South Vietnamese men engaged in our military effort, and for us to assume such an outcome would be to make their task more difficult. So of course I am not going to indulge any such presumption.

Mr. ADAMS. Will the gentleman yield?

Mr. WRIGHT. I do not yield further. I cannot yield further. I would like to answer the gentleman's questions if I can. I am not trying to be harsh. Please forgive me if I appear to be. The gentleman from Washington is my friend, and I respect him fully.

It simply seems to me that we would do a very great injustice to our men in the field if we were to make an assumption such as the one the gentleman desires for me to make—or if we in the House were to say by the action we take, as Senator GOODELL has suggested, that we demand all of our troops be withdrawn as of a certain date. To do so would be a grave injustice to the President. It would severely undermine our negotiators.

To do that would be to say very plainly to Hanoi and the Vietcong: "You don't need to make any concessions at all. You don't need to make any effort to come to terms with us. Just stay there and keep fighting us and keep your troops there on the ground as long as you can—because we promise you we will be out entirely as of a certain fixed date, and if you can just hold on until then you will arrive at your desired end without having even to discuss the situation with us."

So of course this resolution does not take off at any such tangent as that. I cannot imagine anyone desiring that it should unless he simply wanted to make things difficult for the President, or unless he were just intent on trying to embarrass the President, and I cannot understand how anyone would want to do that at this point.

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

Mr. WRIGHT. I yield to the gentleman.

Mr. HAYS. It seems to me that the resolution states two things very clearly. It states that we support the President in his search to negotiate a just peace and to see that there are free elections. If the contingency that the gentleman from Washington is talking about, that our troops will remain there next summer, should arise and if they are jeopardized, I do not see anything in this resolution which says the President will escalate the war.

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

Mr. HAYS. Mr. Chairman, I yield the gentleman 1 additional minute.

Nor is there anything in the resolution that says he should do anything about it. That is a problem that would have to be faced at the time. If those people who are vociferous now and want us to abandon our troops who are in Vietnam if they are placed in jeopardy and pull out and leave them to their fate, they can advocate that if they like. I am against that alternative.

This resolution is a resolution for peace. There are no contingencies about escalation. And there should not be.

Mr. WRIGHT. I quite fully agree with that.

Mr. ADAMS. Mr. Chairman, if the gentleman will yield, all we have is the fact that the President after the resolution was adopted came to the floor of the House, and I have read the paragraphs previously that adopted this. What some of us are saying is not that we do anything on this, but wait and let the President bring in his programs and then, as a deliberative body, decide pro or con and not rush forward into it.

Mr. WRIGHT. I would say to the gentleman that I believe the President already has done his best to state to the American people what his program is while still leaving himself the basic irreducible options which any President would have to have. I think we can do no less than to grant him this opportunity to carry forward his negotiating effort with the clear showing that the House overwhelmingly supports his undertaking to bring a just peace. Let us demonstrate by our action on this resolution that we still are in harmony with that basic principle enunciated by John F. Kennedy in October of 1962. President Kennedy said:

> Our goal is not the victory of might, but the vindication of right—not peace at the expense of freedom, but both peace and freedom, here in this hemisphere and—around the world. God willing, that goal will be achieved.

Mr. HAYS. I would like to recommend to the gentleman from Washington that he read a little history of the War Between the States. There is a biography of Thaddeus Stevens on this subject which is an illustration of what happened when the House of Representatives and the Senate tried to run that war, item by item and law by law from here. That war was right across the river. It took Mr. Lincoln about 2½ years to find out he had better be the Commander in Chief and leave the House of Representatives and the Senate out of it.

The President of the United States cannot bring his program up here item by item and time by time and say when he intends to bring home that division or this division.

We are saying we want peace, we want a just peace, nothing more and nothing less.

Mr. WRIGHT. I fully agree with the gentleman from Ohio.

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

Mr. HAYS. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. ADAMS. Mr. Chairman, will the gentleman yield further?

Mr. WRIGHT. Yes, I yield further to the gentleman from Washington.

Mr. ADAMS. I do not think any one of us is trying to establish certain programs. All I can say to the gentleman

from Ohio is that we are saying that the House of Representatives has gone through with a series of Presidents running the war, and the President will continue to do so. We are worried about resolutions like the Gulf of Tonkin resolution or the earlier ones giving authority beyond which we had no intention of going and we have to try to clarify this on the floor of the House because we have no other history behind us.

I certainly think this body is not running the war day by day and I do not think it has attempted to do so and I do not believe that the gentleman intended that it should.

Mr. WRIGHT. Concerning the gentleman's last stated apprehension, this resolution is clearly distinguishable from the Gulf of Tonkin resolution on at least three counts: First, its thrust is entirely toward peace, not war. The Tonkin resolution specifically refers to acts of military reprisal—"all necessary steps, including the use of armed force." The present resolution explicitly supports and encourages the President in his efforts to negotiate peace.

Second, the Tonkin resolution, by inference at least, seemed to broaden Presidential powers—"the United States is prepared, as the President determines, to take all necessary steps." Nothing in the present resolution could be in any way so construed.

Third, the Tonkin resolution implied approval for future acts by the Executive—"all necessary measures." This resolution, by contrast, explicitly refers to actions already taken and positions already expressed. It is not "open ended." It endorses positions the President already has taken.

Mr. HAYS. Mr. Chairman, I yield 5 minutes to the gentleman from California (Mr. TUNNEY).

Mr. TUNNEY. Mr. Chairman, I want one thing clearly understood. I support the President of the United States in his efforts to bring peace to Vietnam. I am completely convinced that the President wants an honorable peace. The statements that he made as a candidate, his major addresses of May 14, 1969, and November 3, 1969, and all reported pronouncements, public and private, suggest President Nixon is searching for a way to end this vicious and divisive conflict.

Why then am I going to vote against House Resolution 613 and other related resolutions? My reasons are:

First. In a totally unprecedented fashion the House Foreign Affairs Committee reported House Resolution 613 out of committee without so much as an hour of hearings and only 2 days after it had been introduced in the House. This is the first resolution on the war in Vietnam to be considered by the Foreign Affairs Commitee since the Gulf of Tonkin resolution. The Tonkin resolution was the congressional stamp of approval that the Johnson administration used to constitutionally justify the enlargement of our commitment to Vietnam from 23,000 "advisers" to almost 550,000 combatants. Few, if any, Congressmen voting for the Gulf of Tonkin resolution had any inkling that they were voting for such an extraordinary increase in American involvement in the war. House Resolution 613 offers the House a unique opportunity to review the history of our presence in Vietnam, to analyze our original objectives in light of present policies, to study the social, political, and economic impact of the war upon the United States, and to evaluate what alternatives are open to our Government to bring an end to the war.

The precipitous action which the House is about to take on House Resolution 613 serves only to emphasize the fact that this body is abdicating its constitutional responsibilities in reviewing the application of military-oriented foreign policy and will serve instead as a mere cheering section for the Chief Executive. Quick, reflexive response on one resolution dealing with the Vietnam war is enough. I, for one, do not want to be a glutton for punishment. The Congress has a second chance, let us use it.

Second. A second reason for voting against this resolution is that it appears before this House with a closed rule and no opportunity for amending it. If it is, as its sponsors suggest, an affirmation of congressional support for the President in his attempts to achieve peace, a much simpler format could have been devised. A resolution could have been drafted stating, "Be it resolved that the House of Representatives affirms its support of the President in his efforts to bring peace in Vietnam." Although any resolution on Vietnam which is offered to the House without hearings suffers from the intrinsic defect of congressional disinvolvement, a concise, lucid declaration of support is far superior to the ambiguous specifics contained in House Resolution 613.

Third. A major problem which is posed by a vote in favor of House Resolution 613 is that many people, including a substantial majority of the press and the President himself, assume that the resolution represents an endorsement of everything the President has done to date in managing the war and most particularly represents support of the positions he enunciated in his November 3, 1969, speech to the Nation.

As I have stated, I am convinced that the President is sincere in his quest for peace, but that does not mean that I believe that every action he has taken to date has been the most effective possible action.

To give a proper perspective to my viewpoint, I want to publicly commend the President for his troop reductions, for his proposal of free elections organized by joint commissions under our international supervisory body, acceptable to both sides, and for his attempts to work out arrangements for the release of prisoners of war on both sides at the earliest possible time.

I think, however, that there have been missed opportunities. The administration has not placed enough pressure on the Thieu-Ky government to make them broaden their regime to include political figures who are not necessarily in league with the Saigon generals. This would include Buddhist, Catholic, Cao Dai, Hoa Hoa, and labor representatives. Recently with the removal of Tran Van Huong and his replacement by Gen. Tran Thien Khiem the government actually contracted its power base. The administration apparently accepted this as part and parcel of the Byzantine nature of Saigon politics.

There is reflected in President Nixon's November 3 speech a fundamental misunderstanding of the nature of the war and what it is going to take to extricate the United States. The President said that "Regardless of what happens on the negotiating front" he plans to put into effect another plan which will end the war. He calls it the "Vietnamization plan" whereby the United States trains South Vietnamese troops and American troops are withdrawn as the South Vietnamese are able to take over the fighting. If the enemy steps up the fighting the President warns of "strong and effective measures to deal with the situation. One must assume that the President means we will escalate the fighting on our side.

This is not a prescription for peace but a plan for prolongation of the war. It assumes that the South Vietnamese alone can do that which the United States, with 550,000 superbly trained soldiers, and Saigon together have been unable to do for the past 5 years—that is, win a military victory. There is actually a disincentive on the part of the Saigon generals to take over all the fighting because they know that when they do, we will leave and they will be exposed to their own people. They are rewarded for failure—if they fail we stay.

I cannot accept such a stratagem. The time has come to stop allowing either the Communist Vietnamese or the Saigon generals to call the shots for the United States. In the words of former Secretary of Defense, Clark Clifford, it is necessary that we set a chronological limit on our Vietnamese involvement. We must make it clear that we are withdrawing our ground forces within 12 to 18 months in such a way that at any point in time those troops remaining receive the ultimate in protection from the enemy. We could continue to supply arms, ammunition, and other war material to Saigon after we have withdrawn.

The advantage of a chronological withdrawal is that it would force the Saigon generals to make accommodations with the diverse social groupings in their own country in order to achieve the sense of national purpose necessary to insure survival. No longer would they be able to contemplate with satisfaction their guaranteed security behind a phalanx of dedicated young Americans.

Fourth. A further reason why I cannot vote for House Resolution 613 is that its wording is in one respect so specific and in another so vague as to constitute a blank check to the President to negotiate the peace. It is an open-ended endorsement of anything the President may do over any period of time to achieve a "just peace" and to provide "free elections open to all South Vietnamese and supervised by an impartial international body."

There is an implication by way of specific reference that the United States ought to stay in Vietnam until there are

"free elections." What if Saigon will not allow free elections to be effectuated. What if the South Vietnamese Army is incapable of taking over the fighting? Does this mean the House of Representatives is endorsing a permanent commitment of troops to Vietnam. One should remember that on April 7, 1968, President Johnson said:

The only path . . . is the path of peaceful settlement.

By the end of 1968 we had 549,000 troops in Vietnam.

The search for a "just peace" could take 5, 10, 15 years or more. I cannot support any policy which assumes the possibility of an indefinite commitment to further fighting. We must remember that our original goals in Vietnam were limited. They were to prevent the imminent subjugation of the South Vietnamese Government by Hanoi and to give to the people of South Vietnam an opportunity to choose their own form of government.

Five years have elapsed since we prevented a Communist takeover. During that period of time the Vietnamese Army has been in control of the government. The generals have made only perfunctory attempts to bring into positions of power representatives of other nationalistic groups in the country. To hold now that America's commitment to Vietnam is to perpetuate forever the power of the Saigon generals is clearly a tragic-comic distortion of our original goals.

We must set an end point to American combat involvement. Unfortunately H.R. 613 makes no attempt to do so.

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

Mr. TUNNEY. Yes, I yield to the gentleman from Ohio.

Mr. HAYS. There is a difference between this resolution and others. I think this point has not yet been made. The other resolutions came up here from downtown. This is a House-drafted resolution. We did not need the Secretary of State or the Secretary of Defense to tell us what to put in the resolution, because they did not draw it. We did. We will tell you what we think it means and, in my opinion, this forum, which is public, is the proper place to do it. However, I do not believe and I would say to the gentleman that closed hearings in the House Foreign Affairs Committee where we talk to each other would not really have done as much good. That is why we asked for 4 hours of general debate and that is why we are debating it today and will continue the debate tomorrow.

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

Mr. HAYS. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. TUNNEY. I thank the gentleman very much. I appreciate the gentleman's kindness.

I understand the reason for the resolution, and I am very sympathetic in many ways to it.

But if it is the purpose of the House to go on record affirming its support of the President in his efforts to make peace, I do not know why we did not come up with a much simpler resolution, one that stated simply:

Be it resolved that the House of Representatives affirms its support for the President in his efforts to bring peace in Vietnam.

What I consider to be the difficulty in this particular resolution is that it goes into certain specifics which are also ambiguous. It talks about a just peace, and in addition it talks about free elections.

Does this mean that we are going to be affirming our support for the President to keep troops indefinitely in Vietnam until we have free elections, or until we have a "just peace?"

Mr. McCORMACK. Mr. Chairman, would the gentleman yield?

Mr. TUNNEY. I yield to our Speaker.

Mr. McCORMACK. Would the gentleman mean by peace an imposed coalition government upon the people of South Vietnam?

Mr. TUNNEY. I would say to our Speaker that my plan for Vietnam would be on a calendar basis, to remove all our troops from within 12 to 18 months, to put an end to our effort, because I do not think that the Saigon generals are going to make any effort whatsoever to make accommodations with their own people until such time as we make it very clear to them that we are not there indefinitely to protect them from their own people.

Mr. McCORMACK. My question was a simple one: Does the gentleman believe in an imposed Communist coalition government?

Mr. TUNNEY. We are talking about semantics, I would say to our Speaker. I would assume that there is a possibility for a coalition government, definitely.

Mr. McCORMACK. I understand there are two types of coalition governments. I want my friend, the gentleman from California, to realize what is in my mind, and that is that there could be a coalition of non-Communists, made up of non-Communist elements. I am talking about an imposed coalition of a Communist coalition government.

Mr. TUNNEY. Is our Speaker assuming that the United States would impose it on the South Vietnamese?

Mr. McCORMACK. Correct.

Mr. TUNNEY. I am saying that the South Vietnamese ought to have the opportunity to decide for themselves what they want, and that is the reason that I am saying we should have a withdrawal on a calendar basis, so that they can decide that matter for themselves.

Mr. McCORMACK. I find myself in agreement with the gentleman from California that that is a matter for the people of South Vietnam. In other words, my friend, the gentleman from California, as I take it, would look with disfavor upon an imposed Communist coalition government upon the people of South Vietnam.

Mr. TUNNEY. That the United States directed?

Mr. McCORMACK. By the United States.

Mr. TUNNEY. Yes.

Mr. McCORMACK. I thank the gentleman.

Mr. TUNNEY. But, Mr. Chairman, I think that we ought to withdraw on a calender basis so that the South Vietnamese can decide that matter for themselves. I am convinced that they are not going to decide it for themselves. And that is one of the reasons I cannot give an openhanded endorsement to what the President has done, in that in his speech of November 3 the President assumes in the Vietnamization of the war that the Vietnamese are going to be able to do what the United States in Vietnam has not been able to do for the last 5 years, which is simply just to win a military victory.

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

(Mr. CHARLES H. WILSON (at the request of Mr. HAYS) was granted permission to extend his remarks at this point in the RECORD.)

Mr. CHARLES H. WILSON. Mr. Chairman, as a sponsor of House Resolution 613, I am quite disturbed by the attempts being made by the administration to turn an originally bipartisan resolution expressing America's hopes for peace in Vietnam into a political device to be utilized by the President to allow him to continue without dissent, his secret plans and strategies concerning the war. While I personally feel that Mr. Nixon is moving too slowly in withdrawing U.S. troops from the area and while I also feel that he has not taken advantage of several opportunities to help bring an end to the war, I do not doubt that Mr. Nixon would like to see the conflict halted.

However, my cosponsoring of this resolution does not and should not be taken to indicate my support for the President's November 3 speech. My cosponsorship also does not indicate my willingness to sit back and allow the President to pursue whatever course he chooses in handling negotiations and other related peace activities. It does, however, express my support for our country's continuing efforts to negotiate a just settlement in Vietnam. It enunciates the principle that the people of South Vietnam are entitled to choose their own form of government through internationally supervised free elections and that the United States will abide by the results. Furthermore, it calls upon the Government of North Vietnam to announce its willingness to honor such elections and abide by them.

These principles cannot be challenged by either hawks or doves and consequently the resolution received a tremendous amount of support from both sides of the aisle. However, the administration has sought to identify this resolution with its own policy, a policy which, as I indicated, is based on secret plans, unannounced principles and questionable rationales. Often it is not what you say but what people think you say that will have impact. Consequently, the American people may be misled to believe that the President's war policy has greater support in Congress than in reality exists. The people of this country want peace. I, too, want peace. As a result of this desire on my part and on the part of my constituents, I will support all measures that bring us closer to accomplishing our goal. I cannot, however, allow a misinterpretation to exist concerning the reasoning behind my support of House Resolution 613. This resolution does not give carte blanche ap-

proval to the President's future decisions on Vietnam and should not be allowed to do so. This resolution does not endorse everything said by the President in his November 3 statement and should not be so publicized.

I personally urge Mr. Nixon to pursue efforts to reduce the level of violence in Vietnam, to seek a broadening of the political base of the Saigon government and to designate immediately a high-level replacement for retiring delegate Henry Cabot Lodge. While I cast my vote in favor of House Resolution 613 because the principles contained in it are worthwhile, I cast my lot with my colleagues who feel as I do, that an end to the killing as quickly as possible should be the President's primary motivation for his Vietnam actions.

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

Mr. Chairman, I ask unanimous consent that the gentleman from North Carolina (Mr. MIZELL) and the gentleman from Illinois (Mr. MICHEL) may extend their remarks at this point in the RECORD.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. MIZELL. Mr. Chairman, I rise to support the House Resolution 613 and to give my full endorsement of the President's efforts to bring an honorable end to the Vietnam war.

As we express our opinions here in Washington, there are hundreds of thousands of American patriots who have more of a right to have their feelings expressed than we do. These patriots are our servicemen who are risking their lives as they fight to preserve the free world.

There has been much comment in recent weeks as to the attitudes of the American servicemen who are fighting in Vietnam. We hear the unpatriotic opinions of a select few veterans who in no way express the feelings of the majority of our fighting men, and the wrong impression is sometimes given. As the minorities take to the streets of America in protest, the patriots don the uniforms in defense of our Nation. While the demands of the minority make the headlines, the feelings of these patriots are sometimes disregarded. Many of these brave young men desire very much to have their feelings expressed. I would like to share with my colleagues two letters written to the editor of a newspaper in my district. Both give the serviceman's view of the President's Vietnam policy. They were published in the Mount Airy Times in Mount Airy, N.C. One was written by a Vietnam veteran; the other by a young marine on his way to the war zone for the first time.

I ask you to take the time to read what my heroes have to say about the President's policy in Vietnam:

MARINE GIVES HIS REACTION TO VIETNAM SPEECH

A young 18-year-old Marine, who has received orders to go to Vietnam, has written his family his reaction to the recent speech by President Nixon on the U.S. commitment to the struggle in Vietnam. Following is the letter of Beau Bowman, son of Mr. and Mrs. Jake Bowman of Greenville, S.C., and formerly of Mount Airy. The letter reads: Dear Family:

I've just heard President Nixon's speech. I'm afraid that it's not exactly what you were hoping for, but I believe that he has made the right decision. We can't let all of the past fighting Americans and their families feel as though they have been through so much hell for nothing.

If I were to die in Vietnam I wouldn't want any of you to feel that it was in vain. And I don't think that it would be. I don't think that the President of the United States or the majority of the American people would let our deaths be for nothing. I think that they will see this thing to the end, so that America can keep its great pride which all of the Americans before us have earned.

I realize that my generation is different from any others, and that a small minority has chosen to be different and rebel against society. That is what it is, a small minority. Because I have belief that Americans are as patriotic as their ancestors before them, they will do their best to see this war end, and in a way that America can keep its pride, and in a way which will also leave the people in South Vietnam hope and assurance that they can live in a democratic society such as we live in.

Everyone wants us out of Vietnam and I am one of them, but I don't want us to leave as defeated people who just said to hell with the South Vietnamese feelings and hopes.

Because it wasn't too very long ago that we were fighting for our freedom from England. And if we had listened to the small minority that thought it was useless then, we wouldn't have the greatest country in the world as we do now.

I think that it is wonderful that South Vietnam and other small countries in the world want to be free and be as much like America as possible. And the good thing about it is, we don't force it on them like other countries are trying to throw communism on them. They are begging us for our help to achieve world freedom. I think that our fighting is well worth it, if it achieves it.

I realize that in a few days I will be leaving for a strange country maybe never to return, but for the first time in my life I feel a pride that I never felt before. And I want you all to share in my pride with me.

Signed: Beau.

MARINE GIVES HIS REACTION TO NIXON TALK

The "flower children" in the news in the United States have failed to register approval with at least some of the servicemen who are currently in South Vietnam.

Sergeant Larry Britt Scott, 22, Air Force serviceman currently stationed at Bien Hoa Air Base in South Vietnam, wrote his parents about the reaction of himself and the men of Barracks 2954 at the air base. The reactions of the airmen was expressed in a poem, which reads:

Now that death is constantly near,
'Tis being dead that I no longer fear,
Nor am I worried of failure or scorn,
But what kind of men this war has borne,
What of the men with hair so long,
Who burn their cards and chant their songs,
Who abuse the flag we hold so dear.
Can it be death that these men fear?
What of the men with spines so weak
Who haven't been there but choose to speak?
I know, I've been there, so I can say,
You're a sad excuse for a man of today!

Sgt. Scott is the son of Mr. and Mrs. E. D. Scott of 1312 Park Drive, Mount Airy. He has been in the Air Force for three years, the past three months of which have been in Vietnam.

Mr. MICHEL. Mr. Chairman, I am firmly convinced that the war in Vietnam would have ended a long time ago if it had not been unduly prolonged by the fifth column here on the home front. The seditious, treasonable, and anarchistic conduct of a small minority has, by encouraging our enemies, enabled them to continue the struggle for many months, if not for several years. The so-called moratorium will undoubtedly delay the day when the last American fighting man will return to his homeland and his loved ones.

Regardless of whether the war was declared or undeclared, we are in it and several hundred thousand of our finest young men have gone to Vietnam. Tens of thousands of them have made the supreme sacrifice. Those here at home who march and demonstrate and obstruct the war effort give renewed hope to the Vietcong, put the end of the war further into the future, and make the casualty lists longer and longer.

Over half of the Members of this body have served their country on foreign soil, during the two World Wars and the Korean war. It was but a few months ago that the last veteran of the Spanish-American War to serve in Congress departed from this Chamber. It is true that there was opposition to our entry into those conflicts, but it was, for the most part, expressed before we went to war. Once the decision was made to fight, the American people closed ranks and everyone did his or her bit.

Although World War II created deep divisions between interventionists and noninterventionists, the Japanese attack on Pearl Harbor unified the Nation and the challenge from the National Socialists of Germany and the Fascists of Italy was accepted. Millions, including many of those who had bitterly opposed our involvement in the affairs of the Old World, donned uniforms, while others accepted food rationing, travel restrictions, and other curtailments of their normal routines, most of which were slight inconveniences compared to the sacrifices made by those who fought on fronts all over the globe. Even those who refused to salute the flag took jobs in the war plants and the accompanying time-and-a-half for overtime.

During World War II, the American people had no patience with demonstrators, draft obstructors, purveyors of enemy lies, and flag-burners. No correspondents of metropolitan newspapers journeyed to Berlin to interview Adolf Hitler.

Much has been made of the fact that the war in Vietnam is an undeclared one. The same was true of the war in Korea, but once the people of the United States accepted the fact that we were engaged in hostilities, they looked forward to victory over our enemies. Congress backed the President by providing the men, the materials, and the money.

While Congress did not declare war against North Vietnam, it did, on August 7, 1964, overwhelmingly approve the Gulf of Tonkin resolution, which gave the President power to "take all necessary measures to repel any armed attack against the forces of the United States

and to prevent further aggression." The vote in this body was unanimous, 416 to 0. In the other body the vote was 88 to 2.

Since then, the body representing the people and the body representing the States have both voted for whatever authorizations and appropriations have been deemed necessary for the proper support of our fighting men. These sums have been huge, Mr. Chairman, and the advocates of more and greater spending are licking their chops in anticipation of the day when these billions will become available for their pet programs.

Mr. Chairman, I too, am looking forward to the day when the money of our taxpayers can be spent on domestic programs or, better yet, left in the States and cities so that the local governments can solve their own problems with their own money, or, even better yet, left in the hands of the taxpayers who are, after all, more capable of spending their own money than the bureaucracy in faraway Washington. That is one of the reasons I sponsored the resolution we are now considering. The main reason I sponsored it, however, is that I want to strengthen the hands of the President as he endeavors to bring about a just peace in Vietnam so that our young men can return home.

We can best bring about an honorable peace, not through marches on the Nation's Capital, not through demonstrations against lawfully constituted authority, and not through obstruction of the war effort, but through the use of the proper political and diplomatic agencies. Let us listen, for a change, to the voice of the majority, the overwhelming majority which would like to exercise its right of assent. I believe it is for this overwhelming majority that the President spoke on November 3.

There is room in our country for honest dissent, but there is no room in America for sedition, treason, and anarchy. There is no room in America for the overeducated fool in the classroom who would welcome a victory by our enemies. There is no room in America for the wolf in sheep's clothing who dishonors the pulpit by slandering our fighting men. There is no room in America for the politician who weeps bitter tears for those who would destroy us.

"Who lets his country die lets all things die, and all things dying curse him.

"Who lets his country live lets all things live, and all things living bless him."

Mr. Chairman, let us adopt the resolution before us, unanimously if we can, but, if we cannot adopt it unanimously, let us at least stand up and be counted!

Mr. ADAIR. Mr. Chairman, I rise today in strong support of the House resolution supporting the President's valiant efforts to achieve a just peace in Vietnam.

As members of the committee know, I was one of the original sponsors of this resolution—a bipartisan resolution that in my strong opinion represents the views of the great majority of the American public. This resolution was developed by a bipartisan group of concerned Americans in the House. Contrary to certain allegations, it was not developed as a result of White House participation or pressure.

I am proud that over 300 Members of the House have joined in sponsoring this resolution, the language of which should appeal to all who want peace with justice in Vietnam. This resolution calls for a peace that will enable the people of South Vietnam to choose their own Government by means of free elections open to all South Vietnamese and supervised by an impartial international body, a peace that will discourage so-called wars of liberation by the Communists so that the sons and younger brothers of those fighting in Vietnam will not 2, 3, or 4 years from now be called upon to fight against aggression in another "Vietnam" closer to home.

War is hell, as those of us know who have served in the Armed Forces during a time of armed conflict. It brings devastation to the cities and the countryside, civilians suffer and are victims of the tragedies of war, as has happened in all wars—World War I, World War II, and Korea. So, like other Members of the House, I hate war and I long for peace—a real peace. Let us not forget that there can be a real peace in Vietnam the minute the Communists decide to stop their aggression against the people of South Vietnam. There can be a real peace when the Soviet Union and Communist China decide to stop supplying arms and supplies to North Vietnam.

Yet, despite President Nixon's many concessions and his efforts to negotiate a just peace, we have had no meaningful response from Hanoi. Instead, from all too many sources here in our own country, we have had a call for more initiatives by the President—meaning more concessions to the Communists. Why should Hanoi negotiate if prominent people in our own country say we should make all the concessions? Why should Moscow put pressure on Hanoi to negotiate if they are told by a militant minority that if they just wait a little longer the American people will undercut their own President's efforts for peace?

This resolution, sponsored by an overwhelming majority of the House, makes clear to all the world that our great Nation does in fact support the President's efforts to obtain a just peace in Vietnam. The House, through its action today, should send the message loud and clear to Hanoi and Moscow that the time has come for a positive response to the President's efforts to negotiate a just peace—that the time has come for an end to Communist aggression and killing in Vietnam—that the time has come for a just peace. So that this message may go forth, I urge my colleagues to support the resolution when it comes to a vote.

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

Mr. ADAIR. I yield to the gentleman from Indiana.

Mr. JACOBS. Mr. Chairman, I commend the gentleman for his work and for the contribution he has made toward an understanding by the Congress and the White House in this matter.

I would like to read three sentences to the gentleman from the debate on the Gulf of Tonkin resolution.

Those three sentences are simply this:

> Mr. Speaker, this resolution neither gives nor takes from the President any authority already delegated to him to act in an emergency or crisis.
>
> Neither is it to declare war and it is in the nature of an after-the-fact sense resolution endorsing an action already taken by the President.

That statement was made by the gentleman from Iowa (Mr. GROSS) during the Gulf of Tonkin debate.

I know what the words of this resolution are saying with the exception of one ambiguous phrase, "just peace." I would like to ask the gentleman in the well to make a specific definition of the term just peace, and further to assure the House that the words of the resolution mean no more than what they say, and that we will not have to look back 5 or 4 years from now, or less, and find out that a statement that this resolution does not authorize the escalation of the war proved not to be true; or that sometime this President or some other President in the future might use it as authority to escalate the war.

Mr. ADAIR. With respect to the gentleman's question as to what just peace might mean, of course, one cannot deal in specifics because one does not know what the circumstances will be at the time peace is reached. But certainly the term "just peace" and that also is very difficult to define in specific terms, gives us a clue that it must be a peace which is equitable to all of the parties involved. That must be a matter of judgment by the President and those negotiating the peace at that time.

With reference to the other question that the gentleman raised, the debate that took place at the time of the so-called Gulf of Tonkin resolution—in reviewing that recently, I find that there was at that time some concern expressed as to the exact meaning of that resolution. But it seems to me we are moving really, or attempting to move, at least in the case of this resolution, in diametrically opposite directions.

In that case we were saying, rather bluntly, that we were supporting the President in the efforts that he took to protect our naval vessels in the Gulf of Tonkin.

In this case we are saying in my opinion, that we are giving support to the President in his efforts to secure peace.

So to my mind, I would say to my friend, the gentleman from Indiana, that these resolutions move in opposite directions.

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

Mr. ADAIR. I yield to the gentleman.

Mr. JACOBS. Is it the gentleman's opinion that this resolution does not even deal with the question, let alone authorize the stationing of U.S. Armed Forces in South Vietnam until one of two events should occur?

First. The ability of the South Vietnamese regime, militarily, to be victorious in the South; or

Second. The implementation of internationally supervised free elections for all parties in South Vietnam to participate in?

Does the resolution authorize the sta-

tioning of U.S. Armed Forces in Vietnam until one of those two events occurs?

Mr. ADAIR. The resolution does not deal with that subject at all. The matter of stationing Armed Forces, as has been pointed out by previous speakers, the whole idea of many of the cosponsors, possibly all of them, is that we can continue to reduce the number of American troops there. But the resolution is silent upon that point.

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

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

Mr. WAGGONNER. The gentleman from Indiana (Mr. JACOBS) has asked for someone to tell him what a just peace is, or what sort of peace we envision to be just as we consider this resolution. I think we can take the President's own words and answer the question in a very satisfactory way. Certainly it satisfies me. On November 3, when the President addressed the Nation, he said:

> A nation cannot remain great if it betrays its Allies and lets down its friends. Our defeat and humiliation in South Vietnam without question would promote recklessness in the councils of those great powers who have not yet abandoned their goals of world conquest. It would not bring peace. It would bring more war.

I want, and I believe the President was saying that he wants a peace in which the United States will not betray our allies or let down our friends. I think the President was saying that a just peace could not come if we, the United States, were defeated and humiliated in South Vietnam. I think the President was saying a just peace was one which would not promote recklessness in the councils of those great powers that still look for conquest and have their goal of world conquest ever before them. And I think the President was saying a just peace was one which would truly bring peace and not more war.

To me that is a satisfactory explanation by the President himself of a just peace, and to me it is a sensible way out.

Mr. ADAIR. I thank the gentleman for his contribution.

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

Mr. ADAIR. I yield now to the chairman of the committee.

Mr. MORGAN. I hope we do not forget that this is only a House resolution. It does not, and it cannot, give the President any power or authority, nor does it make any commitments. It does not have the force of law, as would a joint resolution. It requires neither the approval of the Senate nor the signature of the President. This, however, does not detract from its timely nature and major importance, because here, in 170 words, in one sentence, it affirms the support of the House of Representatives at a most critical period in the President's efforts to negotiate a just peace in South Vietnam.

Mr. ADAIR. The chairman of the committee certainly states the issue accurately.

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

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

Mr. WOLFF. I thank the gentleman for yielding.

After listening to the definition of a just peace stated by the gentleman from Louisiana (Mr. WAGGONNER), I am still somewhat confused. I wonder if the gentleman from Louisiana would say, after spending 40,000 lives and $100 billion, a just peace would be the result if the elections that are called for here brought about a takeover by the Communists in South Vietnam.

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

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

Mr. WAGGONNER. Is the gentleman asking me that if the Communists took over South Vietnam that there would be a just peace?

Mr. WOLFF. Yes; that is, if the people held a free election and the Communists were victorious and took over South Vietnam, would we then have what we have been fighting for?

Mr. WAGGONNER. It seems to me the gentleman is asking a question about something that might happen after we get a just peace.

Mr. WOLFF. In the resolution we call for free elections and say that we will abide by the results of the elections. The resolution specifically states that the United States is willing to abide by the results of such elections.

Mr. WAGGONNER. Would you have us do otherwise?

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

Mr. ADAIR. I yield to the gentleman from Ohio.

Mr. HAYS. That is what the resolution says. If free elections indicated that the majority of the people of South Vietnam wanted a Communist government, we would abide by the decision, according to the terms of the resolution. I do not think that would be the outcome. One of the opponents of this resolution in a private conversation said he would not be for free elections because the Vietcong could not win them. Now, if you want us to stand up here and say we are going to rig an election so the Communists win, not at all.

The resolution is not ambiguous. It is as clear as a bell. We want free, supervised elections, not supervised by them, not supervised by us, and we will abide by the results. How much clearer could I make it?

Mr. WOLFF. We have been fighting there to prevent the intrusion of communism into the South.

I am just wondering whether or not we would, as the resolution says, consider that this is the just peace that we have been fighting for.

Mr. HAYS. If the people vote for that, we would; but don't worry, that would be like the Austrians, with about 5 percent voting for the Communists and the other 95 percent voting against them.

Mr. ADAIR. Mr. Chairman, I yield now to the gentleman from California (Mr. WALDIE).

Mr. WALDIE. Mr. Chairman, I thank the gentleman for yielding. I was going to ask the same question that was just answered by the gentleman from Ohio, and I presume the gentleman from Indiana would give the same answer, as an author of the resolution.

Mr. ADAIR. I do subscribe to that.

Mr. WALDIE. That if the Communist government is elected, this House will go on record as supporting that?

Mr. ADAIR. I want to make it clear that I do not think for an instant there is a probability of that, but if the people vote for that, we have said we would acquiesce.

Mr. WALDIE. But regardless of the unlikelihood of that occurrence, if that does occur, it is the sentiment of this House with the passage of this resolution that it is an acceptable resolution of the problem in South Vietnam.

Mr. ADAIR. We have said we would abide by the result of an election.

Mr. WALDIE. May I ask the gentleman a further question?

Just last week the South Vietnamese Government imprisoned a number of South Vietnamese because they have been collaborating with the Communists. Do I gather that those people who have been imprisoned by the present Government of South Vietnam for collaborating with the Communists will be permitted to vote in the elections that are proposed by this resolution?

Mr. ADAIR. That is a matter on which I would not want to comment. The qualifications of voters of any country ought to be determined by that country; we ought not to impose our determination of voter qualifications on others.

Mr. WALDIE. That is the core of this resolution. If I understand the wording of the resolution, and the discussion by a previous speaker who was quoting President Thieu, the NLF would be permitted to participate in those elections.

Those are people who are fighting for the Communists, with guns, shooting American men, and they would be permitted to vote in the elections under this resolution. Surely if they are permitted to vote in the elections called for in this resolution, that would mean that dedicated Communists shooting at American men—but not those who are in prison for collaborating with the Communists—would be permitted to participate.

Mr. ADAIR. We may assume that they are imprisoned for sufficient reasons, but in my opinion we cannot, at this distance, be sure about the validity of those reasons. I would be reluctant to impose my judgment upon the Government there.

Mr. WALDIE. May I address this question then to whomever will answer it?

Will the present NLF, who are at present Communists shooting at American men, be permitted to vote in the elections called for in this resolution?

Mr. HAYS. Mr. Chairman, If the gentleman will yield, it would be my assumption that if the ground rules were set up by an impartial neutral group, they would make this decision, and any citizen of South Vietnam who was not in jail would be allowed to vote regardless of whom he shot at or did not shoot at. But I do not want to split hairs about a half dozen people who are in jail, because nobody in the penitentiaries in this country gets to vote in elections in this country.

Mr. WALDIE. But the NLF are Communists shooting at American soldiers, and they will be permitted to vote in the election to determine who will run the country.

Mr. HAYS. Any citizen of South Viet-

nam, as I read the resolution, under the rules laid down by a neutral would be permitted to vote. We let Communists vote in this country, God only knows, and I do not know why we should not let them vote over there.

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

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

Mr. WRIGHT. Mr. Chairman, I think it may have been largely missed by some of those who read the news, that President Thieu himself has declared a willingness to permit any of those members of the NLF, including those who have made war against the government of Saigon, to vote so long as those people agree to abide by the results of the elections in a peaceful way and renounce terror.

It seems to me any government would make that demand.

I am not in a position nor am I sure is the gentleman from Ohio or the gentleman from Indiana, both sponsors of the resolution, to dictate all the precise terms. I think we have said in the resolution what we believe in the House. I do not think any purpose is to be served by our anticipating all sorts of minutiae. However, I do believe that the principle involved of amnesty and of permission to all citizens of South Vietnam—and that by definition includes the Communists who may be citizens—to participate in free elections supervised by an impartial international agency is adequate.

I believe that is sufficient. I believe that is clear. I believe that is fair. I do not see how the gentleman could find fault with it.

Mr. WALDIE. Mr. Chairman, will the gentleman yield further?

Mr. ADAIR. I am sorry, but I have consumed a considerable amount of time and I must conclude.

The House through its action on this resolution should send the message loud and clear to Hanoi and to Moscow that the time has come for a positive response to the President's efforts to negotiate a just peace, that the time has come for an end to Communist aggression and killing in Vietnam. So that this message may go forth, I urge my colleagues to support the resolution when it comes to a vote.

Mr. HAYS. Mr. Chairman, I yield 5 minutes to the gentleman from New York (Mr. ROSENTHAL).

Mr. ROSENTHAL. Mr. Chairman, this is not a stellar day in the history of the House of Representatives.

The distinguished gentleman from Indiana (Mr. ADAIR) said just moments ago that there should be a loud and clear signal from the House of Representatives to peoples around the world that we are united in our support of the President. At this very moment there are about 15 Members of his President's party on the floor listening to this exciting, scintillating debate. There are about 20 or 25 Members of my party on the floor. About 10 percent of the membership of the House of Representatives is listening to and participating in this debate at this moment. This debate will, I expect, culminate in the passage of a resolution, of which no one knows the meaning, and which shall become some kind of a distorted signal around the world that some 350 Members have varying views on a resolution but were perfectly willing to pass it.

During the debate on the rule the minority leader and others suggested that we passed other kinds of resolutions; unilaterally, unknowingly, with no hearings, no debate, by unanimous consent, or by any other kinds of quick action.

This will become known, I suspect, in history as the quick passage resolution. It has 4 hours of debate under a closed rule. And its consideration follows a period of careful preparation by the administration which I must cite.

The CHAIRMAN. For what purpose does the gentleman from Iowa rise?

Mr. GROSS. Mr. Chairman, the gentleman from New York makes a good suggestion. I make the point of order that a quorum is not present.

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

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

[Roll No. 296]

Abbitt	Evins, Tenn.	Mollohan
Anderson, Tenn.	Fallon	Morton
Arends	Fascell	Moss
Ashley	Flood	O'Neal, Ga.
Ayres	Ford, Gerald R.	Patman
Baring	Ford, William D.	Pepper
Barrett	Fulton, Tenn.	Perkins
Bell, Calif.	Gallagher	Podell
Betts	Gettys	Poff
Blackburn	Gibbons	Pollock
Boland	Goldwater	Powell
Bolling	Griffin	Preyer, N.C.
Bow	Hammer-schmidt	Price, Tex.
Brasco	Hanna	Pryor, Ark.
Brooks	Hansen, Wash.	Purcell
Broomfield	Hébert	Quie
Brown, Calif.	Heckler, Mass.	Railsback
Broyhill, N.C.	Horton	Reifel
Button	Hosmer	Rivers
Byrne, Pa.	Jacobs	Roberts
Cabell	Jarman	Rostenkowski
Cahill	Johnson, Pa.	St Germain
Carey	Jones, Ala.	Sandman
Celler	Jones, Tenn.	Saylor
Chisholm	King	Schwengel
Clark	Kirwan	Shipley
Clay	Kuykendall	Sisk
Corbett	Landrum	Smith, Calif.
Cramer	Leggett	Smith, Iowa
Cunningham	Lipscomb	Stephens
Davis, Ga.	Long, La.	Stuckey
Dawson	Long, Md.	Teague, Calif.
Delaney	Lukens	Teague, Tex.
Denney	McCarthy	Thompson, N.J.
Dent	McDonald, Mich.	Tunney
Devine	McMillan	Utt
Diggs	Mathias	Weicker
Dingell	Meskill	Whalley
Edwards, Calif.	Mills	Wilson, Bob
Edwards, La.	Mizell	Wilson, Charles H.
Eilberg		
Esch		

Accordingly the Committee rose; and the Speaker pro tempore (Mr. ALBERT) having assumed the chair, Mr. FLYNT, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration House Resolution 613, and finding itself without a quorum, he had directed the roll to be called, when 311 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. When the Committee rose, the gentleman from New York had consumed 1 minute of the 5 minutes yielded to him. The gentleman from New York has 4 minutes remaining.

The Chair recognizes the gentleman from New York (Mr. ROSENTHAL).

Mr. ROSENTHAL. Mr. Chairman, at the time the quorum call proceedings commenced, I noted that on this very urgent and important resolution we had only about 15 members of the President's own party on the floor. I believe, now that time has passed and we have had the benefit of a quorum call, we have about 18 or 19.

I want to review what has happened since November 3 so that we can judge better the meaning of today's debate.

Mr. Chairman, we have witnessed in the 4 weeks since the President's Vietnam speech, an amazing public relations barrage against the opponents of the war. I sometimes think back, with nostalgia, to those days not so long ago, when we were hardly noticed.

After the President spoke to the Nation on every major radio and television network, and with words reported in every major newspaper, the Vice President proceeded to attack these mass media for not supporting the President's plan thoroughly enough.

Then the Justice Department began and executed a systematic attack against those who long before had planned a peaceful demonstration against the war in Washington. Then the Postmaster General used all the prestige of his office to speak out on the war's opponents and their divisive role in America. Next came the Secretary of Transportation, who suggested Communist influence in the planning of the November 15 peace demonstrations.

Today, Members of the House of Representatives find quotations from the North Vietnamese delegation in Paris on their desks, circulated by one of the originators of the resolution we consider today. The quotations show that American opponents of the war—including Members of Congress—"are used to embarrass and harass our U.S. negotiators and to delay progress toward a settlement."

Presumably the answer to this situation is for everyone in Congress to say the same thing about Vietnam. Presumably the thing to be said is that we all support the President.

This concerted and direct attack against the war's opponents and—since the President is increasingly willing to accept the war as his own—against the President's war policy is a most serious development. In its attempt to quiet opposition to the war both on the streets and within the legislative branch, this policy is subversive of the process of democratic government. It attempts to equate quiescence with approval, and silence with harmony.

There is neither approval nor harmony within the country for our present role in Vietnam. And nothing could be more myopic than seeking unanimity where none exists, or should exist.

The President has asked the country—including Congress—to come along with him on Vietnam. If everything

works out, he tells us, this is what will happen:

At some unspecified time in the future, American forces will leave Vietnam;

By the time our forces leave Vietnam, the South Vietnamese will be in full charge of their war effort, at least as far as manpower is concerned;

These events—departure of American troops and their replacement by South Vietnamese soldiers—will convince the Vietcong and their North Vietnamese allies that war does not pay and that elections and other democratic approaches to government should be pursued.

To implement this plan, the President tells us, we should start withdrawing our troops—the process being already underway—on a schedule which will depend on:

Progress in the Paris negotiations;

The level of enemy activity;

Progress of the South Vietnamese training program.

Two of these factors depend on actions of the Vietcong and the North Vietnamese. The third depends on the South Vietnamese. Collectively, these conditions make American policy a prisoner of Vietnamese events indefinitely.

In all military history, I can find no parallel for the President's prescription. Having announced a policy of withdrawal—which is fully justified—the President seeks to control that withdrawal to gain goals which arms could not deliver. What motivation have either the North or South Vietnamese for fulfilling the conditions imposed?

The North Vietnamese know, as every American knows, that this country is fed up to here, as the President might say, with this war. The South Vietnamese Government, propped up by our involvement, has even less incentive to seek an early departure of American troops.

These obvious shortcomings should provoke a vigorous and spirited debate throughout this land. The President, if he is to succeed in his role as a democratic leader, must initiate a thoughtful and constructive debate on Vietnam from which we could all emerge stronger and wiser. But instead his prescription suggests, and precedes, an authoritarian defense of policy which would be distasteful even if we had not already endured nearly 4 years of a similar approach under his predecessor.

If the President on November 3 had frankly and fully discussed our initial involvement in Vietnam, the country might be better prepared for a sensible prescription: Withdrawal of all American forces on a fixed and orderly schedule which is dependent on neither North nor South Vietnamese cooperation. But the President started his story in the middle so that no explanation and no policy based on such explanation, could make sense.

By starting modern Vietnamese history in 1954 with our first economic and military aid, the President ignored the war for independence which the Vietnamese had fought against the French from 1945. That war ended in military victory for the rebels and with the Geneva accord which called for a single country under one government chosen by election. The United States rejected that decision and instead sided with a South Vietnamese government which was the predecessor of the Thieu-Ky government which rules today.

We attempted to step in where the French had failed. It is of greatest regret that we sided with a government under conditions which make our present call for elections and self-determination seem hollow. We pursued this very serious error by supporting a separate South Vietnamese Government and by committing an increasing number of American advisers, troops, and resources.

Our total investment in Vietnam, as we end this decade, is over 45,000 American dead, several hundred thousand other casualties, and well over $100 billion in direct war costs. The damage to our true priorities at home and to our prestige abroad is beyond calculation.

Mr. Chairman, the President needs the guidance and interest of the Congress in what is now our established policy of withdrawal from Vietnam. But there is no way that the President or the legislative branch can make good what is not good. There is no way to make withdrawal seem like a victory.

But there is much merit in an honest analysis of our role in Vietnam so that we can prevent another misguided involvement. The best we in Congress can do toward this analysis is to contribute our political and moral sensibilities to understand both how we arrived in Vietnam and how we can leave most honorably. But we cannot either understand or leave until we admit we erred and until we recognize that no series of Presidential speeches and no number of supporting statements from the Cabinet or from colleagues here can remake history.

And no orchestrated support for the President's policy and no lock-step unity can end the need for constructive debate—on the Vietnam tragedy.

This is indeed a momentous occasion, and one during which I believe every Member of Congress in one way or another should show his view for the administration policy. Naturally, with the constitutional prerogatives we have, each Member shows his own feelings either by his vote or by participation in the debate.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield for a comment?

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

Mr. WAGGONNER. I believe it would be safe to assume that when the voting time comes the Members will be here and will speak loud enough for everybody to hear.

Mr. ROSENTHAL. That is precisely the point I want to make. Indeed they will vote.

They will vote without any hearings by the Foreign Affairs Committee.

They will vote without any opinions by the Secretary of State or any learned outside participants.

They will vote without hearing 90 percent of the debate in which the discussion of this was had.

The point I want to make, Mr. Chairman, is this: Some 300 plus Members of this House will vote for this resolution. I would suspect that if one asked each of them individually—without consultation with their colleagues—to please tell what this resolution means, one would get approximately 299 differences.

We might get three or four in agreement, those of the people who helped draft this resolution with the assistance of the White House.

Mr. WRIGHT. Mr. Chairman, will the gentleman yield for a correction?

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

Mr. WRIGHT. The resolution was not drafted with the assistance of the White House.

Mr. ROSENTHAL. Was the White House consulted at any time in these proceedings?

Mr. WRIGHT. In answer to the gentleman, the White House was not consulted except that a copy of the resolution was sent to the White House after it was drafted. The White House made no request for any changes. Not one word in this resolution was suggested by any person at the White House initiative.

Does not the gentleman feel that the Members of this House, after all these many months of agonizing debate and consideration, pretty well know how they feel about this? Does the gentleman feel the Members of the House need any outside help?

Mr. ROSENTHAL. I decline to yield further.

The Members know how they will vote because either of personal convictions or political commitment or deep regard for the future of this country.

The point I want to make is this on this resolution: There will be 300 different interpretations as to what this resolution means. It seems to me the wording of the resolution in and of itself is not particularly offensive. It became offensive to me when it was tied in explicitly to support the President's speech, with which I have considerable differences.

If this were an expression of the House of Representatives after a prolonged discussion and debate in which each Member could satisfy his conscience that he had heard all the experts on the subject, that he had listened to the evidence, that he had weighed the arguments, I would be perfectly satisfied. Then this would be a proper memento in the history of the House of Representatives.

It seems to me a sacrilegious effort for us to vote on a resolution on which no two Members here tonight can tell us what it means. It seems to me beneath the dignity of the House of Representatives.

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield? Does the gentleman mean to imply 318 Members who have introduced and who have cosponsored this resolution now under consideration do not know what they introduced? I think that the gentleman is blind to something and certainly questions the integrity and the intelligence of the membership.

Mr. ROSENTHAL. I want to say that our committee, which has had no action for 5 years on the question of American

policy in Southeast Asia, really renders no service to the House if they do not present to the membership some relevant comment, some expert views and the dignity of full and measured consideration of a matter so important to both the country and to our role in the world.

The CHAIRMAN. The time of the gentleman from New York has expired.

(Messrs. WOLD, BROTZMAN, DON H. CLAUSEN, CLEVELAND, and Mrs. MAY (at the request of Mr. ADAIR) were granted permission to extend their remarks as this point in the RECORD.)

Mr. WOLD. Mr. Chairman, I rise in support of House Resolution 613 because I feel the time is long past for the Congress to follow the lead of the Nation in supporting the President's policy in Vietnam.

We have heard compelling statements from every side—hawk and dove, moderate and radical—of the imperative need to end the war in Vietnam on an honorable basis as quickly as possible. What constitutes an honorable basis is argued but I believe the President's policies offer the best solution to the hope of a quick end to the death and bloodshed of Vietnam.

In my opinion, the dissenters, well-intentioned or not, only prolong the agony and frustration of Vietnam. Just how painful is the war is only now beginning to sink into the American consciousness. And whatever the final outcome of the Mylai investigation, it can only focus more sharply the Nation's consciousness of that war.

This then is the reason why it is imperative that the House give as great an expression of support as possible to the President in his efforts to negotiate a just peace in Vietnam.

In his speech last month, the President outlined what steps he has taken to end the war. It is self-evident that the United States has bent every effort to come to an agreement with Hanoi for an end to the War.

There are many reasons for the intransigence of Hanoi but one of the most clear and compelling reasons for their unwillingness to negotiate is their belief that the United States is divided and that they can have victory simply by waiting for it to be handed them by a loud minority of Americans.

Swift and overwhelming passage of this resolution will make clear to Hanoi and to the world that our desire to end the war on a quick and honorable basis crosses party lines and geographic regions. If our will is clear I believe Hanoi will feel that meaningful negotiation is the only way out.

Over 300 Members of this body have cosponsored this resolution. They represent by far the vast majority of Americans. I would hope however, that this body would see fit to pass this resolution unanimously.

There could be no clearer indication of where America stands.

Mr. BROTZMAN. Mr. Chairman, I am pleased to rise in support of the peace with justice in Vietnam resolution. On November 4, 1969, I joined with a majority of the Members of the House in introducing this resolution which affirms our support for the President in his efforts to negotiate a just peace in Vietnam.

The President's November 3 message on Vietnam was a candid, forthright statement to the American people on the situation in Southeast Asia. He stated the extent of our efforts to secure peace, and the cruel result which could be expected from a precipitate withdrawal—but he also gave us hope that there is now a plan to effect our withdrawal.

In addition to thoroughly informing the American people, the President had a special message for Hanoi, and I think that message was clear: the United States will continue to withdraw its troops as long as the tempo of the war continues to decline. This is the heart of the grid plan, which I have advocated since 1967, and which I am convinced will work if given sufficient public support.

If we are to expect Hanoi to take the President's message to heart; if we are to convince Hanoi that the best hope for peace lies in negotiation and not anticipation of a precipitate American withdrawal, I think it is important that we make clear our resolve to support the President in his efforts to secure peace with justice.

Mr. Chairman, this resolution is directed toward peace; it does nothing to broaden the warmaking powers of the President; and it could in no way be considered as another Gulf of Tonkin resolution. Cynics may claim that this resolution will do nothing toward securing peace in Vietnam, however it seems to me that the overwhelming passage of this resolution can help move the Paris negotiations off dead center.

Mr. CLEVELAND. Mr. Chairman, as one of the original sponsors of the resolution expressing our support of the President's efforts to achieve peace with justice in Vietnam. I paid tribute—pages 34082–34083 of the RECORD of November 13—to the leadership of the gentleman from Texas (Mr. WRIGHT) and I repeat that tribute now. In a spirit of true Americanism, wholly bipartisan, this distinguished Democrat helped initiate and lead this soon to be successful effort to support a Republican President in his efforts to end a terrible war.

His efforts underscore once more that Americans unite and band together without regard to partisan politics when the whole Nation is gravely concerned. We will continue to work together for the general good of this Nation and to support our President who is working so tirelessly in the same bipartisan way for true peace with true justice.

Mrs. MAY. Mr. Chairman, I rise in earnest support of House Resolution 613.

There has never been any doubt in my mind that the people of the United States are unified in desiring peace in Southeast Asia. There has never been any doubt in my mind that, with the exception of what might be termed a vociferous minority, the people of the United States are unified behind the President in his efforts to bring about a just peace through negotiations at the conference table.

I am a cosponsor of this resolution, toward peace with justice in Vietnam, because this is a way in which I can stand with my colleagues to demonstrate the basic unity of purpose in the United States. I further believe that the strong approval of this resolution by the House of Representatives should prove to Hanoi's leaders that their refusal to negotiate is prolonging the war and that any further lack of positive action on their part will gain them nothing.

I am both glad and proud to stand with my colleagues today and to make this declaration: We in the United States are not divided; we are united in support of the basic position expressed by President Nixon on Vietnam. I am hopeful that Hanoi is listening.

Mr. HAYS. Mr. Chairman, I yield such time as he may use to the gentleman from New York (Mr. KOCH).

Mr. KOCH. Mr. Chairman, the last resolution passed by this House concerning Vietnam was the Tonkin Gulf resolution on August 7, 1964. The vote was 416 to 0. I was not a Member of the House at that time, but if I had been so privileged, the probabilities are that I, like those Members then here, would have voted in favor of the resolution too. The urgings were the same—rally around the President—trust him.

Very few foresaw the extent to which that resolution would be used by the executive branch to escalate U.S. involvement in Vietnam. Surely, we can agree that the congressional intent in August of 1964 was not to involve this country in a major land war in Asia—and that in support of a corrupt, undemocratic regime, itself involved in a civil war.

Now, 5 years later—after the death of more than 40,000 American men and the expenditure of more than 100 billion tax dollars—this House has another resolution concerning Vietnam.

This resolution, like the last, is intended to support the President. This resolution, like the last, has imprecise and inoffensive language that gives it the color of bipartisan support. This resolution, like the last, is hurriedly debated. We are denied the right to change a single word or add language which would reflect what some of us believe is the desire of millions of our fellow citizens, namely the immediate termination of the bloodletting with a call for a cease-fire. And this resolution, like the last, will undoubtedly be passed by overwhelming vote.

I, too, will wholeheartedly support any action of the President to end the killing in Vietnam and to withdraw American troops. But like the President, I was elected last November to use my best efforts and office in bringing an end to the war in Vietnam. I will not abdicate my legislative responsibility and defer to the President's secret plans and timetables. When, in my judgment, his actions deserve support, I will support them unhesitatingly; however, when in that same judgment, I do not agree, I will speak out in opposition to those actions or lack of action.

Whatever opinion one has now about our involvement in Vietnam and I believe we should never have become involved in that internecine slaughter—the precedent and consequences of the Tonkin Gulf resolution obviously calls

into question the wisdom of passing this resolution. The passage of this resolution will only further polarize this Nation already so divided—and does nothing to further the cause of peace. It is action on the part of the President not resolutions of endorsement by this Congress that will end the war in Vietnam or at least terminate our involvment in that war.

The constitutional obligations of this House are to the American people and on the issues of war and peace that obligation will be best fulfilled by maintaining our independence and the right and indeed the duty to constructively criticize the actions of the Chief Executive and reserve ever to ourselves to determine what funds for the prosecution of this war should or should not be appropriated. Congress would be exercising its duty most effectively if it denied the Pentagon the billions it annually requires for the continued prosecution of this war.

Hindsight is 20/20. With that hindsight now available there are, I am certain, Members of this House who, had they to do it over, would never again vote for the Tonkin Gulf resolution and view their past action now with regret. I do not intend to view with similar regret my action today and I will therefore not vote the President a blank check to be filled in as he deems fit. For these reasons, I shall cast a nay vote on this resolution.

Mr. HAYS. Mr. Chairman, I yield such time as he may use to the gentleman from North Carolina (Mr. TAYLOR).

Mr. TAYLOR. Mr. Chairman, I rise in support of House Resolution 613. It was my privilege to be one of the 100 original sponsors of this resolution—50 Democrats and 50 Republicans—pledging support to the President as he seeks a just and honorable peace in Vietnam.

The purpose of the resolution is to strengthen the President's hand in Paris by showing strong unified support. It should serve to escalate the peace efforts and to hasten the war's end. The fact that 318 of the Members of the House have now joined in the resolution does show strong bipartisan and unified support.

We have all been disturbed by the war in Vietnam, with its heartbreaking casualty list. The American people want peace, not surrender, not defeat, because such would lay the groundwork for further Communist aggression and perhaps world war III. They want a just peace. They want a peace that will last and that will insure that future young Americans will not be called upon to fight a strengthened international Communist army closer to our own shores. It has been my thinking down through the years that this war should be turned over to the military authorities with instructions to take such action as necessary to win, short of the use of atomic weapons.

It is apparent now that these efforts are not being made and are not going to be made. This being the case, I believe that we should support the President in his program to gradually withdraw American troops and put the South Vietnamese Army in position to defend its homeland. We have only one President at a time, and he must be our leader. I gave similar assurances of support to President Johnson.

Millions of people today are looking to America for leadership sufficient to stop communism, preserve freedom, and secure world peace.

To achieve these objectives, we must promote the strongest possible program of national defense, we must work for peace, but from a position of strength. It is the irony of our times that the preservation of peace is dependent upon the preparation of war. I believe that our safest road to peace is to become and to remain so strong militarily that the Communists will know that they will lose any war, conventional or nuclear, that they start.

During the last half century we have learned in tragic fashion that men cannot afford to fight and then forget about new challenges to peace and freedom. Freedom is never permanently secure. Each generation must make its own contribution.

Before World War II we, the nations of the free world, stood by while Italy took Ethiopia and while Hitler took Austria and Czechoslovakia and Poland. We learned that appeasement and inaction in the face of aggression leads to a world war.

It was with this lesson in mind that President Harry Truman took a firm stand in Korea and that our country has stated that the Communists of North Vietnam shall not take South Vietnam by force.

(Mr. HANNA (at the request of Mr. HAYS) was granted permission to extend his remarks at this point in the RECORD.)

Mr. HANNA. Mr. Chairman, as a prolog to my remarks I should like to proclaim clearly, sincerely, and thoroughly I am for peace and against war. By training and instinct I have always entertained an aversion to violence and I earlier concluded that war is the least intelligent form and most destructive mode of violence. I never let my honest and sincere feelings of patriotism for my country include a romantic or heroic assessment of war. My own experience as a member of an evacuation squadron operating in the Pacific undergirded by experience my original aversions. Carrying wounded marines from the beaches of invasions of the Gilbert islands, the Marshalls, Saipan, and Iwo Jima, as well as in the assaults to recapture the Philippines gave a grim and realistic reading of the toll of arms and legs and lives that some of our finest young men gave in those conflicts. Not a pretty sight and not a pleasant memory. If the question is one simply of peace as against war put me on the side of peace.

Unfortunately, as much as that may be a part of the Vietnam question for some it is not the question for this body. The complex question we must examine is what to do given the existing circumstances about our involvement in Vietnam and our presence in the Pacific. This is not a question Members of Congress can approach abstractly. It is not one we can approach disregarding harsh realities impressed by the attitudes, the actions and the aims of others.

It strikes me that given the complexity of the question, a closed rule on the subject is a cruel hoax. Remember no less than four Presidents with all the powers their office could summon have agonized over this involvement. If it was a single matter would it not now be resolved? Analysis has been done by volumes and it affords a variety of views and approaches. The President, the press, and the peace demonstrators have each managed to reduce the Vietnam issue to its simplest and most emotional components. This in turn has generated an increasing polarization.

The President is for peace but he does not intend to preside over an American defeat. President Nixon announces he has his own time schedule for withdrawal of troops and Vietnamization of the war. He refers vaguely to international "realities" reminiscent of the Dulles stance in the early 1950's.

The demonstrators take a dogmatic adversary approach. Their answer is simply to withdraw at once all troops and effect instant disengagement. The media reflecting the debate reports to the people only a narrow band of alternatives and a very sparse development of the complexities that restrict our choices and dictate the unappetizing side effects of our choice.

If our long range interests in Southeast Asia are to be served the present dangerously divisive debate must be deescalated. I cannot say that the Nixon administration has shown in the statements of the Vice President, the Attorney General, or several other assorted spokesmen any impressive ability in this direction. Where there is heat, we should provide light. Commonsense rather than complicated logic would help. Let us see if we can unwrap this involved package one layer at a time.

The Vietnam conflict can best be described as a war within a war within a war. Look at the three-leveled monster one level at a time. First, in Southeast Asia as in Europe we have had a continuing confrontation between the contesting great powers, that is, the Chinese and Soviet powers of Communist East and the American power of the Western non-Communists. This confrontation predated Vietnam and will antedate it in all probability. In Vietnam we are reliving the unhappy experience of the Spanish Civil War where the confrontation between Fascist Germany and Communist Russia intervened and intensified and magnified the brutality of what would have been an internal agony between factions of Spanish citizens.

Events as they shaped up following the disruptions of World War II and the revolutionizing drive of communism dictated our "presence" in Southeast Asia for stability and for a balance of power. This provided the confrontation stance which was an easy translation from our European postwar experience. Second, the Hanoi centered North Vietnamese following an arduous and unnatural separation affected by an internationally determined stabilizing division of the country, opted to intervene in a smaller "civil war" in the south which pitted the Vietcong against the established government in Saigon. Now

not only did Hanoi get involved but it cleverly involved the Chinese and Russian super powers on the plea, I am sure, that our State Department already had its fingerprints showing in Saigon. Third, the bottom layer, of course, was the originally rather limited conflict between the two weak elements within South Vietnam. Absent the involvement of China and Russia via Hanoi and the United States via Saigon this would have been resolved long ago or would have persisted at a level and in a climate which would have interested very few outside that unhappy domain. The super powers by their involvement have brutilized and extended this little conflict to unimaginable proportions.

Our problem then is this: Our interests are at stake in the confrontation in Southeast Asia. The present and future require our presence to work out constructive involvements without a power vacuum which would invite revolutionary exploitation by remaining powers without any regard for constructive involvement—U.S. interests in a Hanoi-Saigon confrontation is questionable if we could affect a disengagement of the other super powers. This question is appropriately one for the international body that determined the division in the first place. Finally, the United States should have no interest and pursue no involvement in the civil disputes arising between factions within a given country. History provides that ironic circumstance in Spain where the Facists supported the winning faction of Franco only to see Spain join the allies against Hitler in World War II. There is no profit in projecting one's self into a family dispute. This is a truism each of us could find example for in our own experience.

Now let us examine what the President appears to be saying about unwinding this three-leveled conflict. First he made clear that he believes the total confrontation in Vietnam is very much a part of our national interest. Since he does not distinguish the three levels of our involvement one is left to conclude he believes our interests extend equally at all three levels. Second, he has assured Saigon and the Theiu government that logistical troops and military assistance will be provided over an indefinite period of time. Third, a diplomatic solution will be deemphasized because Hanoi refuses to get down to our definition of serious negotiations. Finally, a difficult to predict Vietnamization of the war. All this appears to be a solution styled in a Dulles architectural model for Korea with a resultant indefinite period for x number of American military personnel to be kept in the country.

The President's outline raises some important questions. First, what is the best projection as to the number of troops that will indefinitely be stationed in Vietnam. Korea now has 50,000 U.S. fighting men and support personnel. Second, based on our experience in Korea what is the best estimate for continuing costs for Vietnam assuming a best obtainable level of Vietnamization. Third, is our military interest just in Vietnam or does it extend to all or other mini-states of the Indochina Peninsula? Fourth, will the troops remaining in South Vietnam and South Korea require a future massive intervention if their northern neighbors choose to wind up the level of conflict once more? If not, what is our proposed response stance to be? These questions point out that the United States is running the risk of placing its policy at risk to the mini-state diplomacy of the area. They point up as well that we desperately need some clearer articulation of intentions in terms of the political and economic stability of the area to which our country and its resources are committed.

I submit that an adversary stance predicated on anticommunism will not do. This puts us in jeopardy with the follies and foibles of any regime in these countries which will bargain their questionable allegiance for our involvement in a narrow power base interest. We should be in a grander role than that of the cat who pulls the monkey's chestnuts from the fire. Our requirements for "limited support" should rest on a demonstrated ability and an active commitment to solving the problems of the country and the people. The President should reconsider an alternative he has chosen to de-emphasize. I refer to the American presence which pursues what Eugene Black has called "programed development."

We need this new and constructive thrust in our policy for Southeast Asia and our disengagement from the adversary confrontation based on anticommunism must be phased with a positive movement for competitive and cooperative development in the area. Vietnam could be a cornerstone in this thrust. Within its borders lies a large portion of the Mekong River Valley and its rich delta. An area admirably suited to a program for development and much of the preliminary work is already accomplished. This policy should rest on three principles:

First, a shift from a current policy of "crisis management" and clumsy reactions to an adversary power to a new policy of development assistance in programed projects with provable problem solving potentials.

Second, this policy should invite, encourage, and induce multi-international participation and cooperative involvement by neighboring countries.

Third, increasingly important constructive roles particularly at present for Japan and ultimately for an emerging China.

Such a new emphasis is designed to serve our long-range goals rather than to ameliorate short-term expediencies. It can be developed in the language of economics which is far better understood and is less dangerously emotional than anticommunism. Our goals in Southeast Asia should include: military disengagement from all nations but a firm military stance in our own jurisdictions in the area; reduction of tensions; increase in economic growth; political stability resting ultimately on a satisfactory performance of the government rather than its military controls; increasingly important roles for Asian powers in the area and finally the United States in the role of a partner of Pacific development not the policeman for Asian confrontation.

The President has said we are getting out of Vietnam but he has not said how much or where else we are going in our continuing presence in that area. These are the matters we should fully discuss. It is not as simple as "Peace Versus War" or "Support the President" or "Unify America." Our task is tougher. Where are we now? Where should we be? How do we get there from here? This is what the American people are literally dying to know—and we are faced with a "closed rule."

Mr. ADAIR. Mr. Chairman, I yield 5 minutes to the gentleman from Utah (Mr. LLOYD).

Mr. LLOYD. Mr. Chairman, I consider it significant and reassuring that this House, created under a Constitution which encourages freedom of expression, should openly examine its conscience in the tortuous controversy surrounding our Nation's participation in efforts to insure freedom of choice for the people of South Vietnam. Significant because at a time when that freedom of expression is being exercised in the form of widespread demonstrations of dissent against our present policy, and at a time when these demonstrations, notably the mobilization of November 15, are fresh upon the minds of Americans and also upon the minds of untold millions throughout both the free choice and one choice worlds, we deliberately openly examine, rather than suppress, the merits of that dissent; and reassuring because this congressional examination, open to all the world, is testimony to the fact that a free people develop the moral fiber and stamina to be strong enough to continue to encourage those basic conditions which make dissent possible. Also reassuring because this action is evidence that there is existing, in the United States of America, a basic moral commitment to individual freedom and to the dignity and worth of the individual human spirit which makes it right for free men to offer their lives in defense of the honest efforts of a country so committed.

The resolution before us today supports this administration's policy in Vietnam, and efforts to achieve peace. It makes no reference to the circumstances which involved us in the first place. It makes no reference to the mechanics or mathematics of withdrawal yet current history is very clear that withdrawal is our goal. That being our goal, there are today, three principal alternatives which are advanced. Most publicized leaders of the mobilization on November 15 proposed immediate withdrawal consistent with logistical practicality. Others have proposed withdrawal tied to the specifics of an advertised timetable. The President has announced reduction of troops in Vietnam accompanied by Vietnamization of the war and withdrawal accompanied by agreement by North Vietnam to agree to free elections in the South under supervision of an international body with the proviso that all parties would agree to abide by such results. This resolution endorses this alternative proposed and adopted by the President, in preference to the other two.

There is little attraction to outright and immediate withdrawal, and to that alternative we are now in December

1969, really seriously turning our attention. The main source of strength for this proposal today is the report that the brutality and bestiality of war has resulted in American servicemen being guilty of the indiscriminate killing of women and children in Mylai. At this time we do not know what all the evidence will reveal. But this I believe. War is brutal. It is bestial. It may cause the individual aberrations now charged, but it will never become our Nation's policy. With Secretary Melvin Laird, I feel shocked and sickened at the reports. But this I also believe. This Nation is committed irrevocably to peace, and in the pursuit of that commitment we must face the realities of securing that peace by refusing to surrender to an aggressor so fully committed today to the doctrine of force rather than free choice.

There is, however, an attraction to the concept of withdrawal according to a timetable. It puts South Vietnam on clear notice. It presumably allows us to shift our gears and to plan ahead on a new schedule of priorities. It is meant to clear our conscience that we are not walking out on the job without giving our partner time to try to get his affairs in order. And we would make a handsome financial concession to take the edge off our going. These are obvious and attractive pluses. But to shift to another metaphor, we would be giving the opposing side our signals, and not only our signals but our entire game plan. Under such circumstances, not only would it be virtually impossible for us to make a score, it would be some sort of a miracle if we even made a first down.

My support of the position indorsed by the President does not rely too heavily on the concept of a continuing commitment. Based simply on a contractual commitment under the SEATO language, I as one individual think it could be said now in December 1969, that we have honored that commitment and would be justified in withdrawal. For more than 5 years we have paid dearly in blood and treasure and other parties to the contract have not performed in equal measure. Who is there, including the people of South Vietnam who could say we have not met our commitment to others? But now we also have a commitment to ourselves, to our own casualties, to our own investment and to our own dedication to help to make a better world where the flames of human freedom will not be smothered by aggression.

Pertinent to our decision in Vietnam is our experience in Korea. There are those who say our efforts in Korea ended in failure. I believe those of you who have been to Korea would not agree. The Republic of Korea is a rapidly developing society of free people, a strong ally of the United States and the conditions which helped make this possible were created by the sacrifices of the people of the United States. While I do not subscribe to a step by step, premeditated and planned domino theory, it is my belief that if we submit to surrender in South Vietnam, our successes in Korea will be exposed to new and withering attack as the free people of the Republic of Korea are pressed under accelerated aggression from the North.

What would then be true in Korea would be reflected throughout Southeast Asia and throughout the world.

It is said we cannot be policeman for the world, and I agree. Yet there are countless millions of freedom-loving people who need encouragement in being their own policeman against aggression, and in an age when men walk on the moon, we cannot, as a civilized Nation, be an island unto ourselves.

This resolution calls upon Hanoi to bargain in good faith. The negotiations in Paris have been fruitless, at least according to most surface indications. There has been no encouraging bargaining. There has been only the ultimatum from Hanoi that we must first withdraw from South Vietnam and leave the people of that country without support. The President has not submitted to that ultimatum and this resolution, an indication of the will of the people of the United States, supports his resolve.

Mr. Chairman, last week from the small city of Cedar City in my Second Utah Congressional District, I received on a roll of plain butcher paper the names of more than 3,000 citizens of that community, pledging support of our President following his address of November 3. This was no door-to-door solicitation. The citizens came voluntarily to a downtown location and in 3½ days, more than 70 percent of those of high school age and older came to sign this scroll which it was my honor to present at the White House. And so in declaring today not only my own support of the President's policy in Vietnam as evidenced by the resolution before us, I am certain that from my mail, from my meetings and conversations and from the voluntary outpouring of the citizens, I also speak the will of the clear majority of the citizens of my District, in urging support of this resolution.

Mr. HAYS. Mr. Chairman, I yield such time as he may consume to the gentleman from Wisconsin (Mr. ZABLOCKI).

Mr. ZABLOCKI. Mr. Chairman, I rise to urge prompt and overwhelming adoption of the resolution now before the House.

As is well known, this resolution is a strong bipartisan expression of support for President Nixon's policies for ending the war in Vietnam. Policies espoused by former Presidents Eisenhower, Kennedy, and Johnson. Their efforts included frequent and repeated diplomatic initiatives to bring the Vietnam war to a just and honorable conclusion.

It numbers among its sponsors and cosponsors, both Democrat and Republicans. It was supported in the House Foreign Affairs Committee by members of both parties.

Thus, this resolution is a continuation of the tradition of bipartisanship which has guided our Nation's foreign policy since the end of World War II.

We in Congress may have vastly differing views on matters of domestic policy, but—in general—differences stop at the water's edge. In the international conduct of our foreign policy, a united front has been our strength.

In a time of war, as this time is, the need for such unity is even greater. We have seen how the enemy in Vietnam has consistently tried to exploit the internal dissents which have arisen in our country over the conduct of the conflict.

The adoption of this resolution will show Hanoi that such tactics go only so far—and no further.

The essential consensus of the American people that the war in Vietnam must be ended honorably has not been fractured. Our people stand united against suggestions to "cut and run."

This belief of the American people is given expression in the words of the resolution before the House today.

It is a statement of solidarity to the enemy in Vietnam and to the world, of solidarity behind our Chief Executive as he seeks to forge a just and lasting peace in Southeast Asia.

The resolution, when adopted, will declare to our friends and foes alike that despite internal differences, despite differing points of view on specific issues in the Vietnam conflict, despite differences in party labels, we in the House of Representatives are firmly behind the moves toward peace being undertaken by President Nixon.

Critics have attacked this resolution as giving the President "a blank check" to work his will. It does not. In fact, the resolution is specific in its intent, "that the House of Representatives affirms its support for the President in his efforts to negotiate a just peace in Vietnam."

It declares that the people of South Vietnam are entitled to choose their own Government by means of free elections of all South Vietnamese.

Are the critics opposed to free elections?

The resolution further declares that the elections should be supervised by an impartial international body, possibly the United Nations.

Are the critics quarreling about impartial supervision of the elections?

Further, the resolution expresses the willingness of the United States to abide by the results of free and supervised elections.

Are the critics implying that the United States would not—or should not—abide by the results of free elections?

Truly, Mr. Chairman, it is difficult to know what the concern and shouting about this resolution is all about. It says what it means and means what it says.

It gives no authority to the President to escalate the conflict by reintroducing numbers of troops or by resuming the bombing of North Vietnam.

No. It specifically declares that the issues in controversy be resolved peacefully, not through continued war and bloodshed.

We are clear in our desire for a peaceful solution in Vietnam. It is the other side which requires convincing.

It is North Vietnam and its leaders who have continued to infiltrate their troops into South Vietnam;

It is North Vietnam and its leaders who have continued the terror raids on cities and civilian populations;

It is North Vietnam which refuses to discuss peace terms with the United States and our allies at the Paris conference.

We know that, in some ways at least, the masters of Hanoi are conscious of

and sensitive to American public opinion. By passing this resolution today, we give them strong indication that despite the street demonstrations, despite the campus unrest, despite the antics of a few hard-core dissidents like the Weathermen and the Yippies—despite them, the American center is holding firm to a just and honorable peace in Vietnam.

That is what this resolution today represents—and no more.

I am hopeful that Hanoi, seeing the unity which will be displayed on the floor of the House of Representatives today, will review their policies of obstruction and intransigence and begin to negotiate in earnest an end to the conflict.

As a first sign of their good faith, I fervently hope that they will make a humanitarian gesture with regard to the American prisoners of war now in their possession.

As you know, Mr. Chairman, the Subcommittee on National Security Policy and Scientific Developments, of which I am chairman, recently held hearings on resolutions introduced into the House calling on the North Vietnamese and the National Liberation Front to abide by the 1949 Geneva Convention on the treatment of prisoners—a treaty which Hanoi signed in 1957.

To date, the masters of Hanoi have flouted virtually every provision of that convention. The plight of our prisoners and of their loved ones here at home is indeed a heart-rending one.

I urge my colleagues to read the hearings and report on the POW resolution. Members of Congress, representatives of the executive branch, the Red Cross, and others have contributed ample evidence of Hanoi's refusal to abide by international law regarding prisoner treatment.

I am hopeful that the resolution on prisoners of war which was reported by the subcommittee will be approved by the House Foreign Affairs Committee and will be adopted by the House before the Christmas holidays.

Today, however, I urge North Vietnam and the National Liberation Front to act now in easing the burden of the families of those American servicemen missing in action by releasing a list of those men whom they have in their possession.

This is the very least which Hanoi can do to ameliorate the suffering which the current situation is inflicting on the innocent, on the wives and children and parents who daily wait word of their loved ones.

The continuing failure of North Vietnam and the National Liberation Front to make available such a list is a reminder to all of the attitude and lack of humane outlook of the enemy.

Hanoi is determined to remain utterly hostile and obdurate on every issue in this conflict, hoping that eventually the United States will precipitiously pull out and leave the whole of the Indo-China Peninsula to the Communists.

The resolution we are considering today makes it very clear that we stand united against hasty withdrawal and for a peaceful resolution of the conflict on a just and honorable basis. The next step is up to the other side.

Some sincere action on the part of Hanoi, long overdue, can indeed lead to an end of the conflict. Such action on the part of Hanoi, I submit, will be prompted by an overwhelming vote of support for this resolution.

(Mrs. GREEN of Oregon (at the request of Mr. HAYS) was granted permission to extend her remarks at this point in the RECORD.)

Mrs. GREEN of Oregon. Mr. Chairman, in rising to voice my support for the resolution voicing approval by this House "for the President in his efforts to negotiate a just peace in Vietnam," I do so after long consideration of its importance to the Nation and of its significance to me.

The circumstances are markedly changed from that day in May of 1965 when I joined with six other colleagues in voting against a supplemental appropriations bill for the military which—the White House had let it be known—was a positive vote in support and would be accepted by the then Chief Executive as an endorsement of his escalatory policy in Vietnam which was then gaining its full momentum. This was referred to as a "Little Gulf of Tonkin Resolution," if you will, for approval by this House. It seemed to me then that the intent of that bill was clearly for widening the war. It seems to me that the intent of this resolution is to be an expression for de-escalating the violence as rapidly as possible, a sentiment that I am pleased to note is gathering more momentum day by day.

Just as I could not back in May of 1965 vote in good conscience for what had been requested, I cannot today in good conscience deny my warmest support to this resolution supporting peace efforts. The fact that the White House has let it be known that this resolution has found favor with the President makes me suspicious not at all. In its straightforward language espousing peace, the fact that the President of the United States gives his endorsement demands all the more my prompt response in kind, and I am pleased to give it willingly, and wholeheartedly.

If I must go outside the simple language of the resolution and read hidden motives and intent, my reading of the signs of the times coupled with the undeniable political astuteness of President Nixon convinces me that he recognizes the absolute necessity of winding up our tragic involvement in this pitiless war as soon as possible—or face certain defeat at the polls in 1972, and again I am pleased to dispense with merely partisan concerns and give my unhesitating support to this resolution.

Mr. HAYS. Mr. Chairman, I yield 5 minutes to the gentleman from California (Mr. HOLIFIELD).

Mr. HOLIFIELD. Mr. Chairman, I rise in support of House Resolution 613, which would put the House of Representatives of the United States on record as affirming "support for the President in his efforts to negotiate a just peace in Vietnam."

This resolution points toward a goal, not toward a personality. Let us be clear about that. This is not an endorsement of one particular President's policies, or the condemnation of another's. This is a plain, simple statement of what every American wants and what must be the preeminent task of our national leadership—a just peace in Vietnam.

Let us not get tangled up in the politics of the situation. Whether you like Mr. Nixon or not, whether you support or oppose his views on health, welfare, and employment, whether you vote for or against the measures he recommends, remember he is our President. He holds the office, and he holds the responsibility for bringing this war to an honorable end. In our political system there is only one President, and that is where, as Harry Truman used to say, "the buck stops."

This House of Congress, under the Constitution, has high and solemn responsibilities. In conjunction with the other body it raises the revenues, authorizes the programs, enacts the appropriations to carry out the necessary purposes of government. But this House, despite the eagerness and ambitions of some of its Members, cannot go out and negotiate a peace with North Vietnam. That is an executive function, that is the President's responsibility, and the least we can do is give the President our support and our prayers for the success of his efforts to achieve an honorable peace.

I say, give the President a chance. Give him your support. Do the right thing and the sensible thing. It takes two sides to negotiate. And if the other side refuses, we cannot simply surrender without risking massive slaughter of South Vietnamese citizens. Withdrawal must be carefully planned and timed to the changing war situation and the developing capabilities of the South Vietnamese forces to protect themselves against Communist slaughter.

There is time enough, and opportunity enough, if the President does not measure up to expectations, to register the attitude of this House. There will be authorization bills and appropriations bills and other legislation involving Vietnam. This resolution enacts no law, commits no funds, changes no basic policy, it is merely a statement of moral support toward a just peace. It stands for agreement on the end we seek, not necessarily on every particular means to achieve it.

The resolution is simple enough in its wording, but that does not diminish its importance.

The people are confused and divided. Shall we add to the confusion and widen the division by refusing to stand behind the President as he grapples with the momentous problems of orderly withdrawal and disengagement from Vietnam? Shall we be irresponsible? Or shall we let the Nation and the world know that our Government, at least, is united in this aim, dedicated to the pursuit of peace with honor and justice?

House Resolution 613 is a resolution of support for the President for "his efforts to negotiate a just peace in Vietnam," not for everything the President says or does on the domestic or international scene. With that goal there should be no quarrel. Now the resolution has some other expressions associated with

the goal of a just peace. Let us look at them one by one.

It "expresses the earnest hope of the people of the United States for such a peace." Again, there should be no quarrel with that. The American people are for peace and a just peace.

It "calls attention to the numerous peaceful overtures which the United States has made in good faith toward the Government of North Vietnam." Surely these overtures have been made—by every President who was involved, by every means public and private. As President Johnson said in his historic address of March 31, 1968:

For years, representatives of our Government and others have traveled the world—seeking to find a basis for peace talks.

The adversary challenges our good faith, but history will record that the United States sought long and earnestly to reach out to Hanoi, pleading for a meaningful response, working so that both sides could sit down together and come to a meeting of the minds.

The resolution "approves and supports the principles enunciated by the President that the people of South Vietnam are entitled to choose their own government by means of free elections open to all South Vietnamese and supervised by an impartial international body, and that the United States is willing to abide by the results of such elections." We can agree with that statement. It bespeaks confidence in the outcome of elections that are free. We will take our chance on fair ballots in place of hard bullets.

Finally, the resolution "supports the President in his call upon the Government of North Vietnam to announce its willingness to honor such elections and abide by such results and to allow the issues in controversy to be peacefully resolved in order that the war may be ended and peace may be restored in Southeast Asia." This statement is related to the preceding one. There would be no point in an election unless North Vietnam agreed to accept the results. We are willing to take our chances on the outcome of free elections, Saigon is pledged to the same, but what about Hanoi? Their faith is in force not in the free and peaceful exercise of the vote.

Today, the majority of people in South Vietnam do not want to be under a Communist regime. They are fighting against Communist domination, and we are helping them. It was always understood, and mutually declared by the two Governments, by President Thieu and Johnson at the Honolulu conference and elsewhere, that we would withdraw as the South Vietnamese gained enough strength to take over the job of defending their own country. The President has stated that the war has reached a stage where withdrawals can be affected. President Nixon is trying to carry out a policy of orderly withdrawal, as any responsible President would.

President Nixon is advocating the same principles which were followed by President Johnson. Those principles were:

First, continued formal negotiations and informal contacts with representatives of Hanoi to obtain an honorable peace;

Second, military activity based on a scale proportionate to the aggressive military action of the North Vietnamese against the South Vietnamese;

Third, training of South Vietnamese citizens for their own self-defense—the so-called Vietnamization program;

Fourth, deescalation of the war through cessation of bombing and prohibition against invasion of U.S. forces north of the DMZ line; and

Fifth, free elections without coercion from any source within or without South Vietnam.

These principles are just and in accord with our goal for an honorable peace. Let us speak reason. Let us have understanding and sympathy. Let us enact House Resolution 613.

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman.

Mr. MILLER of California. Mr. Chairman, I want to congratulate the gentleman on his very statesmanlike statement and I would like to associate myself with him.

Mr. HOLIFIELD. I thank my colleague.

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

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

Mr. OTTINGER. Does the gentleman interpret the resolution as supporting the President in whatever he may do in the name of peace?

Mr. HOLIFIELD. I do not. I have given my interpretation of it in the words I have said.

I recognize that lawyers can quibble over the meaning of words, and I have already had some approach me and quibble with me on the meaning of the words. I have told what I believe this resolution means and the reason I am supporting it. I see nothing in this resolution that any person who will study it cannot support. If he does see something, then he should vote against it.

Mr. HAYS. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. MURPHY).

Mr. MURPHY of New York. Mr. Chairman, can a Democratic Congressman tender his support for a Republican President of the United States without fear of invective? Can a Democratic Congressman back the foreign policies of the United States without fear of discrimination or retaliation? These questions seems to be at the crux of today's Vietnam debate.

I say a loyal, lifelong Democrat can offer support to his President. I say that the conduct of foreign policy, which falls principally in the domain of the President, has historically merited bipartisan support. History has proven it imprudent for Americans to try and legislate their foreign policy. This, in no way, represents a Democrat giving a Republican President a blank check, as some have charged. Nor does it frustrate those who would dissent from this view. For dissent is one of this Nation's most priceless values.

The confrontation, conflict and varying degrees of civil strife, evident in this country for some time over racial and economic issues, has today polarized around a single issue—Vietnam.

And this polarization, unfortunately, will continue so long as the war in that narrow, crescent-shaped strip of Southeast Asian land continues.

Everyone wants peace—the President, the Congress, the students, the parents, the teachers, the silent majority and the vocal minority—everyone, that is, except the Communists. Peace has been kicked around almost as much as the weather. Everyone talks about it, but.

A lot of people also talk about morality in war. They also jabber about why we are there and why we should get out—and when. Trillions of words have been spewed forth on both sides, until they fall at last on mute ears.

Yes, Mr. Chairman, the reasons have been overstated, pounded home by four Presidents. But with all this eloquence, the swords have yet to be turned into plowshares.

Were I to reiterate the reasons for our involvement, I would merely be playing an old saw. As I said earlier, actions of the past no longer fit present reality. In the new phraseology: It is a whole new ballgame. Where do we go from here?

How do we stop the killing of another American boy—your husband, your son? When will Asian boys fight Asian boy's wars?

Today I join 318 of my colleagues in the House of Representatives in signing this bipartisan resolution supporting the President of the United States "in his efforts to negotiate a just peace in Vietnam."

The resolution expressed the earnest hope of the American people for such a peace, calls attention to the numerous peaceful overtures which the United States has made in good faith toward the Government of North Vietnam, and approves and supports the principles enunciated by the President that the people of South Vietnam are entitled to choose their own Government by means of free elections.

I firmly believe that the best interests of the United States require an early and honorable end to the war. I firmly believe that the most expeditious way to end that war is to support the President of the United States. I firmly believe that he is doing everything humanly possible to bring about a peace with justice. He can succeed with our support; without it, he cannot.

In an age of polarization by race, age, economic circumstances and political philosophy, Vietnam has become the catalyst, the big issue fetish. This polarization will continue and intensify so long as we permit the war to divide us. Solutions to any single issue will not be achieved unless there is unity in our quest for peace in Southeast Asia.

The United States is in Vietnam in the name of peace. A recent Presidential speech on the war used the word 39 times. So at least we have some seeds of unity there. And what the United States needs now is unity, not unanimity. We do not need peace at any price. Yet, how often have we heard that it takes two to make peace?

Repeatedly, in harsh, unyielding terms,

Hanoi has steadfastly repudiated every overture for peace—from bombing halts to Paris palaces. Ironically, some of these are the very overtures that were advocated by war protestors in this country—not the enemy—and which were adopted and tried by Presidents Johnson and Nixon.

Can there really be any serious debate about our desire to negotiate a just solution to a dirty, tough, mean guerrilla war? Dozens and dozens of suggestions have been made to Hanoi through all sorts of channels, with all sorts of formula, and Hanoi has categorically rejected all of them. We are all exhausted by rehashes of these efforts, so I will not review them here.

Neither will I rehash the more virulent attacks against the sincere desires for peace of some of the peace groups. But it is not relevant that on the day the latest demonstrations began last month, North Vietnam made plain that it is counting on growing protests in the United States to speed the end of the Vietnam war on Hanoi's terms. What could be plainer than the statement made by the North Vietnamese Ambassador as the Paris talkathon then rolled into its 43d week.

Can there be any doubt that these demonstrations stymie the President's moves in trying to achieve an honorable peace? Can there be any doubt that these demonstrations rekindle North Vietnam's aborted efforts to totally subjugate South Vietnam? Can there be any doubt that these demonstrations prolong a war that is costing the lives of your sons, your brothers, when all anyone—except the Communists—really wants is peace?

Can anyone in their right mind still parade the banner of peace when Hanoi has rejected categorically every overture for peace?

In Asia, communism still acts in the belief that there is more profit in war than peace. And passion in the peace movement at home has been allowed to boomerang.

Certainly, not all those who march are conscience-stricken over the war. Demonstrating in the streets is an outlet for other frustrations, real and imagined—a snake dance for easy riders and midnight cowboys.

There is an old adage: you do not cure a dog of fleas, by drowning the dog. It holds true for Vietnam. A pullout will not end the fighting in Southeast Asia. Instead it will insure the subjugation of the people of South Vietnam and further the cause of Chinese domination of that vital area of the world.

Whatever the mistakes of the past, we dare not allow the rights we defend in South Vietnam to go by default.

But we can look to the future—a future with no more Vietnam's. The President is working toward that end, and that is why he needs our support. The President has set broad outlines for the withdrawal of American forces from Vietnam. This is based, in part, on a new optimism among previous official skeptics that South Vietnam is at last ready to carry the ball alone. The timetable for U.S. disengagement has not, of course, been revealed. But is this not, in effect, the end we all seek?

We are not ourselves embarked upon an ideological campaign to destroy anybody who disagrees with us. Aggressors nominate themselves, we do not choose them. But when aggressors strike, then those who are genuinely interested in peace have a problem on their hands, and sometimes it gets tough, and sometimes we are tested, and we find out what kind of people we are.

I, for one, support the President of the United States in his quest for a just and honorable peace in Vietnam. I would advise some others that the right to dissent is sometimes the right not to dissent.

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

Mr. MURPHY of New York. I yield to the gentleman from Ohio.

Mr. HAYS. I merely wish to compliment the gentleman for a very courageous and well-thought-out statement. I think it is one of the best statements that I have heard in this whole debate, and I compliment him very much on it.

Mr. MURPHY of New York. I thank the gentleman.

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

Mr. MURPHY of New York. I yield to the gentleman from Texas.

Mr. WRIGHT. I, too, wish to say I am much impressed by the statement the gentleman from New York has made.

Mr. MURPHY of New York. I thank the gentleman.

Mr. REUSS. Mr. Chairman, I cannot vote for this resolution.

It is said that all the resolution does is to proclaim our support for the principle of free elections in Vietnam. Let us stipulate, once and for all, that all Members of this body favor the principle of free elections in Vietnam, as well as in the hundred other countries of the world that do not allow free elections—from the Soviet Union to Greece, from Poland to Brazil. Whether we want to send half a million troops, and bring all the horrors of war, to any area where free elections are denied is another matter—but that does not seem to be involved in the resolution.

If all the resolution does is to come out strong for free elections, why oppose it? The answer is a very simple one. The answer is that President Nixon in his Vietnam speech in the House repeatedly referred to the resolution as supporting his policies and proposals concerning Vietnam.

Those policies and proposals, so far as I can make them out, are to climb down the ladder of escalation about halfway—from our present half million troops to around half that many. Not having been able to achieve our objective with 500,000 troops, we will now try to do so with 250,000. Even this partial withdrawal is to have two conditions attached to it—that Hanoi does not step up the fighting, and that Saigon agrees that it is ready to take over.

These conditions assure that our policy will be made in Hanoi and Saigon, rather than in Washington.

These policies and proposals do not seem like a very apt way of extricating ourselves from Vietnam.

I have had some experiences in the past with voting blank check resolutions of approval. In 1957, I voted for a Middle East resolution affirming our support for countries attacked by Communist-dominated countries. The next year, we thrust 15,000 American troops into Lebanon, which was subject to an internal political upheaval but not to Communist aggression from without, with the State Department solemnly pointing to the blank check it said Congress had just given it. Back in 1964, I voted for the Tonkin Gulf resolution, sold as support for American naval vessels wantonly attacked on the high seas to fire back. Then I found the Tonkin Gulf resolution used as justification for dispatching half a million Americans to Vietnam.

Now, for a third time, I am asked to give the President a blank check. That is not what my constituents sent me here to do.

I do not lightly oppose President Nixon's Vietnam policies and proposals. I introduce no resolution condemning them.

But when I am asked to give my support for things seen and things unseen, my answer is simple: No.

Mr. RIVERS. Mr. Chairman, I would like to take this opportunity to announce my wholehearted support of House Resolution 613. I hope the House will overwhelmingly support this resolution which will demonstrate to the world our support of President Nixon's efforts to negotiate a just peace in Vietnam.

The entire Nation, I am confident, fully supports the President in his goal to bring about a reasonable, acceptable, and sound solution to the problems of Vietnam.

I stand 100 percent behind President Nixon in his endeavors, and I fully support the principles that the President of the United States has enunciated concerning free elections in South Vietnam and our willingness to abide by the results. We are negotiating in good faith with the North Vietnamese—I only wish they were doing the same.

The free world must certainly be aware of our sincerity and our patience. It is unfortunate that the same sincerity which we have demonstrated over and over again in Paris, does not seem to be understood or reciprocated by the North Vietnamese.

Mr. WRIGHT. Mr. Chairman, I include at this point in the RECORD a telegram from Gen. Lucius D. Clay, former Commander in Chief of the U.S. forces in Europe, and a telegram from James B. Conant, the former president of Harvard University, former U.S. High Commissioner in Germany and former U.S. Ambassador to Germany:

I believe that your resolution will help the President in his efforts to secure an honorable peace in Vietnam and hope sincerely it receives a favorable vote.

LUCIUS D. CLAY,
Former Commander in Chief of U.S. forces in Europe.

NEW YORK, N.Y.

Congressman JAMES WRIGHT,
House of Representatives,
Washington, D.C.:

I strongly support your Vietnam resolution and hope that it will be overwhelmingly approved.

JAMES B. CONANT,
Former president of Harvard, Former U.S. High Commissioner in Germany, and Former Ambassador to Germany.

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

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. ALBERT) having resumed the chair, Mr. FLYNT, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration House Resolution 613, toward peace with justice in Vietnam, had come to no resolution thereon.

GENERAL LEAVE TO EXTEND

Mr. ADAIR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on House Resolution 613.

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

There was no objection.

NATION'S NO. 1 FOOTBALL TEAM—NORTH DAKOTA STATE UNIVERSITY

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

Mr. ANDREWS of North Dakota. Mr. Speaker, I wish to call the attention of my colleagues to the record—the remarkable record of the Nation's No. 1 college division football team: North Dakota State University.

Here is a football team that has charted an exciting, rather fantastic course in its pursuit of excellence. The achievements over the past few seasons of the nationally rated Bison are legion. Let me cite some of the accomplishments of NDSU's thundering herd:

Coach Ron Erhardt's Bison 3 weeks ago completed their third consecutive unbeaten regular season. On November 10 they were invited to play in the Camellia Bowl football game December 13 in Sacramento, Calif. The Bison thus became the first college division team in the Nation, for the third straight season, to receive a postseason bid from the National Collegiate Athletic Association—NCAA.

Last week, both national wire services—Associated Press and United Press International—named North Dakota State University the 1969 college division national football champion. It is the 5th straight year the Bison have been ranked high in these polls, the third time they have been named AP national champion, and the second time UPI national champion.

North Dakota State University has won 19 straight football games, has won 28 straight on its home turf at Dacotah Field in Fargo, N. Dak., has won 18 in a row in the North Central Conference—one of the most respected leagues in the Nation, and one of the toughest—has won an unprecedented six straight conference championships, and has won 57 of its last 61 football games.

Coach Erhardt has a gaudy record of 36 wins and three losses and has an amazing 28 victories in his last 29 games. Ten of Coach Erhardt's 1969 players earned first-team berths on the all-conference team.

We North Dakotans are proud of NDSU's total program—both academic and athletic—and are elated with the challenges it has met and the success it has achieved in football. The Bison have represented the University, the city of Fargo, and the State of North Dakota in bowl competitions in Missouri and Texas and now we are certain they will continue to represent us in winning fashion against neighboring University of Montana in the December bowl battle in California.

Let those who would label this a "political football" produce similar credentials for their alma mater's grid team, and I shall personally request equal time and space for that lucky Representative. I am elated to be able to make these comments about my old school and to extend to its administration, faculty, student body, and alumni my best wishes and my confident prediction that it will retain ownership of that proud title—No. 1.

REPORT OF THE DEPARTMENT OF LABOR ON THE UNITED MINE WORKERS OF AMERICA

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

Mr. HECHLER of West Virginia. Mr. Speaker, the analysis released by the U.S. Department of Labor on Friday clearly indicates that President W. A. Boyle of the United Mine Workers of America has been plundering and squandering union dues for the benefit of a few top officials and their "sisters and cousins and their aunts." This official report confirms the truth of what Ralph Nader, Joseph A. Yablonski, and several other individuals have been stating for several months.

Obviously, only the tip of the iceberg has been revealed in this report. It confirms the immediate need for a full-scale congressional investigation of the United Mine Workers of America. Such an investigation should also extend to the multimillion-dollar United Mine Workers welfare and retirement fund which has bilked thousands of retired miners and widows out of pension and medical benefits through arbitrary rules changes, gross mismanagement of funds, payments to noncoal miners, and other abuses.

I commend Secretary of Labor George Shultz for officially reporting on the financial mismanagement, nepotism, padded expense accounts, and other evidences of hanky-panky practiced by UMWA President W. A. Boyle. I hope that my colleagues in Congress will urge Secretary Shultz not to be deterred or intimidated by the charges of Mr. Boyle that these facts constitute "a smear job and open union busting." Mr. Boyle has not denied the factual basis of the Department of Labor report, but has only in the tradition of the ancients attacked the bearer of bad news. As a matter of fact, nothing would contribute more toward strengthening free trade unionism than a cleaning out of the very corruption which President Boyle has fostered and condoned and now tries to defend and perpetuate.

In calling for a congressional investigation of illegal practices, I urge that my colleagues re-read section 501(a) of the Labor-Management Reporting and Disclosure Act of 1959, for which I voted and which now constitutes 29 U.S.C. 501(a):

> The officers, agents, shop stewards, and other representatives of a labor organization occupy positions of trust in relation to such organization and its members as a group. It is, therefore, the duty of each such person, taking into account the special problems and functions of a labor organization, to hold its money and property solely for the benefit of the organization and its members and to manage, invest, and expend the same in accordance with its constitution and bylaws and any resolution of the governing bodies adopted thereunder, to refrain from dealing with such organization as an adverse party or in behalf of an adverse party in any matter connected with his duties and from holding or acquiring any pecuniary or personal interest which conflicts with the interests of such organization, and to account to the organization for any profit received by him in whatever capacity in connection with transactions conducted by him or under his direction on behalf of the organization.

The analysis follows:

MEMORANDUM OF U.S. DEPARTMENT OF LABOR, OFFICE OF LABOR-MANAGEMENT AND WELFARE-PENSION REPORTS, WASHINGTON, D.C., NOVEMBER 26, 1969

To Mr. W. J. Usery, Jr., Assistant Secretary of Labor.

From Leonard J. Lurie, Acting Director.

Subject Summary Report of Financial Investigation United Mine Workers of America, Ind. LM-000063.

On March 4, 1969, the Labor Department's Office of Labor-Management and Welfare-Pension Reports, herein called the LMWP, opened an investigation of the financial affairs of the United Mine Workers of America, Ind., herein called UMWA.

The investigation was initiated pursuant to Section 601 of the Labor-Management Reporting and Disclosure Act, herein called the Act, which authorizes the Secretary of Labor, when he believes it necessary in order to determine whether any person has violated or is about to violate any provision of the Act to make an investigation and furnish the results to interested persons or officials.

LMWP regularly conducts financial audits of national and international unions and other parent bodies, intermediate organizations and local unions.

The investigation of the UMWA disclosed the following:

The Constitution of the UMWA contains the following provisions: Article X, Section 1:

"The salary of the President shall be $50,000 per annum; Vice President, $40,000 per annum; Secretary-Treasurer, $40,000 per annum; International Executive Board Members, $1,000 per month; Tellers and Auditors, $25.00 per day when employed. Each of the above mentioned officers shall receive, in addition to their salaries, such additional sums for additional service rendered as may be authorized and approved by the President; together with all legitimate expenses when employed by the Organization away from their places of residence."

Article X, Section 2: "The salaries of other employees shall be fixed by the International Executive Board."

Article IX, Section 7: "He [the President] shall interpret the meaning of the International Constitution but his interpretation shall be subject to repeal by the International Executive Board. Between sessions of

the International Executive Board he shall have full power to direct the workings of the Organization and shall report his acts to the International Executive Board for its approval."

Article IX, Section 12: "He [the President] shall devote all his time to the affairs of the Organization, executing the instructions of the International Executive Board and exercising general supervision over the field and office work of the International Union."

Article IX, Section 25: "The International Executive Board shall execute the instructions of International Conventions and between Conventions shall have full power to direct the workings of the Organization."

The investigation disclosed that the International President has raised salaries and made grants of additional salaries to employees other than the officials listed in Article X, Section 1. Not only have these increases and grants been made without prior approval or subsequent ratification by the International Executive Board, but also the minutes of the International Executive Board reflect that no reports of these actions were ever made to the International Executive Board for its approval.

There are no instructions issued by the International Union which can be documented to establish criteria to be used by officials or employees of the union as to what expenses they were entitled to claim as reimbursement, the basis for claiming reimbursement or the method of claiming reimbursement. Some officials have claimed reimbursement for hotel expenses during periods when they were at their places of residence, some have claimed expenses for hotels and travel for practically every day of the year, and some have claimed identical amounts for hotel expenses and automobile travel for every day spent in travel. An official, by his own admission has spent varying periods of time on vacation and claimed expenses of $20 a day for his entire vacation. Although the records were checked for only 1967 and 1968, the official said that this practice has been followed for many years.

The International Union does not require its officials or employees who travel to submit any receipts or any other evidence of the travel performed or money expended. Whatever vouchers are submitted are paid without question.

Another item disclosed by the investigation relates to an account described as the "Agency Fund". In 1960 the top officers of the union transferred $850,000 from the general funds of the union to establish a retirement fund to pay the three officers of the union their full salaries annually upon retirement after at least 10 years of service in office. At the present time this fund has approximately $1.5 million. This fund has never been adequately disclosed in the annual financial report submitted to the Department of Labor.

The annual financial reports filed with the Department of Labor for the years 1967 and 1968 show improper reporting of a Loan Receivable of $1.4 million from Lewmurken, Inc., a Delaware corporation wholly owned by the union. The major asset of Lewmurken consists of ownership of approximately 30% of the stock of Rocky Mountain Fuel Company, located in Denver, Colorado. The 1968 value of this 30% ownership was $146,906, based on the financial statement submitted by the company to the State of Colorado.

The records of the United Mine Workers for 1967 reflect the following payments to officials of the union and members of their families:

Name and address	Title	Annual salary	Expenses	Total	Relationship
W. A. Boyle, 4422 35th St. N.W, Washington.	International President	$50,000	$11,630.84	$61,630.84	Father.
R. J. Boyle, 3015 Lohof Dr., Billings, Mont.	President, District 27 international board member.	25,000	8,974.91	33,974.91	Brother.
Miss Antoinette Boyle, 1048 Ave. F, Billings, Mont.	Attorney	40,000	3,287.94	43,287.94	Daughter.
John Owens, 821 Clark St., Cambridge, Ohio.	International Secretary-Treasurer.	40,000	4,945.58	44,945.58	Father.
R. C. Owens, 2460 Southway Dr., Columbus, Ohio.	Secretary-Treasurer, District 6, Special International Representative.	25,000	3,110.98	28,110.98	Son.
Willard P. Owens Route 3, Box 139A, Gaithersburg, Md.	Attorney-Legal Department Grant	40,000 10,000	4,866.37	54,866.37	Son.
Harrison Combs, Sr., 3309 Brooklawn Terrace, Chevy Chase, Md.	Assistant Director Legal Department Grant	40,000 5,000	8,178,24	53,178.24	Father.
Harrison Combs, Jr., 11004 Schuylkill Road, Rockville, Md.	Legislative Representative Labor's Nonpartisan League.	11,000	2,486.85	13,486.85	Son.
Mrs. Joy-Ann Combs, 3732 Bel Pre Rd., Silver Spring, Md.	Secretary-Legal (Mr. Combs).	7,200	0	7,200	Daughter-in-law.
Kenneth Combs, 811 Gloucester Ave., Middleboro, Ky.	Assistant secretary-treasurer, district 19.	11,000	2,762.54	13,762.54	Son.
Matt Combs, P.O. Box 2203, Pikesville, Ky.	Secretary-treasurer, district 30.	17,000	7,398.58	24,398.58	Son.
Lloyd Baker, 2400 Scepter La., Birmingham, Ala.	Secretary-treasurer, district 20.	14,600	5,888.28	20,488.28	Son-in-law.

The union also pays the rent for a hotel suite in Washington, D.C., for the use of Secretary-Treasurer John Owens. In 1967 this amounted to $11,500 which was not shown as an expense payment to Mr. Owens.

A PLETHORA OF VIOLIN PLAYERS AND A DEARTH OF LEGISLATORS

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

Mr. BRAY. Mr. Speaker, recently, the respected columnists, Roscoe and Goeffrey Drummond, commented on the activities of this Congress. They have discovered we have a plethora of violin players and a dearth of legislators.

I call attention to what some at least think of the performance of both:

CONGRESS FIDDLES: UNITED STATES BURNS

(By Roscoe and Geoffrey Drummond)

Congress has been fiddling for nine months while the nation burns. It is failing to do its job—failing badly. Not in this century—not even Truman's whipping-boy, "do-nothing" Congress of the 1948 campaign—has the Congress shown itself so sterile, so incompetent, so irresponsible as today. It is simply not transacting the public business. Its failure is little short of criminal because it comes at a time when such neglect of the crisis problems puts democracy itself in peril.

The record should dismay, infuriate and galvanize voters to see that something is done about it. Since this democratically controlled Congress convened last January, it has neglected nearly everything and produced almost nothing. This is no overstatement. Here are the facts which support it:

Fiscal Irresponsibility: the greatest power of Congress is giving or withholding money. The greatest weakness of this Congress is that it doesn't manage the appropriations bills carefully or competently. The government entered the new fiscal year last June 30 without a single appropriation being authorized and now, five months past that date, Congress has acted upon only a small part of the appropriations. This is Congress at its worst. It is heading to a point where the government may not be able to finance itself at all.

Stalled on Crime: Richard Nixon, Hubert Humphrey and George Wallace, as well as nearly every candidate for Congress who ran for election last year, pledged to deal with "crime in the streets." But Congress is failing to do so. The Democrats are presently refusing to enact the President's proposals, are not enacting their own and the outlook for anything at all is dim.

Stalled on the Draft: The President is pleading with Congress to approve a more just and more equitable military draft prior to the time when it can be ended. The merit of draft reform is hardly questioned at all. Passing it would do much to take the steam out of campus unrest and to deny the militants one of their favorite issues. Congress delays and dallies. Sen. Edward Kennedy has been dragging out his hearings and only when college presidents started to plead for action did the Democrats begin to show signs of approving limited reform.

Stalled on Other Urgent Issues: The argument that President Nixon hasn't given Congress anything to do is untrue. He has given Congress a good agenda of innovative proposals and Congress has just yawned and gone back to talking. A detailed blueprint for sweeping reform of the welfare system has been before Congress for weeks, plus proposals for wage supplements, revenue sharing, manpower reform, Social Security reform and grants-in-aid reform. Congress says maybe tomorrow, not now.

Stalled on Ethics: Congress likes to reform everybody but itself. The Christian Science Monitor does not put it too strongly when it reports that "this year the U.S. Congress has done a lot of shouting about ethics—for somebody else; when it comes to improving ethical standards for itself—silence." More than silence. It ignores its own conflicts of interest and it rejects mounting demands that its members make public annual disclosures of outside income. Congress demands that judges do so. It fairly criticizes Judge Clement Haynsworth for "ethical insensitivity" but usually looks the other way when anybody asks: What about you? Congress better start facing the mirror before it faces the voters next year.

H.R. 14646

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

Mr. TIERNAN. Mr. Speaker, I join today with the distinguished gentleman from Massachusetts (Mr. BURKE) in objecting to unanimous consent for H.R. 14646. I do so because I am awaiting a report from the Governor of Rhode Island as to the possible long-range effect this compact could have on rail passenger service beyond New Haven. I do so because the compact leaves the long haul service to Rhode Island and Massachusetts with an uncertain future. I do so because it would seem that satisfactory short haul and long haul passenger needs must be met concurrently.

Finally, Mr. Speaker, I feel that the Committee on Interstate and Foreign Commerce should be given the opportunity to have this unique proposal brought before it. If the Congress is going to deal successfully with our massive transportation problems, then it ought to so in a comprehensive way. Every aspect of this bill should be full known and every possible consequence be fully weighed before it is enacted into law. Hasty legislative action today without recourse to a full public airing could well give us problems of consequence in the future.

COMMODITY EXCHANGE ACT AMENDMENT

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

Mr. PRICE of Texas. Mr. Speaker, I rise today to introduce, for appropriate reference, a needed amendment to the Commodity Exchange Act. This amendment is the product of much thought and deliberation on the part of many individuals within and without the Federal Government.

The amendment I am proposing would exempt livestock and poultry producers from the speculative trading and position limits presently established under the Commodity Exchange Act. As a result, contract markets would better serve the needs of the Nation's larger livestock and poultry feeder concerns.

Mr. Speaker, inasmuch as my amendment is a technical one, I think the problems it is designed to remedy can be best understood in terms of a historical perspective.

Contract markets, more often called boards of trades or mercantile exchanges are not new in the United States. For more than a century, the Chicago Board of Trade has provided facilities whereby those storing grains and certain other products could avoid some portion of the uncertainty normally associated with doing business in futures markets.

The regulation of futures markets has varied through the years. Initially, transactions in the market were loosely governed by State law. This practice was the object of widespread criticism. The criticism reached a crescendo following World War I, when the bottom fell out of the agriculture price structure. In many quarters, the severe drop in prices was blamed on "gamblers," "speculators," and the Chicago Board of Trade.

In response to the hue and cry for reform, Congress, in the early twenties, began to regulate the futures market. In 1921, Congress enacted the ill-fated Futures Trading Act. In the following year, however, the act was declared partly unconstitutional. Its legislative successor was the Grain Futures Act of 1922, which laid the statutory foundation for Federal regulation of the futures market. In 1936 Congress enacted the Commodity Exchange Act, which with certain amendments added by the 90th Congress, provides the present regulatory framework of the futures market.

There is common agreement that the ordinary course of business in the futures market has been greatly facilitated by Federal regulation. Many questionable practices have been eliminated; including excessive speculation, use of fraudulent or misleading contracts, wash sales, cross trades, fictitious sales, and dealings by unregistered future commission merchants or unregistered brokers. In addition, the regulations have been expanded to include commodities other than grains. At present, 33 commodities including livestock and livestock products come under Federal regulation.

The fundamental purpose of Federal regulation in contract markets is to preserve the hedging and price-basing services of the commodity futures market. These services are widely used by farmers, merchandisers, and food processors. They also effect the retail food prices paid by the consumer. It is with regard to these services that my amendment is directed.

A real need for amending the Commodity Exchange Act has arisen due to the growth of the poultry and cattle-feeding industries. As the same economic problems are created for both industries by the present terms of the Commodity Exchange Act, I shall for illustrative purposes, limit my remarks to the cattle-feeding industry.

The cattle-feeding industry has experienced an astounding surge of growth in the last 5 years. This surge reflects the fact that we have become a Nation of beefeaters, demanding larger and larger quantities of high-quality red meat, and willing to pay generally higher prices. Before this boom in consumer demand, most feedlots were organized as individual proprietorships or partnerships, and were operated as small businesses in terms of the number of head handled. With rising demand levels, however, the incentive to industrialize has been increased. As a result, huge commercial feedlots have sprung up in the Great Plains, the Southwest, and other cattle producing areas of the country.

Commercial feedlots are big business in the finest sense of the word. Sophisticated commercial techniques and the economies of scale have been relied on heavily. Computers calculate feed rations and figure lowest cost alternatives. Teletypes funnel in market information from around the country. Buyers jet from one feeder source to another in search of replacements and best buys. Corps of health specialists and nutritionists are on call. As a direct result, some feedlots have up to a 100,000-head capacity.

Of late commercial feedlots have enjoyed substantial financial success, the formula for which has been a fundamental one; namely, start with a product that people like, improve the product, and then produce the product in volume at a cost which generates its own demand. Beef feeders have used this formula to great advantage. They have combined agriculture's two biggest "raw materials"—cattle and grain—"manufactured" them into the favorite food of the world—red meat—and produced it in such quantity that our daily national per capita consumption of beef averages 5 ounces.

Many commercial feedlots custom feed; that is, finish cattle for other owners. These "cattle hotels" may feed cattle for more than 50 customers during the year. In a typical custom contract, the cattle owner pays feed costs plus a daily yardage charge and veterinary fees.

In business organization, most of the big feeding operations are corporations, with the stock being held primarily by farmers and ranchers. A few feedlots have recently "gone public," and looking toward further expansion, others plan like moves.

The rapid physical expansion of the feedlot business has been built on a firm financial foundation. A recent survey of commercial banks—the primary source of feedlot operating capital—produced a consensus of a "good' to "excellent" rating. One basic reason for this rating is the ready availability of future markets for both feed and cattle. This means that cattle feeders can hedge against price fluctuations.

Astute commercial feedlot managers obtain, through the use of computers or other devices, precise information on operating costs. Armed with this knowledge, they attempt to assure a profit margin, even before the first steer is fed. They do so by trading in futures markets. At present, however, their ability to facilitate operations is retarded due to the 2 million bushel limit that the Commodity Exchange Act places on speculative trading and positions in grains.

In order for a commercial feedlot to operate at a profit, large amounts of feed grains must be purchased during the course of a year. The purchases must, however, fall within the 2-million-bushel limitation. Accordingly, the quantities of grains purchased vary as a function of both the price level and product availability. In addition to creating a storage problem, this ties up a large amount of capital. Furthermore, neither the lender nor the feedlot operator wishes to assume the additional risk of holding the large amounts of necessary feed grains on an unhedged basis.

The amendment I am proposing would remove the 2-million limitation for livestock and poultry producers. This exemption is not without precedent. The 1968 amendments make provisions for grain producers and processors to operate as hedgers; my amendment would merely afford the same allowance for the equally deserving livestock and poultry producers.

ESSENTIAL RAIL PASSENGER SERVICE ON THE NEW HAVEN DIVISION OF THE PENN CENTRAL RAILROAD

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

Mr. WEICKER. Mr. Speaker, New York State and my State of Connecticut have acted concurrently in adopting legislation to authorize cooperative and joint measures to provide continuation and improvement of essential rail passenger service on the New Haven Division of the Penn Central Railroad.

The other body has given consent to this Connecticut-New York Railroad Passenger Transportation Compact and I urge the House to take similar action.

Under this compact, Connecticut and

New York pledge bi-State operation of rail service over the former New Haven rail line which is now known as the West-end Division of the Penn Central.

New York and Connecticut have pledged $28.4 million for a modernization program to provide new equipment and upgrading of the railroad to provide safe, speedy, and efficient service. The Federal Government has pledged an additional $28.4 million to the program.

Over the years minimal maintenance by the bankrupt New Haven Railroad has resulted in deplorable conditions on this vital rail link between New England and the metropolitan New York area.

Equipment was strained to the point of maximum endurance. Railroad tracks, signals, and overhead electrical wires were neglected and taxed by continued service and wear. When the Penn Central took over the railroad earlier this year, it was estimated that if a crash maintenance program were not undertaken, the line would be forced to discontinue service within a 30-day period.

This is what the more than 20,000 commuters from my district face daily. The cars are dingy and dirty. In the rush hours, insufficient equipment causes crowding and further discomfort. Breakdowns are frequent, which is the rule rather than the exception. Trains run late or are canceled.

In this day and age when we can send men to the moon and bring them back to earth within 3 miles of a given target, we cannot get a train from Fairfield County, Conn. to New York without breakdowns and delays.

If any of my colleagues feel that this is an exaggeration, I invite you to read the thousands of letters I have received commenting on equipment and service on this major rail link.

By approving the Connecticut-New York Railroad Passenger Compact, the Congress will set the stage to eliminate these deplorable travel conditions and provide relief for the long-suffering commuters.

At the same time the Congress will show its concern for a mode of transportation that has been the stepchild of the industry in recent years.

The railroad is still the best means of transporting large numbers of people short distances with efficiency, speed, and safety. Yet despite these qualifications, State governments and the Federal Government have paid comparatively little attention to the plight and condition of our railroads as our national attention is transfixed on the highway and the airplane.

I am not advocating that we now revert our attention to the railroad and forget about these other modes of transportation. I feel that we need a balance in our thinking about our national transportation system.

Over the years, we have had thousands of transportation happenings, but we do not have transportation systems. We must have coordination of our modes of transportation so that each complements and supplements each other.

In the Northeast, we need immediate improvement and further development of rail service to supplement the vast highway network that pours cars, with all the traffic problems, into the urban centers. We need rail and urban mass transit links to airports to complement the highway network.

To do this, we must bring our rail transportation systems up to a standard so that they can fulfill their roles in a coordinated transit system. The Connecticut-New York Railroad passenger transportation compact sets the stage for this needed rail link improvement.

TAKE PRIDE IN AMERICA

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

Mr. MILLER of Ohio. Mr. Speaker, there were 1,749 daily newspapers in operation in the United States in 1967, more than twice the number as in any other nation. The U.S. daily newspapers had a combined circulation of 61,560,000 in 1967.

ADDRESS BY PATRICK CARDINAL O'BOYLE AT ANNUAL JOINT MEETING OF ROTARY CLUB OF WASHINGTON AND DOWNTOWN KIWANIS CLUB

(Mr. McCORMACK asked and was given permission to insert his remarks at this point in the RECORD and to include an address by Patrick Cardinal O'Boyle.)

Mr. McCORMACK. Mr. Speaker, in my remarks, I include an address delivered by His Eminence, Patrick Cardinal O'Boyle, archbishop of Washington, at the annual joint meeting of Rotary Club of Washington and the Downtown Kiwanis Club, on November 26, 1969.

In his address, Archbishop O'Boyle spoke with logic, eloquence, effectiveness, and as he always does, with frankness, in expressing his views and discussing what His Eminence termed "one of the issues confronting the American Society today," and I might observe, a very important issue.

The address of Cardinal O'Boyle, based upon his lifetime of dedication to God, mankind, and country, is worthy of deep consideration:

Tomorrow, our nation will be celebrating a feast, Thanksgiving Day, the philosophy of which goes back to biblical times. In fact, so generally accepted has this wholesome practice become that it is hard to remember that it was not always so. In 1621, the Pilgrims set aside a day of Thanksgiving for the successful harvest of that year. It was not until 1630, however, that the Massachusetts Bay Colony followed suit. During the War for Independence the Continental Congress set aside one or two days each year to thank God for His blessings.

George Washington and James Madison issued similar proclamations during their terms of office, and recommended that the several States do likewise. Finally, in 1864, President Abraham Lincoln officially proclaimed the fourth Thursday of November as a day of Thanksgiving, and so recommended it to the States. And so it has been ever since.

I thought it might be helpful on this occasion to mention one of the issues confronting American Society today. If you are concerned about teenage crime (and who is not?), the rise in juvenile delinquency, the growth of a spirit of revolt among the young, drug addiction among children, the upswing in venereal disease rates among youth, and the breakdown in patriotism and morality among younger people, may I respectfully make these comments, which are applicable throughout our nation:

First, while all of these matters directly involve only a minority of our young people, they indirectly affect great numbers of our young people. These people are the coming body politic of the nation, and when a part of any body is ailing, the whole person is affected. I am not here to criticize the younger generation. Instead, I speak out of compassion for these, our children. Many people have pointed out that our younger people act as they do, because of the terrible state which older generations have left the world in. But the state of the world has always been bad. It was not any better a century ago when the nation had gutted itself with Civil War and was virtually sinking under financial and political crises. It was not any better when I was a young man and World War I was devouring millions of young lives in the most terrible slaughter of all times. It was not any better thirty years ago when Hitler began his campaigns of aggression. No—the problem of the young is not the state of the world, but the state of themselves as they face the world. For many, that is a state which I must describe as "rootless."

By this I mean that, in contrast with young people of former generations, great numbers of our present crop of teenagers and people in their twenties today no longer seem to have a grip on basic verities which, to a greater or lesser extent, it was the fortune of past generations to have had. Our young people talk about "rights," but many are not able to say what they think the ultimate source of "rights" to be. Since the vast majority of American children attend the public schools, it is important to realize that, over the long generations and up to relatively recent times, the public schools were able to give at least some kind of picture of the true source of "rights." In our public schools of an older day, it was possible to teach that God exists, and that God is the source of all rights. In the public schools of an older day, there used to be affirmative teaching based upon the great statement of our Founding Fathers in the Declaration of Independence:

"We hold these *truths* to be self-evident: that all men are *created* equal, that they are endowed by their *Creator* with certain unalienable *rights*; that among these are life, liberty and the pursuit of happiness."

That was standard doctrine taught in the public schools for decades. It taught the child that he has a Creator, that people have rights, but that God (the Creator) is the source of all human rights. It taught that some rights are what the Founders called "unalienable"—rights that no man, no government, no dictator, no majority can take away. This teaching gave the child some "root" certainty. If he believed *that* teaching, he could never support any kind of wanton violence, any communist or fascist dictatorship movement and—if he really thought about it—any kind of discrimination against any human being on account of race or religion. This view of "rights" is very different from the mentality being produced in many of the schools today, in which belief in any ultimate value has been discouraged. Naturally, therefore, many young people today, having no fixed idea as to the source of human rights are easily moved by highly motivated adults who seek to win them to violent movements destructive of all human rights.

Far more basic, however, to the "rootlessness" of many of our young people is the fact that personal belief in God, traditional concepts of morality based upon the Ten Commandments, and the habit of prayer have been washed out of their lives. This has come about because decisions of our Supreme Court appear to have effectually barred the teaching of the reality of God, inculcation of the Ten Commandments, and outward prayer in the public schools. It is not my

desire, in this address, to attempt any analysis or any criticism of these decisions. I desire merely to point out that they have caused the obliteration of what *now* increasingly appears to have been a very important and basic element in our society. I believe that we are going to find out—find out very painfully—the tremendous difference between the man who—even though he may not be a regular churchgoer—believes in God, the truths of the Ten Commandments, and has occasional recourse to prayer, and the man who is familiar with none of these things. We have all too easily assumed that the parents of great masses of our people would be able to impart these religious values to their children, even though we must have realized that children are with their schoolteachers for a greater part of the average day than they are with their parents. We have all too easily assumed that a general spirit of "good will," or "faith in democracy" or other such vague moral concepts would carry us along very nicely—without our having to get down to the brass tacks of teaching the young the reality of God, of teaching the young the Ten Commandments, of teaching the young to pray.

If we presently reap a world not unlike the world of Rome in the period of its decay—a luxurious, disorderly, cruel and disintegrating society—we should not be surprised. In spite of all the indignities which were heaped upon the Catholic immigrants who came to this country by the older Americans who feared them, may I say that it is a tragedy today that the Christian morality and outlook which characterized our traditionally Protestant-oriented public school is no longer with us. The old Protestant insistance which we found in the public schools of earlier times—teaching the reality of God, the importance of the Commandments and the importance of prayer—has given place to a vague secular humanism proving incapable of meeting the demands of a sound social order and—indeed—meeting the deep inner need of so many of our young people for basic roots.

What is to be done? You will pardon me if I say that I believe—more than ever today—that the parochial school is one answer. Believers, of many faiths, are more and more coming to appreciate the fact that it is possible for a child to get a good secular education at the same time he receives teaching of a religious nature, and that schools which provide both have been very successful and have in no way caused divisiveness in our pluralistic society. It is to be hoped that more people will come to see the value of such education, which can, in no sense weaken the general effort to support public education.

Now, let me say with all sincerity that parochial school education, with its emphasis on religious courses, does not guarantee that some of the pupils will not be numbered among those who are juvenile delinquents. However, they have less cause and less reason to become delinquents because they have been taught that there is a God and that they are responsible to Him for the violation of His laws and the laws of the land.

As to public education, which undoubtedly a large number of Americans will still desire as the schooling for their children, a good many people undoubtedly feel that an impasse has been reached. These people feel that it is not possible to give a full *education* in which all manner of knowledge is taught as being *true* but in which the teacher may not *affirm* that a man has a soul, may not *teach* that God exists, may not *exhort* children to follow the great truths of the Ten Commandments, and may not *provide* real opportunity for prayer. You can scarcely blame a child for thinking that all of these matters are unimportant—or for not thinking about them at all—where the central teacher in his life—namely, the school—regards them either as unimportant or forbidden. I understand that up in New Jersey the effort is being made to create the opportunity for silent prayer. But this, as you know, is already being fought by the pressure groups which have been largely responsible for getting religious observances thrown out of the public schools already. It seems to me that the Supreme Court of the United States, one of these days, is going to have to take another look at its decision on this subject. As our national social crisis deepens (and it appears indeed to be deepening), I predict that more of our people are going to be turning to God for guidance. As they do so, they are not going to permit their religious aspirations to be dammed up. Not only will they revive the practice of religion in their homes, but they will demand that the schools give at least minimal recognition to religion. It is very possible, then, that our Supreme Court will see fit to reverse its original ruling in the *McCollum* case which held that it was unconstitutional to have teachers of various religious faiths coming to public school premises to offer instruction to children of that faith, while excusing all other children. It is very possible that our Supreme Court will take a hard look at secularist teaching being carried on in public schools and rule that, if the schools cannot teach theistic religion, neither may they teach non-theistic religion to children. It is possible that our Court, looking at strongly revived religious aspirations of the people, will *liberalize* its views respecting religious worship and practices in the public schools, finding ways in which, without embarrassing children of a particular faith or who are non-believers, *other children* are given the opportunity to enjoy the rights of their religious heritage. It seems to me that, in any sensible and peaceable society, we should be able to work out compromises which give scope to the liberty of *all parents* and children—and by that I mean the children of *believers* as well as children of non-believers.

"God helps those who help themselves," said Ben Franklin almost two centuries ago. If we truly desire a future of peace and plenty and justice for our people, we who believe will work very hard to bring religion back to our education—and then we will find that God will not withhold His Grace from us in our efforts to do His Will.

In conclusion, may I wish you all a blessed and a happy Thanksgiving as we thank God for this beloved country of ours and for all the blessings He has given to each one of us.

SOCIAL SECURITY BENEFITS

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

Mr. BYRNE of Pennsylvania. Mr. Speaker, on November 21, 1969, I was privileged to speak at the dedication of the Social Security Office, 7959 Bustleton Avenue, Philadelphia, Pa. I would like to include in my remarks the speech I delivered at that time:

REMARKS OF CONGRESSMAN JAMES A. BYRNE AT DEDICATION OF SOCIAL SECURITY OFFICE, PHILADELPHIA, PA.

Mr. Chairman, Reverend Clergy, distinguished guests, ladies and gentlemen:

I am honored to have the opportunity of participating in an event of such importance in the life of a large segment of our population.

You know, it's become fashionable lately to attack our Social Security System. I know the reason for many of these attacks—and that reason is ignorance; ignorance of what Social Security really is and what it stands for. Social Security is not an annuity or an endowment insurance policy; nor is it a savings account where you put so much in and get out your money plus interest after a certain amount of time.

As you folks all know, this is not what Social Security was designed for and it is not the way Social Security works. The purposes of Social Security are, pure and simple: to insure that those eligible do not starve; to provide at least minimum and dignified assistance to the elderly, the disabled and the orphaned.

No one ever got rich on Social Security. But I would like some of these complainers about Social Security to sit in this office, or even my office, and meet some of the people who are benefitted by Social Security.

I'd like them to talk to the young widow and her two infant children, whose father was cut down in the prime of life. It is Social Security benefits which will permit this family to live in dignity—mind you, not luxury, but dignity—during their growing-up years.

Or they may talk to the man who is confined to a wheel chair by multiple sclerosis; completely disabled and unable to work, whose sole source of income is his Social Security benefits. The whole concept of Social Security, as I see it and expect you do too, is that those of us working today are making a modest contribution to a general fund to insure that those who cannot work or those who have reached a certain age will receive a minimum of comfort and subsistence.

And in this way, when those who are paying Social Security today no longer work, it will be the workers of their day who will be paying for them.

Let it not be misunderstood that I am perfectly satisfied with Social Security as it stands today. On the contrary, I am a loud and persistent complainer. But my complaint is: Not enough for Social Security recipients. I think there are many ways in which Social Security can and should be improved. Higher basic payments is one way. I honestly do not think in our day of inflationary prices that beneficiaries are getting enough. I don't think the proposed 7 percent increase is enough or even 10 percent. I'm fighting for a more realistic adjustment. I would likewise want to see Medicare benefits improved. I want to see broader Medicare coverage—especially coverage of those people under 65 who are now receiving disability payments. I would also like to see Medicare coverage for children whose subsistence depends upon Social Security survivorship benefits.

I would like to see prescription drugs completely covered by Medicare as well. As people get older, you know how much more their lives and health depend upon drugs—many of them expensive. Is this too much to ask? We pride ourselves in being the richest country in the world. Is it too much to ask that the richest country share its wealth with its own citizens who are old, who are disabled and who are without a head of the family?

I think not. I hope you agree.

Thank you.

PRETHANKSGIVING POSTSPLASHDOWN TRIBUTE TO APOLLO 12 ASTRONAUTS

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

Mr. VANIK. Mr. Speaker, it was a great pleasure for Congressman GEORGE P. MILLER of California and I to cohost a pre-Thanksgiving post-splashdown tribute to our Apollo 12 astronauts on November 25 in the Rayburn Building. Stouffer Foods, a division of Litton Industries, which is in my congressional district, was chief contractor for the superb foods which are being served to

our Apollo 12 astronauts while they are in the Lunar Receiving Laboratory in Houston.

Our whole community is proud of Stouffer Foods participation in this vital program.

The following are the remarks that were made during the luncheon by my distinguished colleague, Congressman GEORGE P. MILLER and by my constituent, Mr. James Bigger, president of Stouffer Foods. The remarks are as follows:

Congressman MILLER. It is one of the characteristics of the space program that its timing is fantastic.

The countdowns proceed into launches on the minute set, and the moon landing of Apollo 12 was not only precise as to time, but within 600 feet of the pre-selected landing area. And now, Apollo 12 has come back with its astronauts in time for them to join with us on earth in the traditional celebration of feast and Thanksgiving.

The feast is very appropriate as food is not un-important in space, even though we tend to think of space as the province of scientists, engineers and heroes. If it has been true in the past that the way to a man's heart is through his stomach, it is not less true that the way to the solar system lies in the same general direction.

In 1927 when Charles Lindbergh flew the Atlantic, he took on board the Spirit of St. Louis some cold sandwiches. Later, in the John Glenn orbital flight, he confessed to a great hunger for a supplemental ham sandwich. And in Apollo 12 we were treated to some interesting space debate on the subject of whether a can of tuna should be eaten or thrown away. Each of these reflected simply that man still orients himself on the next meal, and that he likes to have with him what he likes, no matter how adequately food arrangements have been made for him.

Now the Apollo 12 crew—as Apollo 11's trio before them—are enroute to the lunar receiving laboratory of the NASA's Manned Spacecraft Center in Houston. The adventure is behind them, and now the hard, or dull portion begins—isolation and quarantine. The reason for the quarantine is for them to be checked against the possibility that hostile organisms may have returned with them from the moon. But, in a way, it gives them a simulated taste of what long duration space flights, or occupation of space stations may require of future astronauts. Perhaps in such future events and explorations, the only thing astronauts will really have to look forward to will be the next meal. It will be the break with dullness and boredom, the only calendar or clock which means anything, and the most contributory factor to arrest the onset of a kind of cosmic cabin fever.

In wishing you all a Happy Thanksgiving, and in this atmosphere of special celebration for the achievements of the National Aeronautics and Space Administration to date, I ask you to look at this food before you today and eat it knowing what important and special meaning the field of food technology is now assuming as we reach for greater depths of space.

And now, back to my co-host, Congressman Vanik of Ohio:

Congressman VANIK. Thank you, Congressman Miller. I have just had a telegram from Dr. Charles Berry, who is called the astronauts doctor, and who is at the NASA Manned Spacecraft Center in Houston. It says: "Deeply sorry that the mission requirements including debriefing and quarantine preparations preclude my attendance at your post splashdown luncheon. These activities also preclude the attendance of Drs. Kemmerer, Rambaut, Smith, Mr. Mason, Miss Rapp whom you so kindly invited. We are proud of our inflight and post flight food program and the team, including the contractors, who have helped achieve the current standard of excellence. Food is very important as a morale factor for our flight crews. Please express our gratitude to those assembled and our regrets for being unable to celebrate with you."

Knowing how pressed they must now be in Houston, their absences . . . however regrettable . . . are understandable. From NASA headquarters here in Washington, we do have Dr. Homer Newell, George Lowe, and Robert Allnutt.

It's a matter of considerable pride to me as a northern Ohio Congressman that one of the major providers of menus for the NASA Manned Spacecraft Center's lunar receiving laboratory is a name which has long been and still is associated with good eating in my constituency. It has since ranged well beyond my district and is still going and growing. It is the Stouffer Foods Division of Litton Industries, and its president, James A. Biggar, lives in my district. He is here with us today with some members of his staff who worked on the actual Apollo menus. It was to this team that the NASA Manned Spacecraft Center turned for substantial assistance for this exotic institutional feeding program for the most unusual adventurers of this century. The Stouffer people met and surpassed every one of the rigid high standards for food selection . . . including the taste tests of the astronauts themselves. I'd like to have you meet James A. Biggar, president, Stouffer Foods Division of Litton Industries:

Mr. JAMES BIGGAR. I would like very much to have you all meet the ladies who really do all the work in preparation of the Stouffer Foods portion of the astronauts' menus. They are Mrs. Doris Centini, our manager of research and development, and her two able assistants, Sandra Hess and Julia Stewart. And they are not alone responsible for the astronauts, as they work on all the preparations which are available in all the stores which carry our products all over the country. When we suggest that all America "match menus with the astronauts", these girls have set the standards which make it possible for any family to do just that. Many thanks to you, Congressmen . . . Miller and Vanik, and I wish to say especially of Mr. Vanik that this has given me a grand opportunity to see my congressman in action. He represents us very well here in Washington.

Congressman VANIK. Many thanks to you all for coming, to Litton Industries, of California, and Stouffer Foods of Cleveland, for making this luncheon possible. Back to work, everybody.

STATEMENT BY THE STATE OF HAWAII BEFORE THE PRESIDENT'S CABINET TASK FORCE ON OIL IMPORT CONTROL

(Mrs. MINK asked and was given permission to revise and extend her remarks at this point in the RECORD, and to include extraneous material.)

Mrs. MINK. Mr. Speaker, the statement by the State of Hawaii on the mandatory oil import quota system, presented on November 24 by Mr. Myron B. Thompson, administrative director, Office of the Governor, contains abundant justification for removing Hawaii from this system. This was presented before the Cabinet Task Force on Oil Import Control.

As the statement points out, the punitive cost to consumers in Hawaii is at least $14 million a year, and Americans pay an estimated $3.4 billion annually. The system is especially unfair to Hawaii, the only State without land access to sources of oil, since it forces Hawaii to pay import prices for all of its fuel. This is a key factor in our excessively high cost of living.

As the State of Hawaii statement also shows, Hawaii is also penalized by being barred from shipping in crude from Alaska or other nations which could be refined for use in the State at lower cost. The statement by the State of Hawaii urges that the Jones Act be amended to correct this, as would be provided by my bill, H.R. 11038.

Justifying a change in the Jones Act, the State of Hawaii statement says:

We would also like to comment on the recent large discovery of crude oil in Alaska, a State that is part of District V. We feel that even if Alaskan crude may be competitive in price to foreign crude, Hawaii will not benefit from such price since we are required to use high cost U.S. Flag carriers under the Jones Act. Changes to the Jones Act should be made as it applies to noncontiguous States.

My bill would allow American firms using American labor on ships of American registry, built in other nations, to bring crude oil from Alaska for refinement in Hawaii. This would produce lower priced fuel, gasoline, and oil products for the people of Hawaii as well as increase employment. I am pleased to insert the State of Hawaii statement at this point in the RECORD.

STATEMENT OF THE STATE OF HAWAII ON THE MANDATORY OIL IMPORT QUOTA PROGRAM

It is a privilege to appear before this Committee on behalf of the State of Hawaii. The people of our State appreciate the opportunity this Task Force has provided to present their position on the Mandatory Oil Import Program.

It is the position of the State of Hawaii that alternatives to the present Mandatory Oil Import Quota Program, for the purpose of securing a petroleum supply in the interest of national defense and security, be considered seriously. (Answer to question #1 Governor Burns' statement dated July 10, 1969.) Crude oil is a natural resource which once diminished cannot be replaced. Emphasis should be placed on protecting and preserving crude oil for future use instead of setting artificial import barriers on the assumption that this will provide incentive for exploration of new sources of supply and encourage use of such sources of supply. The present Mandatory Oil Import Quota Program seems to unduly punish the citizens of this nation in the interest of national security. The use of higher priced domestic crude when cheap foreign crude is available is costing citizens of the United States an estimated $3.4 billion annually. (Sen. Proxmire estimate in March this year.) It is costing the citizens of Hawaii in excess of $14,000,000 annually. (Answer to question #38 statement of Governor Burns dated July 10, 1969, in Governor's rebuttal dated August 13, 1969.)

Should the Task Force decide to continue the Mandatory Oil Import Quota Program, it is the position of the State of Hawaii to request that it be removed from District V on grounds that the regulations imposed on District V cannot, in fairness, be imposed on Hawaii since conditions exist which do not apply to any other State. (Answers question #76 & 77, Governor's statement dated July 10, 1969.)

It is recommended that Hawaii be completely exempted from the Oil Import Quota Program because the rationale of national defense has no bearing on the State of Hawaii. Oil, whether it comes from foreign sources or from the continental United States must be transported over 2,200 miles

of international waters, making it subject to attack in times of national emergency.

If total exemption is not possible, Hawaii should, at the minimum, be made a separate district in recognition of its unique circumstances in the same manner as Puerto Rico.

Presidential Proclamation No. 3279, as amended, which established the Mandatory Oil Import Quota Program, clearly recognizes differences between geographic areas of the country with respect to oil production and inter-area flow of oil.

District V included in addition to Hawaii, the states of Arizona, Nevada, California, Oregon, Washington and Alaska. These states are recognized oil deficient areas where limited imports of foreign oil are necessary to meet demand. Foreign imports to the district are, therefore, limited to an amount which, when added to domestic production and supply, would approximate total demand in the district. It should be noted that California and Alaska have some domestic production and all of them have access to overland supply of exempted oil produced in Canada or Mexico. (Covered in introductory statement by Governor, July 10, 1969.) Placement of Hawaii in this district is not appropriate. Hawaii lacks an indigenous source of fuel and therefore does not produce any oil on its own. Oil and its products are critical to our sustenance since we have no access to other soures of energy. Further, Hawaii cannot benefit from the exemption provided in the Import Quota Program for oil transported overland from Canada or Mexico.

At the same time, the Proclamation says of Puerto Rico:

"Whereas I find and declare that the Commonwealth of Puerto Rico largely depends upon imported crude oil, unfinished oils and finished products and that any system for the adjustment of imports of such commodities permit imports into Puerto Rico adequate for the purposes of local consumption . . ."

Hawaii and Puerto Rico similarily constitute non-contiguous areas which are critically dependent upon imported crude oil for economic development.

History has shown that areas lacking indigenous mineral resources, such as England, Japan, or Switzerland, and I include Hawaii, must use considerable ingenuity to overcome environmental deficiencies and survive economically.

Except for building materials sufficient only for local use, Hawaii's only mineral resources are soil and groundwater. Since 1778 our people have shown both skill and ingenuity in using these resources and the geography of the islands to participate in varying capacities in a changing world economy. From an initially way station trading economy we have passed through successive phases including emphasis on commerce, then agriculture, then defense mobilization and expanding into a service, largely tourist oriented economy.

The estimated resident population of Hawaii is in the neighborhood of 800,000. This represents an increase of over 40% since 1960. Our labor force is increasing at an annual rate of 4%. Population pressure will be heavy on the Hawaiian economy and it shows no sign of abatement. In order to maintain tolerable unemployment levels, present basic industries will have to be maintained or expended whenever possible and newer industries created.

Currently, Hawaii depends largely on military expenditures—amounting to $606 million last year, tourism—$460 million last year and sugar and pineapple—$328 million, for its economic well being.

They form a strong yet unpredictable base. Military expenditures are dependent on the world situation and public opinion. Tourism is subject to the influence of a variety of factors such as disposable income, competition from other areas and level of customer satisfaction. (Answer to question #77 in statement of Governor Burns dated July 10, 1969.) Sugar and pineapple, bulwarks of the past, have been steadily declining in relative importance. So it is that Hawaii must seek for ways to stabilize its economic base and make it less susceptible to fluctuation.

One of the ways to stabilize this base is to take advantage of Hawaii's mid-Pacific location and its unique natural assets to become a center for economic activity. Because of its geographic location and, to some extent, its unique ethnic composition, Hawaii is already playing an important role in bringing together buyers and sellers from East and West, assisting in their financial arrangements and providing them with display and exhibition facilities.

Manufacturing in Hawaii, hampered as it is by its inaccessibility to material and markets, currently plays a relatively minor role in the State's economic life, $310 million last year. A strong manufacturing industry would be more independent of external forces than either military expenditures or tourism. But to achieve that position of strength, the adverse effects of the vast distances between material and market must be overcome through reductions in cost.

The most critical item of cost affecting both manufacturing and East-West trade is the high cost of energy in Hawaii. It is vital and just that Hawaii be allowed access to material at the lowest possible cost to offset higher transportation costs. Fuels, petroleum in this case, are the foundation of any economy. Lower cost energy will reduce production costs and place Hawaii in a more competitive position thus increasing exports and encouraging new enterprises.

Hawaii presently suffers from one of the highest costs of living in the United States. In fact, many of our people in dire need are unable to benefit from federal programs because national poverty guidelines do not recognize the cost of living differential. The general consumer interest will be served by the lower energy costs which would result from Oil Import Quota elimination. We can anticipate a lower cost of electricity and other utilities and all goods and services which prices reflect the cost of energy, in addition to the lower gasoline and oil products.

The Mandatory Oil Import Quota has been extremely expensive for Hawaii's citizens. The state presently sustains one oil refinery which processes some 33,000 barrels of oil per day, of which 97% is foreign crude. Under the Oil Import Quota system, the Hawaiian refinery is granted a quota of only 1,500 barrels. The remaining portion of the foreign oil is received under "exchange agreements" with other quota licensees on a 1 to 1 ration, under Section 17(b)(3) of the OIA rules.

Therefore, the operator has stated that they must charge consumers of the State of Hawaii as if high priced domestic crude were used. The differential between domestic oil and foreign oil landed in Hawaii is approximately 70¢ to 95¢ per barrel. The resultant $14–20 million difference may not be a large amount for other states, but for Hawaii, it is a tremendous burden on its small population and economy. (See Exhibits A and B attached hereto.)

As another example of the effect of this program on our citizens is gasoline prices. We have been informed by one of the major oil companies that their tank wagon price to dealers in Honolulu is a stable 18.4¢ per gallon. They have indicated that in some areas such as Los Angeles, they have gone as low as 12.94¢ per gallon in response to competition. (See Exhibit C attached hereto.) (Governor's statement July 10, 1969, Introductory statement and answers to questions 1 and 28. Also rebuttal statement dated August 13, 1969.)

We would like to state in passing, that Hawaii has applied for a foreign trade subzone refinery that would process approximately 29,000 barrels per day. U.S. Customs statistics for 1968 show that 11 million barrels of jet fuel and fuel oil, having a total import value of $34 million, was brought into the State of Hawaii "in bond" from foreign sources. The proposed foreign trade sub-zone refinery would not endanger the import quota program but, in fact, would enhance the nation's security by enhancing our national balance of payments. Hawaii would like to displace in part the foreign "in bond" fuel by processing relatively low cost foreign crude oil in the sub-zone. (See answer to question #31 in Governor's statement July 10, 1969. Also rebuttal dated August 13, 1969.)

We would also like to comment on the recent large discovery of crude oil in Alaska, a state that is part of District V. We feel that even if Alaskan crude may be competitive in price to foreign crude, Hawaii will not benefit from such prices since we are required to use high cost U.S. flag carriers under the Jones Act. Changes to the Jones Act should be made as it applies to noncontiguous states. (Jones Act covered in Governor Burns' answer to question #27 in statement dated July 10, 1969.)

To summarize then, in light of the unique geographic position of Hawaii, the uncertain future of some basic industries; the fast growing population; plus the vast distances between material and markets—we hold that the present position of the State of Hawaii in the mandatory oil import program places undue burdens upon the people and economy of the State.

EXHIBIT A.—HAWAII RECEIPTS AND SHIPMENTS OF PETROLEUM PRODUCTS, DOMESTIC AND FOREIGN, CALENDAR YEAR 1967

[In barrels]

Product	Domestic [1]		Foreign [2]	
	Receipts	Shipments	Imports	Exports
Gasoline, n.e.c	2,557,432	1,706,904		74,976
Jet fuel	1,214,939	923,304	8,146,703	
Kerosene	1,106,757	793,472		114,193
Distillate fuel oils	5,524,982	380,031		269,730
Residual fuel oils	1,885,145			40,947
Lubricating oils and greases	113,565			
Asphalt, tars, and pitches	103,147	6		
Naphtha and petroleum solvents	50,413			
Asphalt building materials	222,264	395		
Petroleum and coal products, n.e.c	52,219	3,453		
Crude oil	288,509	238,446	12,295,398	
Fuel oil			2,890,438	

[1] Short-ton data from U.S. Army Corps of Engineers; conversion of short tons to barrels using conversion factors supplied by Honolulu Gas Co.

[2] U.S. Customs Bureau, computer printouts from the Hawaii field office.

EXHIBIT B.—IMPORTS OF PETROLEUM AND PETROLEUM PRODUCTS INTO HAWAII BY COUNTRY OF ORIGIN, CALENDAR YEAR 1968

TSUSA number	Product	Country of origin	General imports: Net quantity (barrels)	General imports: Value (dollars)
4751010	Crude oil	Iran	4,648,573	8,850,669
		Saudi Arabia	4,172,149	8,321,052
		Indonesia	3,060,768	5,384,641
		Bahrain	413,908	1,030,631
		Total	12,295,398	23,586,993
4750550	Fuel oil	Saudi Arabia	2,058,056	5,124,556
		Bahrain	832,382	2,072,631
		Total	2,890,438	7,197,187
475240	Jet fuel	West Indies	4,455,632	14,352,614
		Venezuela	3,204,424	10,093,961
		Iran	259,472	982,179
		Saudi Arabia	163,071	621,916
		Bahrain	64,104	239,621
		Total	8,146,703	26,290,291

EXHIBIT C.—CHEVRON GASOLINE, NET PRICE (EX. TAX) TO DEALERS REALIZED AT HONOLULU AND AT WEST COAST POINTS

1967	Honolulu	San Francisco	Los Angeles	San Diego	Portland	Seattle
January	18.4	16.4	15.60	15.95	16.28	15.38
February	18.4	16.4	13.45	15.89	15.24	15.86
March	18.4	16.4	14.46	15.86	13.89	15.54
1st quarter	18.4	16.4	14.53	15.91	15.09	15.59
April	18.4	16.4	16.37	15.68	16.45	15.45
May	18.4	16.4	16.30	15.85	16.37	15.89
June	18.4	16.4	15.54	16.09	16.04	15.75
6 months	18.4	16.4	15.32	15.89	15.72	15.65
July	18.4	16.4	15.37	16.26	16.24	15.57
August	18.4	16.4	13.29	16.19	14.76	15.10
September	18.4	16.4	16.02	16.40	16.06	15.47
9 months	18.4	16.4	15.17	16.02	15.71	15.55
October	18.4	16.4	12.94	15.98	16.20	14.44
November	18.4	16.4	15.29	15.72	15.50	15.20
December	18.4	16.4	13.93	16.05	15.94	15.47
Total, year	18.4	16.4	14.86	16.00	15.75	15.42

THE NIXON WAR: A GROWING DANGER

(Mrs. MINK asked and was given permission to revise and extend her remarks at this point in the RECORD, and to include extraneous material.)

Mrs. MINK. Mr. Speaker, the administration's blatant efforts to intimidate the press coupled with the current drive to smother congressional criticism by a call for patriotism and unity stand as direct threats to our constitutional liberties. This frenzied, unthinking attack on free speech and debate marks a turning point in an administration which promised to "bring us together" and which pledged to "lower our voices." Now the theme is that all who have different views are "liberal Communists," making them all traitors; and those who remain silent, agree with the President, and are the only true patriots. I shudder to think what else might be discussed at the breakfast table of our Attorney General. We had better hurry up and repeal title II of the Internal Security Act or the use of detention camps might again become the passion of the day as in World War II.

I call to the attention of my colleagues an editorial in the November 18 issue of the Honolulu Advertiser, titled "A Growing Danger," which reads as follows:

A GROWING DANGER

Moratorium II has come and gone, leaving the country just where it was on Vietnam.

Although a separate band of extremists did perpetrate some violence in Washington, the march activities in the capital did not bear out the Justice Department's apprehensions.

On the whole, the march was orderly, decorous, restrained.

President Nixon, meantime, went to elaborate lengths to publicize that the White House was operating "normally"—unmoved by the activity in the street outside.

The President is banking on the "silent majority" to support his approach to ending the Vietnam war, and there is evidence that the support is substantial.

As we have said earlier, the activists who demand immediate withdrawal would be well advised to take note of what appears to be growing sentiment behind the President.

That sentiment may be based in part on increasing impatience with the demands and demonstrations of the activists and their failure to show the slightest sympathy for the President's difficulties.

The country faces the danger of greater and greater polarization and, along with it, hostility. The activists are contributing to this—but so, unhappily, is the Administration.

The activists have a responsibility to try to reverse this trend. But so does the President, precisely because he is the President—one who entered office pledging to unify the nation.

It is natural and expected for any President to defend and advocate the policies he deems best for the country. And President Nixon is correct that foreign policy cannot be made in the streets.

American policy can and must be shaped by popular sentiment in its broad form—and this is certainly what has happened. The anti-war elements have long since won the argument; this country is going to get out of Vietnam as quickly as it can.

Where the activists err is that they now insist on dictating the details—in this case, immediate withdrawal—and the President rightly resists them.

It is not the President's attitude toward the peace demonstrations that disturbs us but the ways in which that attitude is being manifested by Administration spokesmen.

The hard-line statements from the Justice Department and the series of intemperate comments by Vice President Agnew are the most discouraging examples.

The inevitable consequence of such an approach is to solidify and further embitter the opposition—and to more deeply split the nation.

Despite the administration's strong-arm operation and cursory reports of national polls there is evidence that the silent majority is not backing a policy of maintaining semipermanent U.S. force in Vietnam as the President's program suggests. According to public opinion expert Louis Harris, in a speech made in Hawaii on November 17, 1969, 81 percent of the American people agree that the questions raised by the antiwar demonstrators ought to be discussed and answered—a public demand in direct opposition to the Nixon-Agnew approach of silencing the opposition with no debate or answer to their questions.

The Honolulu Advertiser on November 19 and the Honolulu Star-Bulletin on November 18 both reported Mr. Harris' speech which I commend to the attention of my colleagues and insert in the RECORD at this point:

[From the Honolulu Star-Bulletin, Nov. 18, 1969]

POLLSTER HARRIS SAYS AMERICANS WANT HONORABLE END TO THE WAR

America's people are "sorely troubled and taxed emotionally by a war they didn't ask for, but one they would like to see end on relatively honorable terms."

This is the conclusion of Louis Harris, who conducts the syndicated Harris Poll, and who has spent a lifetime as a reporter of public opinion and as a working journalist.

Harris, speaking yesterday to the National Wholesale Druggists' Association convention at the Hilton Hawaiian Village Hotel, painted a grim picture of life in America today.

He said the Vietnam war has deeply divided the country and "All but made a shambles of national unity."

Americans find it intolerable as a people, he said, to expend our blood or treasure in a war without end, a war that will likely end in a stalemate.

He said 81 percent of the American people agree that the antiwar demonstrators may not be entirely right, but the questions they raise ought to be discussed and answered.

He said a majority of the people feel uneasy that Hanoi finds comfort in antiwar demonstrations, but a majority also believes the President was wrong to see he would pay no attention to the protests.

President Nixon's plan for gradual troop withdrawal from Vietnam has the support of "a big majority," Harris said. But a majority of the people also have no faith the "Vietnamization" part of the Nixon plan will work.

"They would like the war to end on honorable terms—which means simply not a Communist takeover." Harris said.

"We are sharply and deeply divided as a nation," he warned.

Two new coalitions are shaping up, he said. One is for "no change," and it draws its chief strength from whites in the Deep South, conservatives, and lower middle income whites from the industrial North.

The coalition "for change" is made up of

blacks, Spanish-speaking people, the young and the college-educated, he said.

He outlined the issues which are likely to be with us through the next decade.

Our role as a superpower in the world, and what the limits of that power should be—

The question of race.

The ability of society to cope with nonconformity in manners, styles and taste.

He said the coalition "for change" should be in the majority in 1976—but the question is not whether there are more people "for change" or more people "against change" in manners, morals and mores.

"The challenge . . . is how America can survive and how the quality of life in this country and throughout the world can be made better," he said.

He said we must learn how to control war—how to bring population growth and food into proper balance—how to share our wealth—how to bring justice and equality to black and Spanish-speaking people "who will soon be over one in every four Americans."

"A generation from now they will ask of all of us—where were you in this great turning period?" he concluded.

And he said the answer cannot be taken for granted, nor can the obligation of every man.

"Tomorrow may be too late."

[From the Honolulu Advertiser, Nov. 19, 1969]

PROTEST FOES HELD NOT NECESSARILY PROWAR

If you don't like demonstrations against the Vietnam war, does that make you part of a "silent majority" in support of the war?

Nothing of the sort, says the man who earned his reputation tapping the opinions of Americans.

"All of this might make headline rhetoric, but it is not likely to wash with the real majority of Americans," pollster Louis Harris told a meeting of the National Wholesale Druggists' Association at the Hilton Hawaiian Village Monday.

Harris made his remarks against the background of the antiwar moratoriam of Oct. 15 and the past weekend, and President Nixon's speech earlier this month appealing to the support of the "silent majority."

"An important distinction had best be made here and now," he said. "At a time when no more than 30 per cent of the public credited Lyndon Johnson with positive marks on his handling of the war, 84 per cent also wanted to see the anti-Vietnam protesters cracked down on by the government.

"How could this discrepancy exist? If people were so down on protesters, why weren't they in favor of the government's policy on that war?

"The fact is that after 20 years involvement in a Cold War that grew hot in Korea and again in Vietnam, the American people have become more sophisticated than much of the elected leadership of both political parties gives them credit for."

Harris said the Washington demonstrators had no right to expect people who feel the war is morally wrong to follow or support their "violent or irresponsible acts."

Also, the Nixon Administration will be "making a serious mistake if it equates opposition to the extremist protesters with support of its stand on Vietnam."

Harris said that a recent poll he took for Time magazine showed that 80 per cent of the "silent majority" said they were "fed up and tired of the war," and that over 60 per cent expected no early end to the American involvement in the war.

Moreover, Harris said, Americans by a 2 to 1 margin hold the view that the war is unlikely to end in a negotiated settlement, and that "pluralities of the public as well as the leadership of the country favor a unilateral ceasefire." They also believe Vietnam was headed for a Communist government no matter what the U.S. did, he said.

"Taken at their face value, these results hardly add up to a waiting and eager 'silent majority' ready to spring to support of a policy designed to continue American involvement in the fighting," Harris said.

Harris said that Nixon "won kind of a Scotch decision" by not shooting for a negotiated settlement. The majority of Americans never felt the war could be ended by negotiations, he said.

"He has abandoned a course people never did have much faith in," Harris said.

Referring to Nixon's recent policy speech, Harris said the withdrawal portion meets with approval of 73 per cent of Americans.

"Furthermore, two out of three people are happy to have a phased withdrawal, a 'winding down' of the war over a period of time, but not too long. Six in ten Americans now oppose a precipitate withdrawal," Harris said.

But the second major element of Nixon's speech—the "Vietnamization" of the war—guns against the grain of American opinion, he said.

"No more than 22 per cent of the American people have any real faith in the ability of the ARVN (government troops) to hold up their end as U.S. combat replacements. By 2 to 1 margin, a majority, largely silent up to now, believes that if the U.S. withdraws its fighting troops, the Communists will win the war."

Harris said that most Americans do not believe that the Thieu-Ky government is backed by popular support. They also doubt whether the Communists have that backing.

But a majority of Americans feel that the Communists are most likely to survive. Yet, in his Time-poll, Harris found that eight in 10 Americans would hold it against Nixon "if the Communists took over there.

"The people are, therefore, also opposed to a coalition with the Communists as a settlement, although the leadership group in the country is not," Harris said.

"So, on the Nixon plan to wind down American involvement in Vietnam, a big majority supports the withdrawal of U.S. troops, but a majority also has virtually no faith that the Vietnamization part of the bargain will really work.

"The plain truth is that the vast bulk of the American people would like to get out of Vietnam, but they would like the war to end on honorable terms—which means simply not a Communist takeover," Harris said.

Harris said that government decisions should lead, not follow, the views of the majority.

LEAVE OF ABSENCE

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

Mr. HANNA (at the request of Mr. ALBERT), for December 1 and December 2, on account of official business.

Mr. MONTGOMERY (at the request of Mr. JONES of Tennessee), for today, on account of official business.

SPECIAL ORDERS GRANTED

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

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

Mr. PRICE of Texas, for 5 minutes, today.

Mr. WEICKER, for 5 minutes, today.

Mr. MILLER of Ohio, for 5 minutes, today.

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

Mr. GONZALEZ, for 10 minutes, today.

Mr. KOCH, for 60 minutes, on December 2.

Mr. OTTINGER, for 60 minutes, on December 2.

Mr. MIKVA, for 60 minutes, on December 3.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Extensions of Remarks of the RECORD, or to revise and extend remarks was granted to:

Mr. HOLIFIELD and to include extraneous matter.

Mr. MICHEL and to include extraneous matter.

Mr. JONAS during the consideration of House Joint Resolution 1017, today, and to include extraneous matter.

Mr. MAHON during consideration of House Joint Resolution 1017, today, and to include extraneous matter.

Mr. COHELAN during consideration of House Joint Resolution 1017, today, and to include extraneous matter.

Mr. RIVERS (at the request of Mr. ARENDS) to extend his remarks in the RECORD at the close of the debate today on House Resolution 613.

Mr. FINDLEY, today and tomorrow, during consideration of House Resolution 613 and to include extraneous material.

Mr. WRIGHT to include telegram from James B. Conant, and telegram from Gen. Lucius D. Clay.

Mr. MIZELL (at the request of Mr. ADAIR) to include extraneous material with remarks made on House Resolution 613.

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

Mr. MINSHALL in two instances.

Mr. PELLY.

Mr. DERWINSKI in two instances.

Mr. HOGAN in three instances.

Mr. BEALL of Maryland.

Mr. BIESTER.

Mr. TAFT in two instances.

Mr. BERRY.

Mr. BURKE of Florida.

Mr. HALL.

Mr. MICHEL.

Mr. FREY.

Mr. POLLOCK.

Mr. HORTON.

Mr. ASHBROOK.

Mr. SHRIVER in two instances.

Mr. SCHNEEBELI.

Mr. WYMAN in two instances.

Mr. PRICE of Texas.

Mr. HARVEY.

Mr. STEIGER of Wisconsin in two instances.

Mr. MIZELL.

Mr. MILLER of Ohio.

Mr. DELLENBACK.

Mr. SCHWENGEL in two instances.

Mr. MCCLOSKEY.

Mr. SCOTT.

(The following Members (at the re-

quest of Mr. ROE) and to include extraneous matter:)

Mr. MAHON in two instances.
Mr. ROSENTHAL in five instances.
Mr. CORMAN in five instances.
Mr. FRASER in three instances.
Mr. POWELL in three instances.
Mr. HAMILTON in 10 instances.
Mr. ADAMS.
Mr. RARICK in three instances.
Mr. KARTH.
Mr. HICKS in two instances.
Mr. PATTEN.
Mr. BINGHAM in two instances.
Mr. WOLFF in two instances.
Mr. VANIK in three instances.
Mr. O'HARA.
Mr. DANIEL of Virginia.
Mr. VAN DEERLIN.
Mr. FRIEDEL in two instances.
Mr. REES.
Mr. KASTENMEIER.
Mr. MANN in two instances.
Mr. ULLMAN in six instances.
Mr. GONZALEZ in two instances.
Mr. MINISH in two instances.
Mr. FLOWERS in three instances.
Mr. MONAGAN in two instances.
Mr. OLSEN in two instances.
Mr. BRADEMAS in six instances.
Mr. HATHAWAY.

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. 19. An act to reimburse certain persons for amounts contributed to the Department of the Interior; to the Committee on the Judiciary.

S. 497. An act for the relief of the estate of Capt. John N. Laycock, U.S. Navy (retired); to the Committee on the Judiciary.

S. 1678. An act for the relief of Robert C. Szabo; to the Committee on the Judiciary.

S. 3180. An act to adjust the salaries of judges in the government of the District of Columbia; to the Committee on the District of Columbia.

ENROLLED BILLS SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 9906. An act for the relief of J. Burdette Shaft and John S. and Betty Gingas; and

H.R. 14020. An act to amend the Second Liberty Bond Act to increase the maximum interest rates permitted on U.S. savings bonds.

BILLS PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 9906. An act for the relief of J. Burdette Shaft and John S. and Betty Gingas; and

H.R. 14020. An act to amend the Second Liberty Bond Act to increase the maximum interest rate permitted on U.S. savings bonds.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 6 o'clock and 5 minutes p.m.) the House adjourned until tomorrow, Tuesday, December 2, 1969, 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:

1363. A letter from the Comptroller General of the United States, transmitting a report of the examination of the financial statements of the Federal National Mortgage Association for fiscal year 1968, Department of Housing and Urban Development (H. Doc. No. 91-200); to the Committee on Government Operations and ordered to be printed.

1364. A letter from the Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of refractory grade chromite from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

1365. A letter from the Deputy Assistant Secretary of Defense (Installations and Housing), transmitting notification of the location, nature, and estimated cost of certain facilities projects proposed to be undertaken for the Air National Guard, together with notification that certain projects previously included in letters of notification have been cancelled, pursuant to the provisions of 10 U.S.C. 2233a(1); to the Committee on Armed Services.

1366. A letter from the Assistant Administrator for Program and Policy, Agency for International Development, Department of State, transmitting a quarterly report on the programing and obligation of contingency funds for the first quarter of fiscal year 1970, pursuant to the provisions of section 451(b) of the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

1367. A letter from the Comptroller General of the United States, transmitting a report on the questionable need for overtime at selected installations of the Army, Navy, and Air Force; to the Committee on Government Operations.

1368. A letter from the Comptroller General of the United States, transmitting a report of a survey of the Nike-X antiballistic missile development program, indicating a need for management improvements, Department of the Army; to the Committee on Government Operations.

1369. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in the cases of certain aliens found admissible to the United States under the provisions of section 212(a)(28)(I)(ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

1370. A letter from the Chairman, John F. Kennedy Center for the Performing Arts, transmitting the annual status and financial report on the Center for fiscal year 1969, pursuant to the provisions of Public Law 85-874; to the Committee on Public Works.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. BROOMFIELD:

H.R. 15021. A bill to authorize the release of 40,200,000 pounds of cobalt from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

By Mr. BROTZMAN:

H.R. 15022. A bill to amend the National Guard Technicians Act of 1968 to extend certain benefits thereunder to certain technicians involuntarily separated without cause from technician positions before January 1, 1969, and for other purposes; to the Committee on Armed Services.

By Mr. BURTON of Utah:

H.R. 15023. A bill to amend the Bail Reform Act of 1966 to authorize consideration of danger to the community in setting conditions of release, to provide for pretrial detention of dangerous persons, and for other purposes; to the Committee on the Judiciary.

By Mr. DANIELS of New Jersey (for himself and Mr. DULSKI (by request)):

H.R. 15024. A bill to amend section 8340 of title 5, United States Code, to provide a 5-percent increase in certain annuities; to the Committee on Post Office and Civil Service.

By Mr. FARBSTEIN:

H.R. 15025. A bill to provide a program of pollution control in selected river basins and waterways of the United States through comprehensive planning and financial assistance to municipalities and regional management associations for the construction of waste treatment facilities; to the Committee on Public Works.

By Mr. FEIGHAN:

H.R. 15026. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize appropriations for fiscal year 1971 and succeeding fiscal years, and for other purposes; to the Committee on the Judiciary.

By Mr. FUQUA:

H.R. 15027. A bill to amend the Higher Education Act of 1965 to increase the funds available to commercial lenders who make insured student loans under such act; to the Committee on Education and Labor.

By Mr. KEE:

H.R. 15028. A bill to encourage the growth of international trade on a fair and equitable basis; to the Committee on Ways and Means.

By Mr. PRICE of Texas:

H.R. 15029. A bill to extend and improve the Commodity Exchange Act of 1936; to the Committee on Agriculture.

By Mr. RYAN:

H.R. 15030. A bill to amend the Military Selective Service Act of 1967 to prohibit the assignment of any person inducted under such act to active duty in Vietnam unless he consents to such assignment; to the Committee on Armed Services.

H.R. 15031. A bill to amend the Education Professions Development Act to permit training of school board members; to the Committee on Education and Labor.

By Mr. CHARLES H. WILSON:

H.R. 15032. A bill to restrict the mailing of credit cards; to the Committee on the Judiciary.

By Mr. GUDE (for himself, Mr. BROYHILL of Virginia, Mr. HOGAN, and Mr. SCOTT):

H.R. 15033. A bill to authorize, in the District of Columbia, the gift of all or part of a human body after death for specified purposes; to the Committee on the District of Columbia.

By Mr. HOGAN:

H.R. 15034. A bill to prohibit the use of the name of any certain deceased servicemen unless consent to so use the name is given by the next-of-kin of the serviceman; to the Committee on the Judiciary.

By Mr. MAHON:

H.J. Res. 1017. Joint resolution making further continuing appropriations for the fiscal year 1970, and for other purposes; to the Committee on Appropriations.

By Mr. FRASER:

H.J. Res. 1018. 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. ROSENTHAL:

H.J. Res. 1019. Joint resolution proposing an amendment to the Constitution of the United States to grant to citizens of the United States who have attained the age of 18 the right to vote; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H. Con. Res. 458. Concurrent resolution to express the sense of Congress against the persecution of persons by Soviet Russia because of their religion; to the Committee on Foreign Affairs.

By Mr. STEIGER of Wisconsin:

H. Con. Res. 459. Concurrent resolution protesting the treatment of American servicemen held prisoner by the Government of North Vietnam and backing the administration in its efforts on behalf of these servicemen held captive by the North Vietnamese Government; to the Committee on Foreign Affairs.

By Mr. BROYHILL of Virginia:

H. Res. 731. Resolution for appointment of select committee to investigate alleged "Pinkville Massacre"; to the Committee on Rules.

By Mr. WIGGINS:

H. Res. 732. Resolution proposing an amendment to rule XV, Rules of the House of Representatives relating to calls of the roll and House; to the Committee on Rules.

By Mr. ZABLOCKI:

H. Res. 733. Resolution concerning U.S. policies on chemical and biological warfare; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. ANDERSON of California:

H.R. 15035. A bill for the relief of Boyd L. Schultz; to the Committee on the Judiciary.

By Mr. MATHIAS:

H.R. 15036. A bill for the relief of Maria Buhmann; to the Committee on the Judiciary.

PETITIONS, ETC.

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

344. By the SPEAKER: Petition of the City Council, City and County of Honolulu, Hawaii, relative to funding for cancer research; to the Committee on Appropriations.

345. Also, petition of the Club 100, Honolulu, Hawaii, relative to repeal of subtitle II of the Internal Security Act of 1950 (The Emergency Detention Act); to the Committee on Internal Security.

346. Also, petition of Henry Stoner, York, Pa., relative to taxation of oil production; to the Committee on Ways and Means.

SENATE—*Monday, December 1, 1969*

The Senate met at 10 o'clock a.m. and was called to order by the Acting President pro tempore (Mr. METCALF).

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

"Not alone for mighty empire, stretching
far o'er land and sea;
Not alone for bounteous harvests, lift
we up our hearts to Thee.
Standing in the living present, memory
and hope between,
Lord, we would with deep thanksgiving,
praise Thee most for things unseen."

—WILLIAM P. MERRILL.

As we praise Thee, Lord, for things unseen, we ask Thy presence with us in the daily duties which are seen. Make us apt and able for this day. When we are weak, make us strong. When we have fear, give us courage. When we are lonely, be our companion. And enable us so to work and live that we may be used by Thee for the making of a better Nation and the establishment of Thy kingdom among all men. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, November 26, 1969, be dispensed with.

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

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Leonard, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Acting President pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

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

WAIVER OF CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the legislative calendar, under rule VIII, be dispensed with.

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

COMMITTEE MEETINGS DURING SENATE SESSION

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

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

AMERICAN INVOLVEMENT IN THE PHILIPPINES

Mr. FULBRIGHT. Mr. President, Senator SYMINGTON's subcommittee recently completed a series of hearings concerning American involvement in the Philippines. Although substantial portions of those hearings were deleted by the Department of Defense for security purposes, there still is a tremendous amount of new information now being made public for the first time.

Ward Just, of the Washington Post, did a brief summary of some of the more interesting parts of the subcommittee hearings, and it was published in the Washington Post of Sunday, November 30.

I hope my colleagues will read this article and that it will encourage other members of the press to take a more careful look at the published hearings of the Symington subcommittee.

Mr. President, I ask unanimous consent that the Ward Just article be printed at this point in the RECORD.

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

OUR AFFAIR WITH THE PHILIPPINES

(By Ward Just)

In the fall of 1966, to a certain amount of fanfare in the United States, the Philippines sent a detachment of 2,200 men to South Vietnam to fight the war. The unit was known as PHILCAG—Philippines Civic Action Group—and was cited by the Johnson administration as yet another example of the support the American position had from "the free world" on the rim of Asia. At the time, President Johnson expressed his "deep satisfaction" and *that of the American people* at the evidence of Filipino support. President Ferdinand Marcos, addressing a Joint Session of Congress in Washington, proposed an American defensive shield for non-Communist Asia. He told the Congress: "Our object must be to hold the line in Vietnam and at least to roll back Communist power behind the 17th parallel."

To anyone who looked closely at it (and there were a few who did), the Marcos position seemed a speck contradictory. If he felt so strongly about rolling back Communist power, why was he committing only 2,200 troops to South Vietnam, and noncombatants at that? Why were Americans not using Clark Air Base to fly bombing missions against South Vietnam?

Well, now we have some of the answers from Senator Symington's Subcommittee on United States Security Agreements and Commitments Abroad, whose report on the Philippines was made public last week (reports on Thailand, Taiwan, and Laos will follow). It is an extraordinary document, mined with wonderful ironies and absurdities all of which combine to throw the United States into a lover's embrace with a country whose people probably don't want us around at all, and a government whose principal preoccupation is cash. And PHILCAG? The short