ORDER FOR PERIOD OF 15 MINUTES TO BE ALLOCATED FOR YEA-AND-NAY VOTES DURING REMAINDER OF SESSION

Mr. BYRD of West Virginia. Mr. President, by authorization of the distinguished majority leader, and having consulted with the distinguished minority leader and the distinguished assistant Republican leader, I make the following unanimous-consent request:

That, effective immediately and for the remainder of the second session of the 92d Congress, there be a period of 15 minutes allocated to each rollcall vote, with the warning bell to be rung midway, at the expiration of 7½ minutes.

The PRESIDING OFFICER (Mr. ROTH). Is there objection to the request of the Senator from West Virginia? The Chair hears none, and it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I invite attention to the fact that last year there were 423 rollcall votes. The saving of 5 minutes on each rollcall vote would amount to something like 2,115 minutes saved for the session; or, to carry that further, a saving of over 35 hours.

PROGRAM

Mr. BYRD of West Virginia. Mr. President, the Senate will convene tomorrow at 11:30 a.m. After the two leaders have been recognized, the distinguished Senator from Oregon (Mr. PACKWOOD) will be recognized for not to exceed 15 minutes, following which there will be a period for transaction of routine morning business, with statements limited therein to 3 minutes. Routine morning business will end no later than 12:10 p.m. At 10 minutes past 12 noon tomorrow, the Senate will stand in recess, subject to the call of the Chair. Senators will assemble in a body and will begin to depart this Chamber at 10 minutes past 12 noon and will proceed to the other side of the Capitol to hear the President's state of the Union message delivered before a joint session of the Senate and House of Representatives. Following the President's speech, Senators will return to the Senate Chamber, the Chair will lay before the Senate the unfinished business, S. 2515, and the consideration of that measure will be resumed.

QUORUM CALL

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, for the record what is the pending question before the Senate?

The PRESIDING OFFICER (Mr. ROTH). The pending question before the Senate is on agreeing to the committee amendment to the bill, S. 2515.

Mr. BYRD of West Virginia. I thank the distinguished Presiding Officer.

ADJOURNMENT TO 11:30 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, pursuant to the provisions of Senate Resolution 225, as a further mark of respect to the memory of the deceased, the Honorable George W. Andrews, late a Representative from the State of Alabama, and in accordance with the previous order, that the Senate stand in adjournment until 11:30 a.m. tomorrow.

The motion was agreed to; and (at 2:09 p.m.) the Senate adjourned until tomorrow, Thursday, January 20, 1972, at 11:30 a.m.

HOUSE OF REPRESENTATIVES—*Wednesday, January 19, 1972*

The House met at 12 o'clock noon.

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

In God is my salvation and my glory: The rock of my strength and my refuge is in God.—Psalm 62: 7.

Eternal Father, who hast been the dwelling place of Thy people in all generations and who in Thy mercy hast brought us to the beginning of another year and another day, we thank Thee for the leading of Thy spirit in the past and pray that we may respond to Thy summons to live a truer life, to make our country a greater nation, and to build a better world where man can live together safely and securely. Only with Thee can this be done.

Teach us to bring our littleness to Thy greatness, our weakness to Thy strength, our ill will to Thy never-failing good will, and amid all the changes of this mortal life may we rest upon Thine unchanging presence. In life and in death, O Lord, abide with us and with our people now forevermore. Amen.

THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

THE LATE HONORABLE COURTNEY W. CAMPBELL, FORMER MEMBER OF CONGRESS FROM THE FIRST DISTRICT OF FLORIDA

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

Mr. SIKES. Mr. Speaker, I rise to announce to the House and to express my sorrow and profound sense of loss on the death of Courtney Campbell. His distinguished public career included service in the Congress from 1953 to 1955.

Mr. Campbell's life was long and rich. Born in 1895, in Chillicothe, Mo., he rose to distinction through outstanding achievements in many different fields. A graduate of the University of Missouri, he returned from his service with the U.S. Army during the First World War to begin studying for a legal career. He came to Florida in the early 1920's. In 1924 he was admitted to the bar in Missouri and Florida and began his practice in Tampa. He went on to become assistant attorney general for the State, meanwhile distinguishing himself as well as a citrus grower, banker, land developer, and vice president and general manager of the Food Machinery & Chemical Corp. in Lakeland.

The citizens of Florida will always remember Courtney Campbell with gratitude, respect, and admiration. From 1942 to 1947 he served with the Florida State Road Board, and in that office one of his proudest achievements was the establishment of the system of Florida State roadside parks. The naming of the Courtney Campbell Parkway between Clearwater and Tampa in his honor was a well-earned tribute to his remarkable dedication and energy, and to his belief in the need to develop and protect Florida's scenic beauty. In 1948 and 1949 he also served as chairman of the Pinellas County Park Board.

During the Second World War Mr. Campbell's leadership and experience were called into service as a member of the Florida War Labor Relations Board, where his tact, patience, and ability made a major contribution to the war effort.

Those of us who served with Courtney Campbell in Congress remember him with great affection and respect as a kindly man who impressed the membership on both sides with his ability, his dedication, and his conscientious service. He had the true spirit of patriotism that is grounded in the love of service to one's nation and one's fellow citizens. The people of Florida will mourn his passing and feel their loss for years to come, but they can take great pride in the memory of a man whose achievements made such an outstanding contribution to their State and to the Nation.

Mrs. Sikes and I extend our deepest sympathies to his beloved wife, Henrietta, and to all the members of his family in their great loss.

Now I yield to my distinguished colleague from Florida (Mr. YOUNG) who ably represents the district in which Mr. Campbell lived at the time of his death.

Mr. YOUNG of Florida. I thank the gentleman for yielding. Mr. Speaker, it is with great sadness that I report the death on December 22 of former Congressman Courtney Warren Campbell, a distinguished American whom many here will recall performed outstanding service in the 83d Congress.

A resident of Clearwater in my home district, Courtney Campbell was one of Florida's most eminent businessmen and public servants. He was a man of courage, ability, and integrity, and his death at the age of 76 is a loss to all of us.

Courtney Campbell served as a second lieutenant in World War I, and will be remembered by many of us for his unfailing and outspoken love of his country. At a time when patriotism and Americanism cause snickers among some elements of our population, Courtney Campbell was an unashamed—yes, even proud—patriot.

Like many of us, he felt the best hope for peace in this troubled world lies in a strong, free America, and he devoted his life to helping insure that this great Nation maintains the strength to discourage aggression.

As a member of the Florida Road Department, Courtney Campbell was responsible for rebuilding of the causeway that links Tampa and Pinellas County, and although he objected, this facility was named in his honor. He was elected to Congress in 1952 and represented the Tampa Bay area.

A man of deep spiritual faith, Courtney Campbell served his community and Nation in many capacities and was an inspiration to all who knew him. I extend my deepest sympathy and heartfelt condolences to his family.

Mr. SIKES. Mr. Speaker, I now yield to my distinguished colleague, Mr. GIBBONS, who also represented the district in which Mr. Campbell served and lived.

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

Mr. GIBBONS. I thank the distinguished gentleman (Mr. SIKES) for yielding to me on this sad occasion.

Mr. Speaker, I had known Courtney Campbell ever since I was a little boy and he was a young man. He was always a very fine gentleman, very thoughtful, very considerate, and he always took part in good causes in his community, State, and Nation.

His death is one of those untimely passings that we all see from time to time.

Mr. Speaker, I had a great deal of respect for Courtney Campbell. He was a quiet, persuasive businessman who spent some of his time working in government and made a great contribution to it.

I wish to extend my own personal regrets to his wife, Henrietta, and to the other members of his family.

The recent passing of the Honorable Courtney Warren Campbell has taken from the American scene a noted citizen whose long life had been marked by dedicated public service to his home State of Florida and to the whole Nation. Courtney was born in 1895 in Chillicothe, Mo., he was educated at Westminster College in Fulton, Mo., and at the University of Missouri, Columbia, Mo. He saw service as a second lieutenant with the U.S. Army during the First World War.

Following his law studies after the war, he was admitted to the bar in Missouri and in Florida in 1924, practicing in Tampa until 1928. His subsequent career was one of continuing distinction in the public affairs of Florida as farmer, citrus grower, banker, and land developer. In 1927 he became vice president and general manager of the Food Machinery & Chemical Corp. in Lakeland.

From 1942 to 1947 he served with the Florida State Road Board, and in 1944 was a founder of the Florida State Roadside Parks. The Courtney Campbell Parkway between Clearwater and Tampa, built in 1947, is a memorial to his energy and initiative. In 1948 and 1949 he served as chairman of the Pinellas County Park Board.

From 1941 to 1946, years which covered the period of the Second World War, he was a devoted member of the Florida War Labor Relations Board. Courtney Campbell came to this House in 1953 as a member of the 83d Congress, and served faithfully and well the best interests of his party, his State, and his country. In 1955 he returned to his extensive business and civic interests, residing in Clearwater.

Few men have accomplished so much for the communities he represented and in which he lived and worked. The people of Florida will long remember his life and achievement. To the members of his family and to his many friends and associates, I extend my sincere condolences and the sympathies of his colleagues in this House.

[From the Tampa Tribune, Dec. 24, 1971]

FORMER CONGRESSMAN COURTNEY CAMPBELL DIES

CLEARWATER.—One of Pinellas County's best known citizens and former U.S. congressman, Courtney Warren Campbell, died late Wednesday at Mease Hospital in Dunedin.

Campbell, 76, lived at 1086 Eldorado Ave., on Clearwater Beach.

Born in Chillicothe, Mo., he attended Westminster College and the University of Missouri. He also served in the Army during World War I as a second lieutenant.

Campbell came to Florida during the great land boom of the 1920s and joined the law firm of M. Shackleford Jr., which is now in Tampa and known as Shackleford, Farrior, Stallings and Evans.

When the land boom crashed Campbell was appointed to a number of federal receiverships by the district court and successfully reorganized many of them into thriving businesses.

Then in 1927 he was named vice president of Food Machinery and Chemical and general manager of the Florida division. He pioneered development of many packaging processes in south Florida.

In World War II the company went into the manufacturing of amphibious tractors which were invented by another Clearwater resident Donald Roebling. These contracts eventually led to an expansion of the business to Lakeland and finally to the west coast of the U.S.

In 1942 Gov. Millard Caldwell appointed Campbell to the State Road Board and the Davis Causeway which linked Tampa with Pinellas across old Tampa Bay was purchased by the state.

This lifted the toll being charged and demanded immediate refurbishing of the causeway in order to handle the increased traffic loads.

It was Campbell who was instrumental in having the base of the causeway rebuilt and widened and installation of the many recreation sites.

Although he protested—the Davis Causeway was eventually renamed the "Courtney Campbell Causeway."

He successfully ran for a congressional seat in 1952 and served as a representative in the U.S. Congress.

He was a charter member of the first Pinellas County Park Board and later one of the founders of WLCY-Television.

Campbell held numerous positions as bank director as well as many offices in various civic and service organizations. He was a member of the American Bar as well as the Florida Bar and the Hillsborough Bar.

Named in Who's Who in America, Campbell was also a member of the Sons of the Revolution.

Survivors include his widow, Mrs. Henrietta Campbell of Clearwater.

Funeral services are scheduled for today at 2:20 p.m. at Moss Ft. Harrison Chapel and will be conducted by Dr. Gray N. Blandy, rector of the Episcopalian Church of the Ascension. Burial will be in Sylvan Abbey Memorial Park.

Mr. SIKES. I thank my colleague for those kind remarks.

Mr. Speaker, at this time I am pleased to yield to my distinguished colleague from Florida (Mr. HALEY) who also enjoyed the pleasure of serving with Courtney Campbell and was his very dear and close friend.

Mr. HALEY. Mr. Speaker, it is always a sad occasion to rise here and pay tribute to a former colleague who has passed from this world. It is especially so today as we eulogize the late Courtney Warren Campbell, who served Florida well in the 83d Congress.

When Courtney Campbell and I came to Washington together from adjoining congressional districts in 1953, we had been friends for many years and here we shared adjoining offices during the 2 years of his tenure in the House of Representatives. We worked together on many projects and legislation for the good of our State and Nation. He was an effective legislator and represented well his congressional district.

Courtney Campbell was deeply respected by all who knew him. He was a leader of men. He was practical, resourceful and farsighted about the needs of our State as illustrated by the fact that during his service as general manager of the Florida Division of the Food Machinery and Chemical Corp., he pioneered development of many packaging processes in south Florida. He was a very successful businessman. He was an attorney, a banker, a citrus grower, and a land developer.

He served our Nation during World War I as a first lieutenant in the Army and in World War II as a member of Florida's War Labor Relations Board. He gave distinguished service to his county of Pinellas and our State of Florida. During his lengthy career of public service he was an assistant attorney general of Florida, a member of the Florida

State Road Board, a founder of the Florida Roadside Park System, and a member of the Pinellas County Park Board. He was instrumental in the purchase by the State of the old Davis Causeway, a toll facility which crossed Tampa Bay connecting Clearwater with Tampa. He was responsible for the refurbishing of the bridges, widening of the causeway, the creation of park facilities, and the removal of the tolls.

In recognition of his great work in park development the renovated Davis Causeway was renamed the Courtney Campbell Causeway. Millions of people have since enjoyed its park and recreational facilities.

Florida has lost one of her finest adopted sons. The Nation has lost one of its finest citizens. I have lost a dear and close friend.

Mrs. Haley joins me in expressing our deepest sympathy to his widow Mrs. Henrietta Campbell. We have shared her grief and we mourn her loss.

Mr. SIKES. I thank my colleague from Florida for those kind remarks.

Mr. Speaker, at this time I am pleased to yield to the distinguished majority leader, the gentleman from Louisiana (Mr. BOGGS).

Mr. BOGGS. Mr. Speaker, I am distressed to learn from the distinguished dean of the Florida delegation of the passing of our former colleague, Courtney Campbell.

I was pleased to serve with Mr. Campbell. He was one of the best-liked Members of the House of Representatives.

I might say that the distinguished majority whip has reminded me that invariably he was kind enough to pass out cigars made in Florida to Members of the House. We have missed that and we would suggest that some of the other members of the delegation carry on that tradition.

I do not say that in any spirit of levity because he served his district and State well and ably. He was a respected Member and he continued serving his community, State, and Nation with distinction after he left the House.

Mr. Speaker, all of us join in extending our sympathy and sorrow to his family.

Mr. BENNETT. Mr. Speaker, all of us who had the privilege of serving in Congress with the late Courtney Campbell know of his sterling service here and of his great accomplishments for his Nation and his State. We also know that his lovely wife, Henrietta, played a great part in all of his accomplishments. On behalf of myself and family and of all of my constituents, I express deepest sympathy to Mrs. Campbell and to all of his relatives.

Mr. FASCELL. Mr. Speaker, I join my good friends and colleagues in the Florida delegation, in paying tribute to Courtney Warren Campbell, an outstanding Floridian and former Member of the U.S. House of Representatives who served during the 83d Congress.

A native of Missouri, Mr. Campbell moved to Florida in the 1920's, and began a long and distinguished career of public service. As an attorney, he was appointed by the district court to a number of Federal receiverships when the Florida land boom crashed, and successfully reorganized many into thriving businesses.

As vice president of Food Machinery & Chemical Corp., and general manager of the Florida division, he led the development of many packaging processes in south Florida.

A veteran of World War I, Mr. Campbell served during World War II from 1941 to 1946 as a member of the Florida War Labor Relations Board. He also served the State as assistant attorney general.

In 1942, Mr. Campbell was appointed by then Governor Millard Caldwell to the State road board. His contributions in this position, particularly his role in the State's purchase of the Davis Causeway linking Tampa with Pinellas County, and the resultant improvements of the causeway, will long be remembered by the residents of west Florida. The causeway was subsequently named in his honor and is now known as the Courtney Campbell Causeway.

Visitors to Florida and Florida residents have enjoyed the beauty and availability of the Florida roadside parks thanks to Courtney Campbell who founded the program while a member of the Florida State Road Board.

Mr. Speaker, I extend my warm sympathy to Mrs. Campbell with assurances that the State of Florida and particularly the residents of Pinellas County, will deeply miss the leadership of Courtney Warren Campbell.

Mr. FUQUA. Mr. Speaker, the passing of former Congressman Courtney Campbell closes a distinguished page in the history of my State.

Particularly in the Tampa Bay area of Florida will his name remain a symbol of vision, courage, and hard work. He passed away during the holiday season, December 22, 1971.

One of the things for which Mr. Campbell will be most remembered was the service he rendered to our State road board as a member appointed by another former Congresman and then Governor of our State, the Honorable Millard Caldwell.

It was during this period that the Davis Causeway which linked Tampa with Pinellas County across old Tampa Bay was purchased.

This lifted the toll being charged and demanded immediate refurbishing of the causeway in order to handle the increased traffic loads. Mr. Campbell, with characteristic vigor, was the leader in getting the base of the causeway rebuilt and the roadway widened.

He also promoted the installation of many recreation sites in the area.

It is fitting that the causeway was later renamed, despite his protests, the "Courtney Campbell Causeway."

He served in the 83d Congress and made his mark in that one brief span of service. It was characteristic of the man that whatever he did, he left his mark.

Born in Chillicothe, Mo., he attended Westminster College and the University of Missouri. He also served in the Army during World War I as a second lieutenant.

Campbell came to Florida during the great land boom of the 1920's and joined a Tampa law firm. When the land boom crashed, Campbell was appointed to a number of Federal receiverships by the district court and successfully reorganized many of them into thriving businesses.

In 1927 he was named vice president of Food Machinery & Chemical and general manager of the Florida division. He pioneered development of many packaging processes in South Florida.

He was a charter member of the first Pinellas County Park Board and later one of the founders of WLCY television.

Campbell held numerous positions as bank director as well as many offices in various civic and service organizations. He was a member of the American bar as well as the Florida bar and the Hillsborough bar.

Named in "Who's Who in America," Campbell was also a member of the Sons of the American Revolution.

Congressman Campbell is survived by his beloved wife, Henrietta, who was a source of comfort and encouragement during his distinguished career. To her, might I add another of the very sincere tributes which all of those who had the chance to know him feel very deeply.

GENERAL LEAVE

Mr. SIKES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days during which to extend their remarks on the life and service of the late Honorable Courtney Campbell.

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

There was no objection.

THE LATE HONORABLE AIME J. FORAND

The SPEAKER. The Chair recognizes the gentleman from Rhode Island (Mr. ST GERMAIN).

Mr. ST GERMAIN. Mr. Speaker, it is with a great deal of regret and a heavy heart that I have the obligation of informing my colleagues of the passing of my predecessor, the very distinguished and respected Aime J. Forand.

As the Members of this body know, Aime Forand served in this House for a period of 20 years from the First District of Rhode Island.

At the time of his retirement he was the No. 2 man on the Committee on Ways and Means. As we all know, he was the father of the legislation that was adopted subsequent to his leaving the House, legislation which has meant so much to all of the senior citizens of this Nation, the medicare legislation.

Mr. Speaker, Aime Forand served in the House for 20 years. He was recognized by all as a gentleman and as one of the most knowledgeable Members as far as parliamentary procedures are concerned in the House.

I extend my personal condolences to his wife Gertrude.

I am told by telephone that the funeral services will be held in Florida where Aime Forand moved for purposes of his health and where he has lived for the past several years. We are not certain as yet as to whether the funeral will be on Friday or Saturday.

Mr. Speaker, I would ask unanimous consent at this time also that I be granted a special order for Wednesday, February 2 for 30 minutes so that all Members may have an opportunity to eulogize this very distinguished gentleman and very honorable American.

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

There was no objection.

Mr. TIERNAN. Mr. Speaker, I rise to pay tribute to the memory and person of the late Aime J. Forand of Rhode Island who passed away yesterday at the age of 76.

Congressman Forand spent 22 years in this body and 18 years as a member of the Committee on Ways and Means.

Known as the father of medicare, Aime Forand was a faithful and conscientious representative of the people of Rhode Island. His constituency knew no bounds, however, when he began the long, arduous struggle for medical care for citizens 65 and older back in the 1950's. Although a quiet and introspective man, he fought the medicare fight both in Congress and later as a private citizen when he accepted the chairmanship of the Council of Senior Citizens upon his retirement from Congress in 1961.

Aime Forand's goal was finally realized in 1965 when Congress enacted medicare that year.

Aime Forand was a gentle man, thoughtful and dveoted as a husband, considerate of his fellow man, and one who gave his all.

We in Rhode Island shall miss him now that he is gone, but we shall not forget him or his work.

THE SERIOUSLY DETERIORATING FEDERAL BUDGET SITUATION

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

Mr. MAHON. Mr. Speaker, over a period of many months I have been warning that the fiscal affairs of the Government are in an intolerable condition.

The budget deficit in Federal funds last year—for the fiscal year ending June 30, 1971—was just under $30 billion. The year before it was $13 billion.

I have been warning that the deficit for the current fiscal year 1972, which ends June 30, 1972, would be vastly greater than originally projected by the administration. The morning paper carries the following front page headline in bold, black type: "Budget Deficit Seen Nearing $40 Billion."

Mr. Speaker, I don't know just how high the deficit will go this year but the headline just quoted underplays the magnitude and seriousness of it. In a few days, we will have a more precise reading from the administration.

I am not lambasting anybody but I do warn that the administration and the Congress will have to do a better job of putting our fiscal house in order if we are to prevent disastrous consequences.

Yes, the morning headline underplays the magnitude of the deficit because it does not point out that when the administration—and consequently the press—speaks of the deficit it counts in, as an offset to the Federal funds deficit, surplus trust funds which are borrowed for the purpose of paying current Government expenses but which must be repaid with interest to the trust accounts, namely, the highway, social security, and other trust accounts. Collectively, in recent years the trust accounts have been taking in more than the amounts expended.

Last year, the trust fund surpluses were about $7 billion and will probably approximate roughly that figure this year.

Mr. Speaker, the budget for next year—fiscal 1973—will project another whopping deficit. It seems beyond doubt that the Federal funds deficit for the four fiscal years, 1970–1973, will be considerably in excess of $100 billion.

In the interest of the welfare and stability of the United States, it is imperative that here on the threshold of the new Congress we take account of our worsening fiscal situation.

BIRTHDAY OF ROBERT E. LEE

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

Mr. MONTGOMERY. Mr. Speaker, on this, the birthday of Robert E. Lee, I feel it is entirely fitting that we pause to consider the virtues of this remarkable man.

About Robert E. Lee, Senator Benjamin Hill of Georgia penned these words:

He was a foe without hate; a friend without treachery; a soldier without cruelty; and a victim without murmuring. He was a public officer without vices, a private citizen without wrong, a neighbor without reproach, a Christian without hypocrisy, and a man without guilt. He was a Caesar without his ambition, Frederick without his tyranny, Napoleon without his selfishness, and Washington without his reward.

FINANCIAL CRISIS IN THE STATE AND CITY OF NEW YORK

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

Mr. BINGHAM. Mr. Speaker, New York State and New York City face a financial crisis of major proportions. To meet this crisis Federal financial help is absolutely essential and urgently needed, whether it be called "revenue sharing" or by some other name.

I am today introducing a bill identical with that introduced last by the distinguished chairman of the Committee on Ways and Means, the gentleman from Arkansas (Mr. MILLS) and cosponsored by my able colleague from New York (Mr. CAREY) and others. This bill in my judgment represents an absolute minimum of what must be done, at least in terms of amounts.

I am appalled by the cutbacks in State aid and State services that have already occurred in my State, let alone those that are contemplated in Governor Rockefeller's proposed budget.

The situation in our mental hospitals and in our State institutions for the retarded is deplorable, and getting worse. Obviously our correctional institutions are in need of drastic rehabilitation and reform. The City University, especially its open enrollment program, is in grave danger.

All across the board the State and city are not meeting their responsibilities to our young people, our senior citizens, indeed, to all of our people, for the lack of resources. In this crisis, the Congress and the President simply cannot stand idly by.

The $400 million of unprogramed Federal aid called for in Governor Rockefeller's budget is a bare minimum. Even with this assistance, New York's situation will be scarcely tolerable. Without it, the State will be confronted with virtual catastrophe.

I say these things in spite of the fact that for years I have tended to favor program aid, directed to particular targets. I still prefer such aid, and will press for substantial increases in Federal aid for such purposes as education, mental health, crime control, and mass transit. But in the current situation we cannot wait for the slow, sometimes tortuous process that must be followed in obtaining Federal funds for specific purposes. And we must recognize that such aid often imposes additional burdens on States and cities.

The need is acute and imperative for general financial assistance for our hard-pressed States and cities. I urge my colleagues, not only from New York, but from all over the country, to lay aside partisanship and prejudices and to respond promptly and generously to the urgent call for help from the people of our States and cities.

The SPEAKER. The time of the gentleman from New York has expired.

A $40 BILLION DEFICIT

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

Mr. VANIK. Mr. Speaker, today's announcement of a $40 billion deficit in the next fiscal year constitutes the most shocking news of the new year.

The cause and the effect of this deficit should constitute the principal business of this second session of the 92d Congress.

We must pursue a more vigorous effort to put our accounts into balance and decide what steps must be taken to reverse this trend toward increasing deficits.

We must endeavor to close tax loopholes and recover diminishing tax revenues. We must restrain public spending to essential programs to meet critical human needs and to recover the economy.

Otherwise, we are on a jet trip to fiscal

disaster which should frighten every American.

HIGHER EDUCATION BILL

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

Mr. PERKINS. Mr. Speaker, on last November 5 the House passed by an overwhelming vote, an omnibus higher education bill, after attaching to it a separate bill authorizing emergency aid to desegregating elementary and secondary schools. More than 2 months have passed since that date and the bill still has not been referred by the other body to a House-Senate conference committee. Therefore, I think we should consider separating the school desegregation bill from the higher education bill.

My reasons for suggesting this course are these: all major higher education programs administered by the Office of Education are due to expire on June 30. It is necessary to pass the higher education bill (S. 659) in order to continue their authorization, and thus permit appropriations for them to be made for the next fiscal year. It has been widely reported that disagreements over the school desegregation measure and anti-busing amendments are the major obstacle to sending S. 659 to the conference committee. It is my belief that we should not further delay action on the higher education provisions in order that the Appropriations Committee will be able to proceed to consider the funding of college and student aid programs.

The whole education community is grateful to the gentleman from Texas (Mr. MAHON), chairman of Appropriations, and the gentleman from Pennsylvania (Mr. FLOOD) for the speed and efficiency the committee has exerted in bringing education appropriations to the floor early in the session.

Let me make it unequivocably clear that I support aid to both higher education and to desegregating schools. But I believe it is now time to consider each on its own merits.

IS FEDERAL DEPOSIT INSURANCE COMPANY GOING INTO COMMERCIAL BANKING FIELD?

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

Mr. GROSS. Mr. Speaker, I am concerned, and deeply concerned, by the fact that the Federal Deposit Insurance Corporation, which was designed by the Congress to provide insurance on the money of depositors in the banks of this country, is now making loans in the millions upon millions of dollars.

A few months ago, and for the first time in its nearly 40 years of operation, it made a loan ostensibly to save a failing bank in Boston. Only a few days ago, according to the newspapers, the FDIC made a $60 million loan to save a failing bank in Detroit, Mich.

The question that arises is whether the Federal Deposit Insurance Corporation is going to go into the commercial banking and loan field.

The House Committee on Banking and Currency should promptly determine whether the Federal Deposit Insurance Corporation is going to carry on the mission for which it was originally established; and that is to provide insurance on the bank deposits of all citizens of this country. We are entitled to know now in what direction this corporation is headed.

ROBERT E. LEE

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

Mr. DORN. Mr. Speaker, it is a special privilege to join my distinguished colleague (Mr. MONTGOMERY) in paying respect today on his birthday to the memory of Robert E. Lee. Robert E. Lee was truly the first great Southern moderate. He rejected extremism and prejudice. He did not lend his great influence to the right or to the left. He devoted the latter years of his life promoting a united Nation and perhaps contributed more than any other American of his time to heal the wounds of sectionalism, revenge, and hatred.

Mr. Speaker, in our great Nation today, with its tendency toward divisiveness, credibility gaps, and partisanship, we would do well to emulate the compassion, the absolute integrity, and gentlemanly conduct of this great American. Robert E. Lee set an example to those who would have run from the almost insurmountable problems facing our Nation in the late 1860's. He was absolutely without hatred, envy, jealousy, or prejudice.

As an educator, he was superb. He emphasized the basic fundamentals of education and advanced education as an answer to the abject poverty, disease, and misunderstanding of that era. He was devoted to education as the means toward enlightenment, understanding, and brotherhood.

As an American soldier and as a military commander he was without superior. Robert E. Lee was one of the greatest commanders the English-speaking world ever produced, ranking with the Duke of Wellington, Oliver Cromwell, the Duke of Marlboro, Washington, and MacArthur.

Lee was fittingly honored by all of the American people when he was placed in the Hall of Fame of Great Americans at New York University. Mr. Speaker, this Nation can be proud of Robert E. Lee. It is fitting and proper today on his birthday that we pause to honor his memory.

THE FISCAL SITUATION

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

Mr. DEVINE. Mr. Speaker, it is with some chagrin that I stand here in the House today and listen to some of my colleagues, particularly my friends from the opposite side of the aisle, deplore the fact that an announcement has been made that there may be a deficit of $40 billion in this fiscal year.

You know, it is interesting that many of the people who deplore these deficits that occur from time to time are the very people who have never voted against a spending bill in the whole history of the Congress.

Let us put the saddle just exactly where it belongs. The President of the United States cannot authorize expenditures. The President of the United States cannot appropriate expenditures. The people who spend the money and create the deficits are the people in the Congress of the United States.

This is 1972. Since 1932, 40 years have expired, and only twice in 40 years has the Congress of the United States been in control of the Republican Party, the minority party.

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

Mr. DEVINE. I yield to the gentleman from Ohio, who votes for every spending bill that comes to the floor of the House.

Mr. VANIK. That statement is not justified by the record. I would like to point out that the deficit is caused by tax giveaways and by large subsidies.

Mr. DEVINE. Voted for by your committee.

Mr. VANIK. Not from my committee, and I voted against them.

THE FISCAL SITUATION

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

Mr. CEDERBERG. Mr. Speaker, I support the comments of my colleague, the gentleman from Ohio (Mr. DEVINE). The gentleman has stated the matter correctly. We are talking about fiscal irresponsibility and deficits, but the majority of those who are complaining are those who, as the gentleman has so adequately said, have been in favor of every spending proposal that has ever come down the pike. And it will be interesting, as the President's budget message comes to us, to see what occurs. We, in the Appropriations Committee, will do our very best to reduce that budget, but when it gets to the floor there are going to be amendments after amendments offered to increase the amounts, and the same gentlemen who have been here pleading for fiscal responsibility will be those who will be for full funding of every program as it comes down the pike.

There is an old saying, "By your deeds ye shall be known." It is now early in the session. We will find out very soon as to who is going to be for fiscal responsibility and who is not going to be for fiscal responsibility.

RESUMPTION OF WORK ON THREE SISTERS BRIDGE

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

Mr. CONTE. Mr. Speaker, I know that

the many supporters of the Metro subway system share my gratification with the Justice Department's petition filed in the Supreme Court Monday which seeks resumption of work on the Three Sisters Bridge.

This manifests a clear, responsible fulfillment of the administration's pledge to take all possible legal steps to permit completion of this project.

This should also satisfy those who argued last month against release of the District's share of the subway funds on the grounds that the executive branch was dragging its feet on the Three Sisters Bridge case.

The brief filed in support of the petition makes two convincing points in my estimation. First, the regional planning, safety, environmental protection, and location hearing provisions in question do not bar the Secretary of Transportation from authorizing federally assisted highway projects until "final plans" have been prepared.

Second, the Congress, by enacting section 23 of the Federal-Aid Highway Act of 1968, mandated in no uncertain terms that construction of the Three Sisters Bridge be commenced within 30 days, any other provision of Federal law to the contrary notwithstanding.

It is my earnest hope both that the Supreme Court acts favorably on the Government's petition and that the Congress will now give its unqualified support to completion of the vitally needed Metro project.

Thank you, Mr. Speaker.

Mr. Speaker. I include the following letter from Secretary Volpe.

SECRETARY OF TRANSPORTATION,
Washington, D.C., January 17, 1972.

HON. SILVIO O. CONTE,
House of Representatives,
Washington, D.C.

DEAR SIL: I know you will be interested in seeing a copy of the petition for certiorari in the Three Sisters Bridge case which was filed in the Supreme Court today as promised by the President. We make two principal arguments in the petition. First, we contend that the decision of the Court of Appeals, by its requirement that nothing be done until final plans for a project are approved, would frustrate highway planning nationwide. Secondly, we contend that Congress, in enacting Section 23 of the Federal Highway-Aid Act of 1968, directed in no uncertain terms that construction of the Three Sisters Bridge be commenced within 30 days, any other provision of Federal law to the contrary notwithstanding.

Respondents have 30 days within which to file a brief in opposition to our petition. If you are interested, I would be pleased to send you a copy of their brief when it is received.

Sincerely,

JOHN VOLPE.

IN THE MATTER OF UNITED STATES OF AMERICA AGAINST ERNEST LONG—PRIVILEGES OF THE HOUSE

The SPEAKER. The Chair recognizes the gentleman from California (Mr. MILLER).

Mr. MILLER of California. Mr. Speaker, I rise to a question of the privileges of the House.

Mr. Speaker, I have been subpenaed to appear before the criminal assignment branch of the District of Columbia Court of General Sessions on January 28, 1972, in the case of the United States of America against Ernest Long.

Under the precedents of the House, I am unable to comply with the subpena without the consent of the House, the privileges of the House being involved. I therefore submit the matter for the consideration of this body.

I send the subpena to the desk.

The SPEAKER. The Clerk will report the subpena.

The Clerk read as follows:

[In the District of Columbia Court of General Sessions, Criminal Division]

UNITED STATES OF AMERICA *v.* ERNEST LONG

The President of the United States to Congressman George P. Miller, 100 Maryland Ave. N.E., Washington, D.C.

You are hereby commanded to appear before the Criminal Assignment Branch of the District of Columbia Court of General Sessions at 9:00 a.m. on January 28, 1972 as a witness for the United States and not depart the Court without leave thereof.

Witness, The Honorable Harold H. Greene, Chief Judge of the District of Columbia Court of General Sessions.

JOSEPH M. BURTON,
Clerk, District of Columbia,
Court of General Sessions.

Report to: Court of General Sessions, Criminal Division Building, 5th and E Streets, N.W., Washington, D.C., Room 310. (Please bring this subpoena with you when you come to Court).

Mr. BOGGS. Mr. Speaker, I offer a privileged resolution (H. Res. 767) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 767

Whereas Representative George P. Miller, a Member of this House, has been served with a subpena to appear as a witness before the Criminal Assignment Branch of the District of Columbia Court of General Sessions, Washington, D.C. to testify on January 28, 1972 in the case of *United States of America against Ernest Long*; and

Whereas by the privileges of this House no Member is authorized to appear and testify, but by order of the House: Therefore be it

Resolved, That Representative George P. Miller is authorized to appear in response to the subpena of the Criminal Assignment Branch of the District of Columbia Court of General Sessions; and be it further

Resolved, That as a respectful answer to the subpena a copy of these resolutions be submitted to the said court.

The resolution was agreed to.

A motion to reconsider was laid on the table.

THE FEDERAL DEFICIT

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

Mr. BOGGS. Mr. Speaker, I was interested in the remarks made here a few minutes ago by some of my colleagues with respect to the enormous Federal deficit which is approaching $40 billion.

I think if one compares the request made by the administration and the amounts appropriated for this fiscal year by the Congress, it will be found the figure will be many billions of dollars short of the approximate $40 billion deficit. As a matter of fact the amount appropriated may be less than the administration requested.

In truth and in fact, administration spokesmen continue to make the statement that many thousands of people have been released from defense plants, from the aerospace industry, all of which are savings to the Federal Treasury, and which they say account for the increase in unemployment. Moreover, at the beginning of the last session, some of us were asked to come down to the White House to meet with Mr. Shultz and others, where we were informed they would officially have a deficit policy for this fiscal year—and I presume for the next fiscal year. I doubt if they contemplated a deficit of near $40 billion.

The theory was that a large deficit would reemploy people and reinvigorate the economy. Whether it has or not, I do not know. The unemployment rate remains at 6 percent. Industrial capacity remains unused to about 30 percent.

Mr. Speaker, I think every economist who has ever studied this subject will agree that where we have high unemployment and a failure to use our industrial resources, there is an immediately translated downfall in Federal revenues. I think the total estimated as a result of the recession for calendar year 1971 in Federal, State and local governments is approaching $30 billion. Moreover, the President has withheld spending billions of dollars that the Congress appropriated.

To accuse this Congress of being fiscally irresponsible is to ignore the facts and to ignore the fundamental proposition that it is the responsibility of the Executive in power to make the recommendations and for the Congress to act on them. I maintain, Mr. Speaker, that the record is abundantly clear that the Congress has acted responsibly.

DEFICITS AND FULL EMPLOYMENT

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

Mr. GERALD R. FORD. Mr. Speaker, I can see that on the second day of this session we are going to have a number of accusations and charges, and, very properly so, some response from our side of the aisle in a political sense.

Some Members of the body—and I believe a majority on the other side of the aisle—in my judgment are in no position to talk about any deficit of any magnitude, because if we go back to look at the record of one vote after another we will find that the majority on that side of the aisle have been in favor of greater, not lesser, expenditures, and when there is a deficit those added expenditures inevitably contribute to such a deficit.

The gentleman from Louisiana properly said that we were told a year ago about this time that there would be a deficit. It was a part of a full employment budget. I am convinced that is a proper function of the Federal Government. I do not think it has to be $40 billion. I do not think the deficit will be $40 billion.

Let me say that the economic policies of this administration are producing re-

sults. Even though there has been a stabilization of the unemployment rate at a figure too high, on the other hand I believe we can point out that for the last 2 months, for the first time in the history of the United States, more than 80 million people have been gainfully employed, for an all-time record.

As of last month, compared to 6 months before, over 1.5 million more Americans were employed; in other words, an increase of those totally employed of 1.5 million in the last 6 months.

This is progress, and I am going to make a little prediction for my friend from Louisiana. Come the summer, that unemployment rate will be down, and employment will continue to go up, and that is what the American people want.

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

Mr. GERALD R. FORD. I yield to the gentleman from Michigan.

Mr. CEDERBERG. I believe the gentleman's prognostication is correct. Actually, the unemployment rate is now back to where it was at the beginning of the Kennedy administration and through the Kennedy administration until we got so deeply involved in the war in Vietnam.

One of the easiest ways to handle unemployment is to draft young men in the country, put them in the Army, and increase your defense expenditures and your defense contracts. There is no secret about how to handle unemployment that way.

I understand also there is a movement on foot on the other side of the aisle—there was during the last part of the session—that some are complaining about the fact that the President is not spending all of the money which the Congress has appropriated, and there have been resolutions adopted or proposed to demand and require that the Congress go on record to say that every dime which is appropriated for all projects should be spent. This does not seem to me to be the way to handle fiscal responsibility, if we are really concerned about it. I would forget those kinds of resolutions.

DEFICITS

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

Mr. HAYS. Mr. Speaker, for the edification of the minority leader, let me say that I, too, was a little surprised by all these speeches from my side of the aisle about the deficit but, you know, there has been a big vacuum here, and inevitably a vacuum always has something to go in to fill it.

The speeches about the deficit should have been coming, as they have been for years, from the Republican side of the aisle. They deplored and prognosticated and predicted the imminent downfall of the Republic when the deficit was only $10 billion a year, and now it is projected to be $35 billion or $40 billion and they are strangely silent, and consequently somebody over here began talking about it.

The way to keep the Democrats from talking about a deficit is for you fellows over on that side to continue your ancient practice of deploring it.

CONFERENCE REPORT ON S. 382, FEDERAL ELECTION CAMPAIGN ACT OF 1971

Mr. HAYS. Mr. Speaker, I call up the conference report on the bill (S. 382) to promote fair practices in the conduct of election campaigns for Federal political offices, and for other purposes, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

(For conference report and statement, see proceedings of the House of December 14, 1971.)

Mr. HAYS (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the statement be dispensed with.

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

There was no objection.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

Mr. BOGGS. 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. 3]

Annunzio	Giaimo	Passman
Aspin	Goldwater	Pelly
Baring	Gray	Pepper
Barrett	Green, Oreg.	Pettis
Bell	Griffin	Rangel
Betts	Griffiths	Rees
Boland	Gubser	Rhodes
Brademas	Hansen, Wash.	Rosenthal
Bray	Harvey	Roybal
Burke, Fla.	Hébert	Ruppe
Byrne, Pa.	Heckler, Mass.	Saylor
Caffery	Henderson	Scheuer
Carey	Ichord	Schneebeli
Chisholm	Jarman	Shipley
Clark	Johnson, Pa.	Sisk
Clay	Jonas	Stokes
Collier	Kluczynski	Stubblefield
Conyers	Leggett	Stuckey
Corman	Lennon	Teague, Calif.
Dellums	Long, La.	Teague, Tex.
Diggs	McClure	Udall
Dingell	McCulloch	Van Deerlin
Downing	McDade	Vander Jagt
Edwards, Ala.	McKay	Waldie
Edwards, La.	McKevitt	Whalen
Esch	Martin	Wilson, Bob
Evins, Tenn.	Mayne	Wolff
Fisher	Mills, Ark.	Wyatt
Fraser	Minshall	Young, Tex.
Fulton	Murphy, Ill.	Zwach
Fuqua	Nelsen	
Garmatz	Nichols	

The SPEAKER. On this rollcall 337 Members have answered to their names, a quorum.

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a resolution of the following title:

S. Res. 225

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Honorable George W. Andrews, late a Representative from the State of Alabama.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof of the family of the deceased.

Resolved, That when the Senate adjourns today, it adjourn as a further mark of respect to the memory of the deceased Representative.

The message also announced that the Senate had passed a concurrent resolution of the House of the following title:

H. Con. Res. 499. Concurrent resolution providing for a joint session to receive the President of the United States on January 20, 1972.

CONFERENCE REPORT ON S. 382, FEDERAL ELECTION CAMPAIGN ACT OF 1971

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

Mr. Speaker, the conference report has been printed since December. The report was deliberately not brought up until now to allow every Member to have an opportunity, if he so desired, to look at the conference report.

I do not propose to take a great deal of time, but I do want to mention some of the key provisions as cleared by the conference committee.

The report retains the equal time requirement of the Communications Act of 1934.

It limits to 10 cents per voter, the amount that can be spent by candidates for Congress and the President on advertising by television, radio, newspapers, magazines, billboards, and automatic telephones.

Up to 60 percent of the overall limitation could be spent for broadcasting purposes.

It requires broadcasters to sell candidates advertising at the lowest unit rate in effect for the time and space used for the period of the last 45 days preceding a primary election or the last 60 days preceding a general election.

It strengthens the requirements for reporting to the public on how much a candidate spent in his campaign and the sources of his contributions.

It specifies that all candidates, including political committees, must report the names and addresses of all persons who made contributions or loans in excess of $100 and all persons to whom expenditures in excess of $100 are made.

It authorizes the supervisory officers for the filing of campaign reports; the Secretary of the Senate for the Senate and the Clerk of the House for the House and the Comptroller General for presidential candidates.

In addition to that, it requires reports to be filed with the secretaries of State

or whoever the election official is in the State where the election is held.

It defines more strictly the roles of corporations and limits the amount a candidate or his family can contribute to his own campaign and repeals the Corrupt Practices Act of 1925.

Mr. HALL. Will the gentleman yield?

Mr. HAYS. I yield to the gentleman.

Mr. HALL. I appreciate the gentleman's explanation of the conference report.

I just wonder, as far as the limitations are concerned, if they are, in the opinion of the gentleman from Ohio, the chairman of the Committee on House Administration, equally applicable and limiting to all concerned.

The gentleman knows, as do I, that we have different congressional clubs, some partisan and some nonpartisan; we have different groups; we have a marching organization, as I understand it. I have never marched with them, but we do have these organizations. We have this kind of a conference and that kind of a caucus. I wonder if this would be applicable in its limitations to all of these organizations insofar as reporting requirements and limitations are concerned.

As another example I will give the recently formed black caucus as an example.

Will the gentleman please explain that to us?

Mr. HAYS. My opinion is that it absolutely does apply to all of the organizations mentioned, if they come within the purview of the rules laid down, which I will read: "political committee" means any committee, association, or organization which accepts contributions or makes expenditures during a calendar year in an aggregate amount exceeding $1,000.

Mr. HALL. I appreciate the gentleman's explanation.

Mr. HAYS. My opinion is whatever name they may go by, if they receive or spend more than $1,000, they must report it.

Mr. HALL. I appreciate that, because I am constantly asked and constantly beseiged by people wanting contributions for this or for that ideology. I find it most difficult to find out how they have expended their funds. In some cases we know they have not been expended for the purpose for which the funds were originally solicited. I believe that this will take care of it, and I compliment the gentleman.

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

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

Mr. BINGHAM. I thank the gentleman for yielding.

First of all, I would like to compliment the chairman and the conferees for their work. I think this is a very satisfactory measure, and indeed I intend to vote for it.

I would like to ask the chairman of the Committee on House Administration a question about the interpretation of section 403 which deals with the effect of this legislation on State laws. As I understand it, section 403(b) would vitiate any State laws which impose either spending ceilings or lower ceilings on the amount that a candidate or his family might spend for a campaign. Is that correct?

Mr. HAYS. My opinion is that the gentleman is correct in his interpretation. Subsection (b) of section 403 refers to a whole list of purposes in section 301(f) for which expenditures may be lawfully made. Obviously, contradictory State laws are superseded. Similarly limitations on contributions lower than those in this bill forcibly vitiate the intent of this bill and therefore, in my opinion, they are not valid.

Mr. BINGHAM. I thank the gentleman.

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

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

Mr. GROSS. Is the so-called Hansen amendment in this conference report?

Mr. HAYS. It is.

Mr. GROSS. In all of its glory?

Mr. HAYS. Well, I do not know exactly what the gentleman means by that, but the Hansen amendment is in.

Mr. GROSS. In other words, it was not changed; is that correct?

Mr. HAYS. That is correct.

Mr. GROSS. And I wonder if we will have a repetition such as that in the November 30, 1971, CONGRESSIONAL RECORD of two almost verbatim speeches put in the RECORD by two Members of the House in support of the Hansen amendment?

Mr. HAYS. May I say to the gentleman that I do not know anything about who is going to put what in the RECORD. Surely, some people will ask unanimous consent to extend their remarks, but insofar as the question is directed to me, my remarks are being made, as you can plainly see, extemporaneously. They will not be changed substantially, unless there is a gramatical error. if they are changed at all.

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman yield?

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

Mr. THOMPSON of New Jersey. Mr. Speaker, first of all, I would like to pay tribute to you, my chairman, for what I consider to be a really splendid job, but not an easy one by any means; and to pay tribute for your courage, for your willingness during the debate to yield, for your willingness during the debate to accept the ideas of other persons about a matter which is extraordinarily sensitive and complicated, and for the product that you have brought here today.

You, in my judgment, have done not only the committee but the House a wonderful service.

With respect to the question by my distinguished friend from Iowa, it might well be important that in order to make legislative history, in order that there be no misunderstanding and that there may be coincidentally, or otherwise, a degree of identity or similarity expressing the legislative intent which is so important in this matter.

I have no idea what my distinguished colleague (Mr. HANSEN of Idaho) is or is not going to say, but his amendment is intact. In my judgment it should be intact because it is correct.

Mr. Speaker, I simply want to conclude by saying again that this is an opportunity for this body to respond to a national demand for election reform.

Many of us have differences. You, our chairman, yielded some of the things that you held most closely in your view.

I, as the second-ranking member on the committee, having worked on this for a long time, felt strongly about certain matters but I did not get my way and, therefore, had to yield on the question that the reporting should go elsewhere.

However, it did not come out that way.

That item is not nearly so important as the overall product which you produced and I am willing with complete enthusiasm to accept and to support this conference report. I wish to express my personal appreciation and the appreciation of the members of your committee to you for the job that you have done.

Mr. HAYS. Well, I thank the gentleman for his remarks and I hope that some of the people in one or two of the newspapers who have been accusing me of trying to kill the bill were listening.

Mr. Speaker, I hope that the gentlemen on the other side, the gentleman from Illinois (Mr. SPRINGER) and the gentleman from Ohio (Mr. DEVINE) will use some time.

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

Mr. HAYS. Yes, I yield to the gentleman.

Mr. WILLIAMS. I want to ask the distinguished chairman if I understood correctly that they are to report to the State or to somebody that the State designates?

Mr. HAYS. Everyone will send a copy of their report to the Clerk of the House of Representatives and to the Secretary of State, if he is the chief election officer, as he is in most States.

Mr. WILLIAMS. And one other question: The gentleman made the statement that anyone who contributes more than $100, their name and address and other information must be included in the report.

What happens if you have a dinner where the cost of the dinner may be anywhere from $10 to $50? It would not be necessary to report the names and addresses of those in attendance?

Mr. HAYS. Not if the person contributes $100 or less.

Mr. WILLIAMS. I thank the gentleman.

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

Mr. Speaker, as all Members are well aware, the campaign reform bill is a very complicated piece of legislation. When it was considered by this body there were three bills touching the various issues involved. The rule under which the House operated in considering these bills was unique. In order to arrive at a consensus it was necessary to look at the terms of bills which came from two different committees and which were being handled separately by the leadership of those committees. That the House was able to make the necessary decisions and pass what seemed to us a fairly good bill was a minor miracle.

The prospects for conferring with the other body in the hope of retaining most

of the decisions made in the House were not promising. The conference as expected was difficult but agreement was eventually reached, and we bring to you today for your approval the results of that effort.

There were two issues upon which the House expressed strong conviction, and in these two matters your conferees were able to prevail. The first of these issues affects the status of section 315 of the Federal Communications Act—the equal-time section. The House determined after lengthy debate and several proposed amendments to leave section 315 in the law as it is today. The conference struggled greatly over this particular provision, but the other body did recede, and we bring a bill back to you with section 315 intact.

The other major issue upon which the House expressed strong feeling was the matter of an election commission. You will recall that in the course of considering the Senate bill as a substitute the House made a very definite and firm decision that such a commission is not desirable and that candidates for Federal elective offices should report to supervisory officers of the Houses of Congress as at present. This issue also was resolved in favor of the House version.

Naturally the House conferees could not expect to win every argument on every issue involved in this legislation and of course they did not. In the matter of rates for the use of broadcast media the House conferees did recede so that the bill before you today provides that broadcasters must offer to candidates the "lowest unit rate." We preferred to have broadcast media and newspapers on the same level as regards rates and use "comparable" standards. This was not possible. As a result we do have a different standard for printed media and for broadcast media. Newspapers and magazines will be required to charge "comparable rates," but the requirement of equal access to printed media was deleted.

In the very important matter of spending limitations the provisions of the House bill were accepted. The Senate bill would have given an overall ceiling of $60,000 for the use of media while the House version provides only $50,000. Both bills allowed as much as 60 percent of that spending limitation to be used for broadcast purposes. The bills did this in quite different ways, but the result was in fact the same and the House language was used to accomplish it.

Many changes that were made, although important, were not as controversial as those which I have already mentioned. There was, for example, the matter of who should make the regulations to implement certain provisions of this law. There was some rather strong feeling that the Attorney General was too apt to be a party in interest in things political. An agreement was reached to use instead the General Accounting Office.

The base upon which all of these expenditures will be made is certainly an important consideration. The House bill used the term "civilian residents" while the Senate bill counted all residents over 18 years old. The conferees considered the Senate version to be fair to all concerned, and this was agreed upon.

Considerable discussion was directed at the problem of telephone campaigns and computerized mail campaigns. There was considerable feeling that administration of any restrictions on such expenses would be most difficult, although the desirability of limiting these activities was undeniable. This issue was resolved by eliminating restrictions on the use of postage but including in the definition of communications media the cost of telephones when used by other than volunteers.

Members of the House may recall earlier discussion of the status of loans to political candidates. Some Members feel that loans for use in a political campaign should be considered as contributions. Others felt that loans made in the regular course of business to an individual with proper credentials and security should in no way be considered a part of campaign funds. The conference version provides that loans by banks to candidates must be disclosed but they will not be considered to be contributions if they are made in the regular course of business.

Since the thrust of this entire bill is the improvement of campaign practices in Federal elections, State laws are preempted only insofar as they would frustrate the operation of the Federal law for the purposes included. If States wish to create restrictions applying to State and local candidates in much the same manner as this bill applies to Federal candidates, it may be done and broadcasters would be under the same requirement to obtain certification if this is included in the State law.

This bill goes a long way in campaign reforms. It also falls far short of providing the ultimate desirable reforms. There are many things I would like to see included which do not appear, things which did not finally end up in either the House or Senate bill and therefore were not even subject to the consideration of the conference.

The subject of campaign reform brings forth wide differences of opinion in the committees concerned and in a legislative body as a whole. Considering this the resulting legislation is well worth the effort and the conference report deserves our support.

Attached, by reference, are the specific parts of the conference report—15 in number.

CONFERENCE REPORT ON S. 382—FEDERAL ELECTION CAMPAIGN ACT OF 1971

1. Section 315 is untouched. The House voted on this issue and the conference report follows its decision.

2. The House bill provided for "comparable" rates for broadcasting while the Senate bill used "lowest unit rate". The House conferees agreed to the Senate language.

3. The Senate bill made it an offense resulting in loss of license for a broadcaster to wilfully fail to make time available to candidates. This was limited to federal offices by the conference.

4. The conference agreed to "comparable" rates for newspapers and deleted the "equal access" requirements.

5. The spending limitations of the House bill, $50,000 with up to 60% for broadcasting, prevailed.

6. House provisions for presidential primaries limitations were retained except that regulations will be prescribed by GAO rather than the Attorney General.

7. Cost of living increases in the limits, based on the price index, were provided in both bills. Both needed some technical changes to be workable and these were made.

8. Persons counted to determine the limits will be all residents over 18. The House limited this to "civilian" residents.

9. House provision for including agents' commissions in the limits was retained.

10. A Senate provision for state limits on local candidates and certifying procedures was included in the conference version.

11. Accounting for amounts spent purely against a candidate or an issue will be covered by regulations of GAO.

12. Costs of telephones other than by volunteers are included, postage is not.

13. Loans by banks must be disclosed as in the Senate bill but they will not be considered contributions if made in the regular order of business.

14. The Senate bill created an elections commission while the House bill kept the present system of reporting to the "supervisory officer". The House had expressed itself on this issue by amending the substitute and its version prevailed.

15. State law is preempted only so far as it would frustrate the federal law.

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

Mr. SPRINGER. I yield to the gentleman from Rhode Island.

Mr. TIERNAN. Mr. Speaker, I thank the gentleman for yielding, and I want to congratulate the gentleman and the other conferees in reporting back to the House a fine conference report. There is one area that I was concerned about, and that was the deletion of the inclusion of computerized letters of 200 or more. It is my understanding that that has been taken out by the conference.

Mr. SPRINGER. Mr. Speaker, will the gentleman repeat his statement? I missed about two or three words in the middle of his statement.

Mr. TIERNAN. In the overall categories that are included in the limitations on expenditures, including radio, television, newspapers, magazines, outdoor advertising, telephones in banks of more than five phones, we had included in the House version to be incorporated in that limitation, also computerized letters of 200 or more.

It is my understanding that that provision or that category has been deleted from the final bill.

Mr. SPRINGER. The gentleman is correct.

Mr. TIERNAN. Could the gentleman tell us why that was deleted if there is any explanation? Could the gentleman enlighten the Members on that? Because I remember we debated that quite at length here in the House. I believe that is one of the areas that should be included in the limitation.

Mr. SPRINGER. May I say I think the gentleman raised a good question, but in the compromise we had, it was eliminated after a lot of opposition because this is a provision which I do not believe we had full and accurate knowledge of.

I hope in the future we can get some good experience and knowledge with regard to this category.

I understand the gentleman's concern because this has been viewed by certain candidates who have had the expense of using computerized mail in the various communities who have been using this and it was a matter of concern to the conferees, but we did not feel we had sufficient knowledge to be able to say that such restrictions were capable of administration and enforcement.

Mr. TIERNAN. I appreciate the gentleman's remarks and his explanation made about the development in the conference.

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

Mr. SPRINGER. I yield to the gentleman.

Mr. PEYSER. I, too, would like to join in that comment. As I understand it, the mass mailing question was not included as the House had voted on it. But I would like to ask a question—is there a limitation on the money that can be spent on an individual staff in a campaign? In other words, if a candidate wanted to put on an unlimited staff of people to work; is that counted in the total expense of the campaign?

Mr. SPRINGER. I think It would be included but defer to the other committee on this subject. I do not believe that the question of House staffs is included.

Mr. PEYSER. I am not talking of House staffs. I am talking of outside staffs, in other words, if you hire 50 people in an area; is that included in as part of the campaign expense?

Mr. SPRINGER. I am not sure it is included. But as to whether it is in the compromise version, the gentleman would have to ask the gentleman from Ohio to answer that specifically.

Mr. HAYS. My impression is that if you hire a staff of 100 people that the wages if they were telephonists would be included as part of the $50,000 limitation that would have to be reported and included in that limitation. This would not however include regular staff members of a sitting Congressman.

Mr. PEYSER. I thank the gentleman.

Mr. HAYS. Mr. Speaker, I yield 5 minutes to the distinguished chairman of the Committee on Interstate and Foreign Commerce, the gentleman from West Virginia (Mr. STAGGERS).

Mr. STAGGERS. Mr. Speaker and Members of the House, I rise in support of the conference report and to say I think the conferees on the part of the House did a very fine job.

The bill was very intricate and there was a lot of emotion tied up in it.

I am going to review only briefly some of the things involved here.

In 1970, we passed a campaign media spending bill which was vetoed by the President. One of the things he said was that it only plugged up one of the holes and there were several more that needed to be stopped up.

And so this year we decided in our committee that we would try to stop up all the holes possible. Our distinguished colleague, the gentleman from Massachusetts (Mr. MACDONALD), introduced a bill to do this. Under his leadership, the Subcommittee on Communications and Power reported out the bill which I believe is substantially the version adopted by the conference.

Mr. Speaker, this legislation cannot be defeated to serve the purposes of any private interest group. I am told that there is some opposition to the legislation because of the so-called lowest unit rate provision. For the benefit of the Members, I would like to explain how that provision got into the Conference Report.

As Members may recall, the House bill provided that candidates for public office could be charged the same rate for use of a broadcast station as was charged for other comparable uses of the station. The Senate version contained the "lowest unit rate" provision.

The Senate bill also contained a repeal of the equal-time provisions (sec. 315(a)) of the Communications Act for all Federal elective offices. This was a provision to which I, and, I think, most Members of the House, and certainly the House conferees were dead set against. The House version made no change in section 315(a). The White House had passed out the word that section 315 had to apply to all Federal elective offices or none, otherwise the legislation would be vetoed. Faced with these alternatives the House conferees were adamant on leaving section 315(a) alone. We finally prevailed over the Senate conferees but in return reluctantly agreed to accept their "lowest unit rate" provision for broadcast stations.

But this "lowest unit rate" provision only applies during the 45 days before a primary election and the 60 days before a general election. During any such period a broadcast licensee may not charge a candidate more for air time than the licensee's lowest unit charge for the same class and amount of time in the same time period.

I would like to point out, Mr. Speaker, that the legislation passed in 1970 on campaign spending did not limit the "lowest unit rate" to a class and applied the whole year round.

Mr. Speaker, there was a lot of give and take between the conferees on the part of the Senate and those on the part of the House. I wish to congratulate the House Administration Committee under the leadership of the gentleman from Ohio (Mr. HAYS) and particularly the conferees from that committee, their distinguished chairman whom I have already named, Mr. ABBITT, the chairman of the subcommittee on elections; Mr. GRAY; Mr. HARVEY who is also a member of our committee; and Mr. DICKINSON.

I would also like to recognize the members of our Subcommittee on Communications and Power who have worked on this legislation going on to 2 years under their distinguished chairman, Mr. MACDONALD, LIONEL VAN DEERLIN, FRED ROONEY, BOB TIERNAN, GOODLOE BYRON, HASTINGS KEITH, CLARENCE BROWN, JAMES COLLINS, and LOUIS FREY. And also the conferees from our committee, who, in addition to Mr. MACDONALD and myself, were Mr. VAN DEERLIN, SAM DEVINE, and ANCHER NELSEN. Each of these Members worked long, hard, and faithfully on this legislation.

Mr. Speaker, I would be remiss if I did not also mention our distinguished ranking minority member, BILL SPRINGER, who has worked cooperatively and patiently for the last 2 years on getting good legislation in the field of media rates and expenditures for political campaigns. Mr. Speaker, I would like to say that I believe the Members on the other side of the aisle showed real statesmanship during the consideration of this legislation, in subcommittee, the full committee, in conference, and here on the House floor. They should be commended for it.

Mr. Speaker, I hope that there will not be any votes against the conference report, although I am sure there will be some.

We must look at reality. The time has come for us to revise the law and put a lid on spending during political campaigns. That is evident from what has been happening in this country.

I should like to make two things clear. First, the legislation provides that anyone who spends $100 or receives contributions of more than $100, and uses it in any way, must report that. I would ask the chairman of the Committee on House Administration if that is not correct, and if there is not also provided a fine of $1,000 or a term in jail if that is not done?

Mr. HAYS. The gentleman is absolutely correct. The person, whoever he may be, must make such a report, and section 612 of title XVIII in the election laws, which we did not repeal, provides for the publication or distribution of political statements, and states that they must be signed, and there is a fine for a violation of that section. So it is covered twice.

Mr. STAGGERS. The legislation will stop a lot of scurrilous material that has been going out before elections against individuals that is unsigned. Those who engage in such activity will be liable for prosecution and a fine of up to $1,000 and imprisonment for 1 year, or both.

Mr. Speaker, the time has come for the House to make a judgment as to whether we shall have better election laws. When we considered the bill on the floor of the House last November, I said if we did not put a limitation on spending, sooner or later the United States would be governed by a plutocracy. That is the direction we are headed. If candidates running for public office are not rich men, they will not be able to afford to run, and if those who run but do not have the money themselves to do so, those who put up the money for them will be the ones who dictate to those candidates as to how they should vote.

Mr. Speaker, I do not believe that we want such a form of government. It certainly is not the kind of government our forefathers envisioned when they founded this Nation.

This legislation is a small but effective start in revising the election laws. I am sure it will have to be revised from time to time. I suggest that it should be looked at every year of two.

Again I wish to compliment both the subcommittee under the chairmanship of the gentleman from Massachusetts (Mr. MACDONALD) and the committee headed

up by the gentleman from Ohio (Mr. HAYS) for the work they have done in bringing this measure and conference report to the floor.

Mr. Speaker, I hope the conference report will be adopted unanimously.

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

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

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

Mr. CRANE. Mr. Speaker, this afternoon, the House of Representatives is being asked to approve the conference report on the Federal Election Reform Act. Undoubtedly, passage of this act will be hailed as a step toward meaningful reform of campaign spending laws and many of our colleagues will tell their constituents during this election year that they have voted in favor of campaign spending regulations.

Well, Mr. Speaker, they may be voting for a campaign spending bill but they are not voting for meaningful reform.

Anyone who has studied the legislation we are considering this afternoon realizes that it fails to come to grips with one of the major weaknesses of our election system, the labor union practice of spending millions of dollars of funds compulsorily contributed by union members for candidates or causes with which the members may be in total disagreement.

The original version of this legislation, H.R. 11060, included an amendment which would have addresed this problem. Yet that amendment—the so-called Crane amendment—was not included in the substitute version of the bill after an intensive campaign against it by the labor unions.

A revealing article in the Wall Street Journal of Tuesday, January 18, 1972, explained what happened when this bill was passed in the House. This article needs no further explanation and I include it with my remarks at this point:

HOW TWO LEGISLATORS, UNIONS WORK TO UNDO FUNDRAISING CURBS

(By Jerry Landauer)

WASHINGTON.—Rep. Orval Hansen of Idaho and Rep. Frank Thompson of New Jersey seem to be lawmakers of different breeds. Mr. Hansen is a softspoken Republican with conservative leanings, and Mr. Thompson is a voluble, super-liberal Democrat whose voting record is rated 100% right by the AFL–CIO.

Nonetheless, as the House resumes work today on long-pending legislation to clean up the financing of political campaigns, the two lawmakers are collaborating to support a little-noticed provision in the bill. It would nullify a five-year effort by the Justice Department to stamp out questionable fund-raising by labor unions—and, in fact, could enhance labor's political clout.

The provision would specifically authorize unions (and corporations) to "establish and administer" fund-raising campaigns, so long as the collections go into a separate bank account and so long as the soliciting doesn't involve force, financial reprisals or job discrimination. Moreover, union chiefs could use dues money to pay for the soliciting, and they wouldn't be required to tell members for what purpose the money is going.

The campaign-reform bill, complete with this provision, has been approved by the Senate. Only a final House vote, which may come today, is needed to send the measure to President Nixon's desk.

The proceeds of union fund-raising mostly go to labor-leaning Democrats such as Mr. Thompson. But the amendment in question was sponsored by Republican Hansen shortly before the House adjourned in December. Many moderates and even some conservatives voted for the amendment after hearing the respected Mr. Hansen explain that it merely "codifies" federal court rulings defining labor's permissible political activity.

"OVERRULES EXISTING LAW"

In fact, however, the Hansen amendment invalidates a key court of appeals decision restricting labor's right to raise political dollars and upholding the first successful criminal prosecution of any union for making illegal campaign contributions. "The (Hansen) provision . . . not only doesn't codify existing law, but it overrules existing law," a man at the Justice Department says.

Mr. Hansen seems surprised that his "clarifying" amendment could have any such union-protecting effect. "If that should be the interpretation, the language should be refined," he now says. (But it's too late in the legislative process for any revising; the House can only vote the whole bill up or down.) The Congressman wasn't aware of all the implications when he agreed to sponsor the amendment, and for a noteworthy reason: The text as well as an explanation he gave on the House floor apparently were drafted not by congressional aides but by the labor lobby.

Mr. Hansen was acting in good faith. His objective was to protect the campaign clean-up bill against another amendment, considered hostile by labor, which conservative Rep. Philip Crane of Illinois was pushing. "If the Crane amendment or something like it had gotten in, enough guys would have voted against the bill to kill it," Democratic Rep. Morris Udall of Arizona explains.

(Basically, the reform bill limits candidates' spending on political advertising and requires disclosure of who's giving or getting campaign dollars; Congress is acting partly in response to criticism that many elections are being bought.)

To head off Rep. Crane's proposal, campaign reformers and labor lobbyists got less-conservative Republican Hansen to sponsor a competing amendment. He isn't unfriendly toward unions, and he enjoys just enough seniority on the House committee handling the reform bill to deserve floor recognition ahead of Mr. Crane.

"I TOOK IT AROUND . . ."

Spokesmen for the AFL–CIO disavow participation in the drafting—perhaps because the campaign bill might not survive its final House hurdle if more lawmakers knew who wrote the provision relating to labor. "Sure, I took it around to talk to people, and we discussed with Hansen the importance of the legislative history," says Kenneth Young, the labor federation's No. 2 operative on Capitol Hill. "I don't recall who actually did the drafting," he adds.

Still, an unusual mix-up on the House floor involving Rep. Thompson suggests that lobbyist Young isn't telling all he knows.

The mix-up occurred on the day of the House vote, right after Mr. Hansen explained his amendment. When he sat down, Rep. Thompson got up "to commend the distinguished gentleman from Idaho for the development and for the offering of this amendment." Mr. Thompson spoke some more off-the-cuff, then gained permission to "revise and extend"—that is, edit—his remarks before publication in the Congressional Record. In doing so, he inadvertently inserted a copy of the canned explanatory speech that had also been supplied to Mr. Hansen.

The consequence of Mr. Thompson's slipup appears in the Congressional Record of Nov. 30. Diligent readers of that day's proceedings will find Mr. Hansen and Mr. Thompson giving almost the same speech, back to back. Except for minor editing ("Analytically, my proposal has three component parts," Mr. Hansen intoned; "Analytically the proposal has three component parts," Mr. Thompson echoed) the two successive explanations coincide word for word, for 18 paragraphs.

Mr. Thompson attributes this embarrassing overlap not to a common authorship but to "interchangeability of staff and identity of legislative intent." But he won't identify the staffers who supposedly wrote the speech. His three top aides say they weren't involved, and Mr. Hansen's legislative assistant says he was out sick at the time.

In any case, the speech ghost-written for Messrs. Hansen and Thompson is perhaps more significant for what it omits than for what it says. Most important, the speech ignores a 1970 ruling by the Eighth Circuit Court of Appeals in St. Louis that holds that labor can raise campaign cash only through voluntary funds that are "separate and distinct" from the sponsoring union.

A bit of background is necessary to understand why this decision threatens labor's multi-million-dollar political drives and why union strategists so keenly seek to reverse it, either in the Supreme Court (where an appeal was argued last week) or by means of Mr. Hansen's amendment.

Since the Taft-Hartley Act was passed in 1947, unions haven't been permitted to contribute directly to candidates for Congress or President (corporations can't contribute either). But it's been generally assumed that unions could set up separate collection committees and give to politicians the proceeds of voluntary fund-raising drives. So long as force wasn't used, most unions assumed that such collecting was legal. Nor did the government challenge that assumption until 1968.

In that year, the Justice Department brought charges against Pipefitters Local 562 in St. Louis, a 1,200-member union that raised well over $1 million in five years. The Pipefitters achieved this unprecedented feat by systematically collecting up to $2 a day from every man on the job. An indictment didn't allege that the union extracted cash by force. Instead, it accused the union of organizing an innocent-sounding fund—Pipefitters Voluntary Political, Educational, Legislative, Charity and Defense Fund—as a device to contribute what in effect was union money.

After the Pipefitters were convicted, the Justice Department went after the Seafarers International Union. The indictment in this case is based on the same theory: that the Seafarers Political Activity Donation Committee (1968 contributions: $947,000) exists mostly on paper—as a front to conceal unlawful union contributions—instead of being a "separate and distinct entity," as the court decision in the Pipefitters case seems to require.

Indeed, it's safe to suggest that much of labor's political income would dry up if all the dollars had to be collected by separate organizations wholly or even largely independent of union control. How many Pipefitters or Seafarers would give if their unions' foremen or port patrolmen weren't soliciting? And would 2,000 retired Marine Engineers let some independent fund take $10 from every monthly pension check?

To labor politicos worried about these questions, the answer is the Hansen amendment. But as the Justice Department reads the amendment, prosecuting violators when and if it becomes law will pose "a very difficult burden."

A memorandum by Wallace Johnson, Associate Deputy Attorney General, stresses how hard it could be to prove that a union fund's

donations aren't voluntary. "Suppose one man in a 50,000-member union is beaten for not making a 'voluntary' contribution. Whether this would be sufficient to show that the entire fund was derived from threats of force, job discrimination, et cetera, is doubtful, but that one incident would definitely influence many union members to make their 'voluntary' contributions."

"In some unions," Mr. Johnson argues, "membership itself is inherently coercive, since the union exercises complete control over the hiring, firing, payroll, job allocations and other incidents of employment. In those unions, if the union representative states to the member that he wants a $100 contribution to an unnamed cause, the union member won't question the agent. . . . Thus it is the government's position that a contribution to a political fund be not only 'voluntary,' in the sense of an absence of force, but also knowingly made."

Mr. HAYS. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. MACDONALD).

Mr. MACDONALD of Massachusetts. Mr. Speaker, I am not going to use the 3 minutes. We have plowed this ground innumerable times. We did it in 1970, we did it in 1971, and now we are here at the moment of truth. I think this bill is a great example of how the House can work its will on difficult subjects when it puts its mind to do that.

One point when I thought this bill would be in serious trouble was when we had the rule granted by the Rules Committee, because there could have been disputes between the Committee on House Administration and the Committee on Interstate and Foreign Commerce on the serious abuses which this bill seeks to correct. But the persons involved put their differences aside and we have a good bill. It is a bill I understand President Nixon said he would sign. It is a bill which covers areas which President Nixon said he objected to previously and a bill which under bipartisan support we sent to him a year ago. I hope we will send this bill to the President today. I urge adoption of the conference report.

Mr. Speaker, as the 92d Congress convened a year ago, prospects for campaign reform legislation were virtually nonexistent. The President had vetoed one major effort with the promise to come up with a better bill—one that plugged more than "one hole in the sieve."

Those of us in the Congress who are concerned with this important issue waited into the spring of last year for this promised legislation; however, none was forthcoming. In May, I introduced the Campaign Communications Reform Act in an effort to meet the objections raised in the President's veto message.

This legislation, which has become title I of the conference report before us today, had as its goal the placing of meaningful curbs on media spending during campaigns for Federal office.

The spiral of this media spending has continued unabated for far too long and the time has come to put an end to it. The area of primary abuse is in spending on broadcast media. In the 1970 elections, candidates from both parties in the various Federal, State, and local elections spent a total of $59.2 million to purchase time on television and radio. What is especially significant about this figure is that it represented an increase of almost 100 percent over the figures for the previous off year election in 1966.

The abuse of the communications media, and specifically the broadcast media, has developed a new form of politics in America. It is politics by bankroll, where those who are rich have the advantage and those who are not are being forced in many, many cases, to prostrate themselves to various monied interests.

Many of the most competent candidates are literally being priced out of the competition. On the other hand, many who enter the political lists do so because they are confident that with things as they presently are they can buy their way into office. The American people are deprived of the opportunity to judge candidates on their individual merits, political beliefs, and innate ability.

As we enter the 1970's, American political campaigns are being handled like accounts with a Madison Avenue advertising agency and candidates are being packaged in the same way that we package toothpaste or shaving cream.

Ultimately, it is the American voter who is being abused. While in some cases he rejects the high-priced, high-powered campaign, the fact is that the millions are still spent and that money has become the biggest single factor in determining a person's ability to run for office.

In the 1970 elections, of the major candidates for the Senate in the Nation's seven largest States, 11 of the 15 were millionaires. While not all 11 won, the four candidates who were not millionaires all lost.

We will take an important and noteworthy step today in giving final approval to the conference report on the Federal Election Campaign Act of 1971. Not only will we put an end to the media blitz as a campaign tool, but we will also be enacting the first significant piece of campaign reform legislation since the Federal Corrupt Practices Act was adopted in 1925.

Title I of this bill, which embodies the legislation which I introduced last May, returns campaigning for political office to a level of financial sanity. The development of title I in subcommittee, committee, on the House floor, and finally in conference with the Senate has embodied the spirit of cooperation between those from both political parties. The fact that title I was adopted by the House last November with only one dissenting vote is ample testimony to that fact. The entire bill was approved by a vote of 373 to 23, and your conferees, of whom I was privileged to be one, were successful in maintaining the House position in conference on virtually every major point.

The Senate approved this conference report by voice vote shortly before the recess, and the House should act decisively today to send the bill on to the White House.

On occasion, there have been ill-founded charges that this was a partisan bill or an incumbent's bill. Clearly, this is not the case. It is a bill in the public interest—a bill which will bring new life to our American system of politics. It is a step forward which we should not delay one day longer in taking. I urge adoption of this conference report.

PARLIAMENTARY INQUIRY

Mr. DEVINE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DEVINE. Mr. Speaker, how is the time allocated, and how much time is left?

The SPEAKER. The Chair assumes the gentleman was using time from the 30 minutes allocated to his side.

Mr. DEVINE. Does the 30 minutes represent the time of both committees, the Committee on House Administration and the Committee on Interstate and Foreign Commerce?

The SPEAKER. The total time allowable is 1 hour, 30 minutes to each side. At this time the minority have 21 minutes remaining and the majority have 9 minutes remaining.

Mr. SPRINGER. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Ohio (Mr. DEVINE), the ranking minority member of the Committee on House Administration.

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

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

Mr. HEINZ. Mr. Speaker, I rise to indicate my concern over one provision in what is otherwise an excellent campaign spending reform bill. The section which guarantees candidates the lowest unit cost for advertising on radio and television is discriminatory because it effectively destroys the media marketplace by providing cut rates for candidates. Occasionally radio and television fill their open time slots at the last minute with commercials offered at special low rates. This legislation allows candidates to take advantage of this practice by giving the same low rate on a regular basis. This sets a bad precedent. Congress in effect is starting a fire sale in one industry which could conceivably extend to other areas of political self-interest.

Mr. DEVINE. Mr. Speaker, the conference report on S. 382 now before the House represents the successful conclusion of a great many efforts over a number of years to replace our antiquated Federal election laws with updated campaign spending and disclosure regulations.

I think I would be remiss if I did not point out at this time that special commendation should go to the chairman of the House Committee on Administration, the gentleman from Ohio (Mr. HAYS), the gentleman from Massachusetts (Mr. MACDONALD), on behalf of the Interstate and Foreign Commerce Committee, and, of course, the gentleman from West Virginia (Mr. STAGGERS), chairman of that committee, in addition to the work which was done by the gentleman from Minnesota (Mr. FRENZEL), of the Committee on House Administration, as well as the tremendous and dedicated work of the gentleman from Michigan (Mr. HARVEY) and the gentleman from Illinois (Mr. ANDERSON), all of whom demonstrated great in-

terest and worked hard to have legislation in this area.

The conferees on S. 382 have brought back to the House, in my opinion, a workable campaign spending bill and one that will be generally acceptable to the membership of the House.

The controls placed on campaign activities by this legislation should go a long way toward helping to cope with the problem of rapidly spiraling campaign costs in many Federal campaigns and also to provide more information to the public about elections and create more trust and confidence in the election process.

As the Members of the House will recall, when the House Administration Committee bill, H.R. 11060, was brought up in the House the rule made it in order to consider as an amendment the text of an Interstate and Foreign Commerce Committee bill, H.R. 11231, which contained limitations on communications media spending in Federal elections and related provisions. That amendment was modified and approved. Under the rule H.R. 11280, which was identical with the Senate-passed bill S. 382, was then considered as an amendment in the nature of a substitute. That amendment was approved, but after it was modified by the addition of the communications media spending limitations the House had already approved and by the addition of some of the major provisions of the original House bill, H.R. 11060, and several other amendments.

The situation, then, at the time the conferees met was that while the bill as it emerged from the House was identical in many respects with the campaign spending legislation passed by the Senate, there were some fundamental differences. The House conferees were successful in bringing back a report upholding the House position to a considerable extent.

One of the most significant actions taken in conference is that relating to section 315(a) of the Communications Act of 1934, the equal time requirement which provides that if a licensee permits a legally qualified candidate for public office to use his station he must afford equal opportunity to all other candidates for the same office in the use of the station. The Senate bill would have made that section inapplicable to candidates for all Federal elective offices, in other words, not only for the Presidency but also to House and Senate races. The House, on the other hand, amended the bill to provide that there would be no change at all in section 315(a), that it would stay just as it is. I am glad to report that the House position prevailed in conference.

A major purpose of this legislation is to place limits on campaign spending. Both the House and Senate versions of S. 382 contained limitations on expenditures for the use of communications media by candidates for Federal elective office. The House formula was accepted. It sets an overall limit on spending for communications media to 10 cents time the voting age populations or $50,000, whichever is greater. Not more than 60 percent of that amount can be spent for broadcasting stations. Each primary, general, special, or runoff election is treated as a separate election and has a separate expenditure limitation.

In this regard, the conferees also adopted the House provisions covering limitations on media expenditures with regard to Presidential nominations. Under those provisions candidates for Presidential nomination will be limited on media expenditures to the same amount applicable to the candidates for the office of Senate. As the bill passed the House, the Attorney General was directed to prescribe regulations to determine to which State the limitation would be charged if media is used which reaches more than one State. The conferees modified this to provide that the Comptroller General would prescribe such regulations.

The Senate escalator clause applying to the spending limitations for communications media was adopted, providing for the limitation to be increased in proportion to increases in the Consumer Price Index over calendar year 1970.

Both the House and Senate provided that amounts spent for the use of communications media on behalf of candidates are deemed to have been spent by the candidates for the purposes of the expenditure limitations of the bill, and also that no charge may be made for the use of any broadcasting station, newspaper, magazine, outdoor advertising facility unless the candidate or his authorized representative certifies the charge will not violate the applicable expenditure limitation. These provisions are of course included in the conference report before the House.

The conferees accepted a House amendment providing that in computing the candidates expenditures for the use of communications media there would be included not only the direct charges but also agents commissions. Also adopted was a Senate provision which permits States to impose limitations under State law on expenditures for the use of broadcasting stations by or on behalf of candidates for State and local office.

A significant modification made in conference was with regard to two items the House added for inclusion under the communications spending limitations, in addition to broadcasting stations and nonbroadcast media such as newspapers, magazines, and outdoor advertising facilities. When this legislation was being considered by the House an amendment was passed providing that the cost of telephone campaigns, when telephones are used in banks of five or more, and the cost of postage for computerized or identical mailings in quantities of 200 or more, would come under the communications media limitation. The mailing part was dropped in conference. However, telephone costs will come under the spending limitation to the extent they reflect expenses for telephones, paid telephonists, and automatic telephone equipment used by Federal candidates to communicate with voters. Costs of telephones incurred by volunteers for use of telephone by volunteers are excluded.

Various other provisions concerning communications media are included in this legislation. Both the House and Senate bills contained restrictions on charges to candidates for the use of both broadcast and nonbroadcast media, the Senate proposing to require the media to grant candidates the benefit of their lowest unit rate charge, while the House approach was that the media could charge candidates no more than they charged others for comparable use.

In the area of broadcast media, the Senate position was accepted. It stipulates that a station may not charge candidates more than the lowest unit charge of the station for the same class and amount of time for the same period. This applies for a 45-day period before primaries and a 60-day period before a general or special election. The House position was accepted concerning nonbroadcast media rates. It provides that to the extent newspaper or magazine space is sold to candidates for nomination or election to Federal office the charges for the use of such space in connection with the campaign may not exceed the charges for comparable use of such space for other purposes. Actually this test should have been applied across the board, rather than to discriminate.

The conferees accepted a Senate provision designed to insure access to broadcast stations. As it emerged from conference it amends the Communications Act to make a broadcast license subject to revocation for willful or repeated failure to allow reasonable access to or to permit purchase of reasonable amounts of time for the use of broadcasting stations by candidates for Federal elective office.

A somewhat similar House provision, to require that space made available in any newspaper or magazine to candidates for Federal office equivalent space must be made available on the same basis to all candidates for that same office, was dropped by the conferees.

The Senate had a provision to require that candidates be given maximum flexibility to choose their program format for use on broadcasting stations and a provision stipulating if nonbroadcast media is furnished without charge or at a reduced rate it would be deemed a contribution made to the candidate. These were also dropped by the conferees.

One of the primary purposes of this legislation is to provide for complete and comprehensive reporting of campaign expenditures and related activities by candidates and political committees. While the bills were very much alike generally in this regard, there was a major difference in the approach taken concerning who will receive the reports and disseminate the information. As passed by the Senate, S. 382 would have created a Federal Elections Commission to receive and handle the reports. In contrast, the House version, which was accepted, retains the Clerk of the House as the supervisory officer to handle the reports in the case of House elections. The Secretary of the Senate will be the supervisory officer for Senate elections and the Comptroller General for presidential elections. Reports on political convention financing are also required to be submitted to the Comptroller General.

The conferees accepted House provisions under which the Comptroller General would serve as a national clearinghouse with respect to information regarding elections, and which would prohibit the use of OEO funds from being used in any way to influence the outline of any election to Federal office. The conferees accepted in part the Senate requirement that copies of reports required to be filed with the supervisory officer be also filed with the various U.S. district courts. However, instead of being filed with the clerk of the U.S. district court, they would be filed with the Secretary of State or equivalent office.

The conference report contains a provision to modify section 610 of title 18 of the United States Code. That law was enacted to prevent national banks, corporations, and labor unions from making political contributions or expenditures, a prohibition which is now extensively circumvented, especially by labor unions as was brought out when this legislation was being debated. H.R. 11060, the original House bill, as reported contained a proposed amendment to strengthen the language of section 610 to help it better to serve its original purpose. However, that provision was replaced with a watered down amendment that will in all likelihood allow labor unions an even wider latitude to engage in political activities. The author of the so-called Hansen amendment clearly stated its purpose was to codify existing law, so no other interpretation should be made as to his intention nor the application of the amendment. This provision has the potential to allow widespread abuse of what should be a union member's right to prevent the channeling of his dues to political purposes against his wishes and will bear close watching. Possibly followup legislation will be indicated.

The gentleman from Idaho (Mr. HANSEN) offered an amendment that was adopted in the House, and at that time he stated specifically that it was his intention that his amendment codified existing law. I believe that should be made clear as a part of the legislative history, that that was the intention of the gentleman from Idaho. I believe the gentleman will enlarge upon that when time is allotted to him.

With such reservations as I have expressed, I would recommend adoption of the conference report on S. 382. The bill does represent a significant step forward by way of providing essential guidelines and controls on the conduct of Federal elections and in my opinion its enactment into law will be in the public interest.

Mr. SPRINGER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Minnesota (Mr. NELSEN).

Mr. NELSEN. Mr. Speaker, as one of the Senate-House conferees who worked out final details of the campaign spending reform measure before us today. I want once again to publicly protest those provisions in this otherwise laudatory bill that are clearly discriminatory to the broadcasting industry.

On the last day of the first session, I pointed out to colleagues that under this bill, broadcasters solely would be required to extend their lowest unit rate for campaign advertising of Federal political candidates.

Obviously, this requirement singles out the broadcasting industry and requires it to provide bargain basement rates for politicians, entirely overlooking the fact that nonpolitical advertisers are often much more entitled to a more economical rate by virtue of their advertising volume or frequency.

The measure is, therefore, discriminatory to millions of businesses and enterprises that are in no way related to politics and political candidates.

I very much regret that this unfair requirement was not removed during the conference. The "comparable rate" requirement of our original House bill was much more equitable.

While I do intend to vote for this legislation because of its many improvements other than this particular matter, I do want once again to express my concern that the measure does discriminate against the broadcast industry in the manner described.

Mr. SPRINGER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Massachusetts (Mr. KEITH).

Mr. KEITH. Mr. Speaker, I shall vote for this conference report on S. 382, the Federal Election Campaign Act of 1971.

On balance, it is good and necessary reform legislation. It gives us a broad basis for this badly needed reform. And it gives us great ability to end abuses.

I am particularly pleased that this report contains the things for which I have been pressing—and which the House adopted in passing its version of the bill last November: Full and timely disclosure of contributions to campaigns for Federal office, and prohibition of unsecured credit advancement by federally regulated industries to such candidates.

I consider these reforms so necessary that we cannot risk losing the benefits that they provide by voting down this report in the hope of rectifying or remedying the elements of this report which, so obviously, impose undue restrictions upon the Nation's radio and television broadcast industry.

There is no doubt that this conference report does contain elements that are inequitable and discriminatory as far as the federally regulated broadcasting industry is concerned—particularly when compared with the manner in which its unregulated competition is treated by this report.

This legislation will require broadcasters to give political candidates a broadcaster's lowest unit rate for campaign advertising. But it will permit such other media as newspapers and billboards to charge prices paid for "comparable" use by commercial advertising accounts.

It will impose a 6-cents-per-voter restriction on a political candidate's total broadcast spending. But it will permit the full 10-cents-per-voter limitation to be spent with competing media.

It includes the Pearson amendment to require broadcasters to permit any legally qualified candidate to purchase a "reasonable amount of time" for his campaign advertising. Any broadcaster found in willful or repeated violation of this requirement could lose his license and be thrown out of business, his total record of public service notwithstanding.

In other words, this conference report not only retains the unfair and repressive equal-time law now on the books as section 315, but it tightens it, thereby making it all the more unfair and repressive.

Who is to say what is really a "reasonable amount of time"?

What a broadcaster may consider, under his circumstances, a "reasonable amount of time" may not be considered so by a candidate who demands such time in the heat of a campaign.

In fact, what may be considered a "reasonable amount of time" by one broadcaster may not be so considered by another broadcaster. Their regular contractural and programing commitments—and audience requirements or preferences—may vary greatly.

There are bound to be times in every broadcasting schedule—and in the professional experience of every broadcaster—that are not conducive to the sale of political time, however badly a candidate may think he wants it, or should have it.

Who is to say whether it is reasonable for a broadcaster, upon a political candidate's demand, to be compelled to preempt the time of the long-term commercial client to whom, by contract, that time belongs?

Who is to say whether it is reasonable, and really in the public interest, for a broadcaster, upon such demand, to be compelled to preempt an established public service program which his listeners have come to enjoy and, upon which to depend?

Yet, under this provision, a broadcaster, whose license is obtained and retained on basis of performance in the public interest, may be charged with being unreasonable and, therefore, fall subject to revocation of his license.

To suggest that such a requirement is needed to assure reasonable responses to political campaign advertising purchase requests is to fly in the face of the industry's 37-year record of performance under FCC regulation. In fact, a number of large market radio and television stations have actually given substantial discounts to political candidates. Their hard-copy competitors have done less.

But, here again, it is wrong to enact legislation which is discriminatory and inquitable to the regulated electronic media and which, therefore, places it at severe handicap and considerable jeopardy vis-a-vis its unregulated competition.

And so it is that, for these reasons, I shall work for early remedy of the inequitable and discriminatory aspects of this conference report as they pertain to the broadcasting and telecasting industry—but, today, I shall vote for passage of the report as essential to long-overdue campaign reform.

Mr. SPRINGER. Mr. Speaker, I yield such time as he may consume to the gentleman from North Carolina (Mr. BROYHILL).

Mr. BROYHILL of North Carolina. Mr. Speaker, today the House is considering the conference report on a most im-

portant piece of legislation, the Federal Election Campaign Act. This measure would provide some greatly needed reforms in regulating political campaigns, and it is especially timely in light of upcoming presidential primaries in a few months.

The enactment of this reform legislation would be the first major revision of the Corrupt Practices Act of 1925, the law currently governing campaign spending practices. Consideration of this issue is long overdue in view of the astronomical expense of conducting political campaigns in the age of mass communications.

While I feel it is commendable that the Congress is addressing its attention to this problem, I would like to express a few reservations I hold about some provisions of the conference report.

One of my major objections concerns the treatment of limitations on rate charges for political advertisements for the broadcast and print media. I feel that the distinction which has been made in the conference report between the broadcast and print media is unjustified and unfairly discriminates against the broadcasters. Under this provision, newspapers and magazines may charge political candidates comparable rates to charges for commercial advertisers. However, broadcasters are restricted to charging the lowest unit rate available to commercial advertisers. This change from the original House version of the bill, which treated the broadcast and nonbroadcast media alike and allowed for comparable rates for both, is unsatisfactory and can, I hope, be corrected in the future.

Another section which I would like to see included in the conference report is the repeal of section 315(a) of the Communications Act, or the "equal time" requirement, for candidates for President and Vice President. I do not feel that section 315(a) should be repealed for all candidates for Federal office, as had been provided by the Senate, but I feel that leaving this section of the law as it presently stands has the effect of reducing access to broadcast time by major presidential and vice presidential contenders.

I feel that the section of the conference report regarding the filing of campaign reports was weakened by the elimination of the provision for a Federal Elections Commission. Originally included in the Senate version, this section was replaced by the House version vesting supervision of campaign reports in the Clerk of the House for House candidates and in the Secretary of the Senate for Senate candidates. I feel that the supervisory role should be outside of the Congress itself in order to maintain greater distance between political candidates and election supervisors.

I am also dissatisfied with the provision which would define in law the roles that corporations and labor unions may take in political campaigns. I feel that this section is not as strong as it should be and would have the effect of sanctioning certain union and corporate activities in political campaigns. I would much prefer a provision to prohibit any union activity and any union funds for political purposes.

While I cannot in good conscience oppose this legislation, I would certainly be willing for the bill to be returned to conference in order to correct some of the defects which I have mentioned.

Mr. SPRINGER. Mr. Speaker, I yield one minute to the gentleman from Illinois (Mr. ANDERSON).

Mr. ANDERSON of Illinois. I rise in support of the conference report on the Federal Elections Campaign Act of 1971. This legislation represents a significant and important first step forward in the imperative task of restoring public confidence in the integrity of the electoral process. To be sure, we should be under no illusions that this legislation is perfect or that it is the final solution to the problems of campaign finance; but at the same time, there can be little doubt that it is a vast improvement over the loophole-ridden Corrupt Practices Act of 1925 which it replaces.

One long-time advocate of campaign finance reform said earlier this year that if we could at least close up the District of Columbia Committee loophole, require intrastate as well as interstate committees to report, and extend coverage of the act to primaries, we would have made a significant improvement over the old law. Well, this act does eliminate these important areas of abuse and a number of other ones as well. Most importantly, the act provides for timely and thorough preelection reports on campaign contributions and expenditures. As Senate Majority Leader SCOTT said during the debate in the other body, the single most important item on the agenda of campaign finance reform is to provide the electorate with the opportunity to determine "who gave it and who got it" before they enter the voting booth. Every poll and opinion survey that I have seen indicates that the great majority of the American people disapprove of the escalating costs of modern campaigns and the disproportionate influence that this gives groups and individuals possessed of large financial resources. This act now gives the electorate a concrete opportunity to register that disapproval at the ballot box.

Mr. Speaker, I must also point out that the conference report is disappointing in one major respect. I refer to the fact that the supervisory power was left with the Clerk of the House and the Secretary of the Senate. I strongly supported the Senate provision for an Independent Election Commission, and when it became clear that this could not gain the approval of the House, I, along with many of my colleagues on both sides of the aisle, urged that an Election Board be established in the GAO with the Speaker of the House, the President pro tempore of the Senate, and the President sharing in the appointments. In my view, this was a reasonable compromise that would have been far superior to the provision as finally agreed to by the conferees.

I think we must remember that thorough and timely reporting by candidates is only one side of the disclosure equation. The other half is an agency that can process, collate, and disseminate these reports in an expeditious manner. I do not believe that the Clerk of the House, as presently equipped, can possibly fulfill this important function. So, if we are determined to leave the supervisory responsibilities in that office, it seems to me that it is essential that we promptly provide him with the additional resources and manpower that will be required to do the job effectively.

Mr. Speaker, despite this one area of disappointment let me again urge that the conference report be approved. As my able colleague, Jim Harvey, who played such an important and instrumental role in moving this measure through the legislative process last year said in a recent report to his constituents: "The final version of this legislation is far from perfect." One newspaper properly entitled a story about its history "Chronicle of Compromise." The final version passed by the Senate and the House certainly is a compromise, but it is also a noteworthy accomplishment. I urge adoption of the conference report.

(Mr. McCLORY (at the request of Mr. SPRINGER) was granted permission to extend his remarks at this point in the RECORD.)

Mr. McCLORY. Mr. Speaker, I am pleased to express my support of the conference report on the Federal Election Campaign Act of 1971 (S. 382). This measure sets forth detailed provisions for reporting campaign receipts and expenditures.

Mr. Speaker, this measure imposes appropriate responsibilities on political candidates and campaign committees. It is designed to close loopholes which, at present, permit concealment of contributions and campaign spending. The bill sets a top limit on campaign expenditures which should prevent any future charges that a political candidate has "bought" an election. The language of S. 382 is fair to candidates of modest means. Those who seek election as a Representative in the Congress—for instance—would be barred from spending personal or family funds in excess of of $25,000 in any election.

Mr. Speaker, the Comptroller General is given principal responsibility for administering the new law. This should persuade the American public to have confidence that the Congress is determined to establish fair and honorable standards with which all candidates for Federal office are required to comply.

Mr. Speaker, the new law has some obvious shortcomings—including exemptions which others have discussed in the course of this debate. However, the measure provides a substantial response to the need for reform in campaign spending—and I am pleased to express my full support for the conference report.

Mr. SPRINGER. Mr. Speaker, I yield such time as he may use to the gentleman from Georgia (Mr. THOMPSON).

Mr. THOMPSON of Georgia. Mr. Speaker, it difficult for me to understand how anyone can justify the discrimination that exists in this bill against the broadcast media and the candidates' use of the broadcast media.

Make no mistake about the fact that I am delighted that we now have a campaign spending bill before us and will vote for the bill although I cannot sup-

port the unfair section relating to broadcasts.

In the committee I voted against treating the broadcast media differently than the printed media. It is wrong to allow all money allotted for media advertising to be spent, if it is the individual's desire, on newspaper ads and not at the same time allow a similar right for the use of broadcasting media. I hope this will be changed at a later date.

Another unfair provision in this bill is to require of the broadcast media the "lowest unit rate" rather than a "comparable unit rate" allowed the printed media. It is also my hope that this too will be corrected at a later date.

Taken in its entirety, however, this is a much needed bill and will have my support and vote.

(Mr. LLOYD (at the request of Mr. SPRINGER) was granted permission to extend his remarks at this point in the RECORD.)

Mr. LLOYD. Mr. Speaker, the proverb states: "A journey of a thousand miles begins with the first step." We are taking a long step today toward campaign expenditure reform.

Actually, so far as expenditure limitation is concerned, I am very little personally affected. This bill allows 10 cents per eligible voter to be spent for media advertising, or $50,000, whichever is greater. I represent more than 500,000 persons, one of the largest districts in the country. There are less than 350,000 "eligible voters" in the district. Thus, in the case of a Congressman, the 10-cent limitation is meaningless. In my case, it would mean $35,000. Therefore, the meaningful figure becomes $50,000. This is more than has ever been spent on my campaign media advertising in the past.

The reporting requirements, the contribution limitations, the disclosure mechanics, these are all long-needed improvements. I regret we have not eliminated the equal-time requirements, because I believe it encourages irresponsible political efforts and mischief makers, and does not contribute to constructive and useful campaign procedure.

There are other changes I would make, but I realize that each one of us sees this problem a little differently. In the American tradition, our product today is a consensus product. As such consensus product, I support it enthusiastically, in the hope and in the belief that it will be further refined and further improved by subsequent Congresses.

Mr. SPRINGER. Mr. Speaker, I now yield to the distinguished gentleman from Nebraska (Mr. MCCOLLISTER) for a question.

Mr. MCCOLLISTER. Mr. Speaker, I thank the gentleman for yielding.

I would like to direct a question to the chairman of the Committee on House Administration.

The gentleman from Ohio, in describing the subjects with respect to which limitation is made, made some mention of the campaign staff. I see that in section 104 is described the limit on communications media, and it describes in section 102 what the communications media are. I see no reference there to the staff.

Mr. HAYS. Will the gentleman yield?

Mr. MCCOLLISTER. I yield to the chairman of the committee.

Mr. HAYS. Well, I made a broad generalization which I would like to explain in more detail.

As I see it, it seems to me that under the law that we have in the proposed legislation, if no member of that staff you are talking about hiring as much as picked up a telephone, that they would not be covered, but if they picked up a telephone and talked to someone about something for somebody, that they would be covered, in my opinion.

That is not the way we wanted it. That came about as part of a compromise. The only thing I can say to you is if any staff person you hired has anything to do wide open, as I am trying to explain, on will be covered, in my opinion. So personally I will be very cautious and include staff as a part of the $50,000.

Mr. MCCOLLISTER. Does the gentleman mean in his description of the use of the telephone where it is used in banks of five or more?

Mr. HAYS. Well, I have that specifically in mind, but the thing is a little wide open, as I am trying to explain, on communications media. You know they are prohibited. I am just telling you how I am going to handle it. I am going to consider any staff who works in my election, that their salary is part of the $50,000.

If somebody else wants to take a chance, and if it is interpreted otherwise, and someone comes in and says, "Joe Doakes was on the telephone and he called 50 people," and they bring in 50 people and ask them to vote, I think they would be covered.

Mr. SPRINGER. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. FREY).

Mr. FREY. Mr. Speaker, I would like to very briefly address the attention of the House to the provision regarding the media. There has been much made and written about it and, quite frankly, I worked very hard in the committee to allow the candidate complete discretion regarding the spending of his campaign funds. However, this did not come about, but we did manage to get a compromise through.

Mr. Speaker, I think it is extremely important that we have this bill. The house has acted and the Senator has also. While I am not necessarily in favor of all of the provisions of this bill, I think it is a good compromise and one with which we can live. This bill is important, more important, than the few items with which I disagree.

Therefore, I would urge everyone, to support this bill.

Mr. SPRINGER. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Idaho (Mr. HANSEN).

Mr. HANSEN of Idaho. Mr. Speaker, I take this time because questions have recently been raised as to the purpose and effect of the so-called Hansen amendment to the election reform bill. This amendment was adopted by the House of Representatives by a margin of 233 to 147 and was retained by the joint Senate-House conference committee.

At the outset, I would like to make two points. First, I stand fully behind every word of the statement I made in explanation of my amendment and in answer to questions during the course of the debate on the amendment. Second, I will repeat what I stated several times during the course of the debate that the purpose and effect of my amendment is to codify and clarify the existing law and not to make any substantive changes in the law.

It is significant that I gave notice to the House and to the public of my intention to introduce my amendment approximately 2 weeks before it was considered on the floor of the House. On November 17, 1971, I inserted the full text of the proposed amendment and an explanation in the CONGRESSIONAL RECORD, volume 117, part 32, page 41869. The amendment was offered and debated on November 30, 1971. Prior to the time of the debate no question was raised by anyone in the Justice Department or by anyone else to my knowledge concerning the provisions of the amendment that have recently been questioned. Those provisions relating to the legality of a separate, segregated voluntary political fund were not raised during the course of the debate. In fact, most of the attention during the debate was centered on the feature of the bill which represented the principal difference between the Hansen amendment and the so-called Crane amendment; that is, the extent to which union or corporate funds could be used to finance a get-out-the-vote drive directed at the union members or the corporate stockholders.

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

Mr. HANSEN of Idaho. I yield briefly to the gentleman from Ohio, but I would like to complete my statement.

Mr. HAYS. I will say to the gentleman that what he is saying will be the legitimate legislative history and that what somebody down in the Department of Justice, some Assistant Attorney General's opinion, is worth exactly as much as the piece of paper it is printed on, no more and no less.

Mr. HANSEN of Idaho. I thank the gentleman.

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

Mr. HANSEN of Idaho. I shall yield to the gentleman when I complete my statement.

I can certainly understand why the questions now being raised were not raised prior to or during the course of the debate on the amendment. The Hansen amendment is consistent with the legislative intent expressed by the original author of section 610, the late Senator Robert Taft of Ohio. The Hansen amendment is consistent with the position taken by the Justice Department in the brief it filed with the U.S. Supreme Court in the Pipefitter case and with the position taken by the Justice Department when the case of United States against UAW was before the Supreme Court. The Hansen amendment is also consistent with the provisions of the so-called Crane amendment dealing with the legality of a separate, voluntary po-

litical fund. The pertinent portions of both amendments are as follows:

HANSEN AMENDMENT

"As used in this section, the phrase 'contribution or expenditure' . . . shall not include . . . the *establishment, administration and solicitation of contributions to a separate segregated fund to be utilized for political purposes* by a corporation or labor organization: *Provided,* That it shall be unlawful for such a fund to make a contribution or expenditure by utilizing money or anything of value secured by physical force, job discrimination, financial reprisals, or the threat of force, job discrimination or financial reprisal; or by dues, fees, or other moneys required as a condition of membership in a labor organization or as a condition of employment, or by moneys obtained in any commercial transaction." (Emphasis supplied.)

CRANE AMENDMENT

(Sec. 8 of H.R. 11060)

Nothing in this section shall preclude an organization from *establishing and administering a separate contributory fund for any political purpose,* including voter registration or get-out-the-vote drives, if all contributions, gifts, or payments to such fund are made freely and voluntarily, and are unrelated to dues, fees, or other moneys required as a condition of membership in such organization or as a condition of employment. (Emphasis supplied)

It has been suggested recently that the so-called Hansen amendment to the present 18 U.S.C. section 610 has the purpose and effect of thwarting present prosecutions against the Pipefitters Local 562 and the Seafarers International Union as well as a contemplated prosecution against the Marine Engineers Beneficial Association. As I will show, this contention is completely without substance.

In its original draft form, the Hansen amendment made it unlawful for a labor political committee to make a contribution or expenditure by utilizing money secured by physical force or job discrimination or threat thereof. Subsequently, when the allegation was made that the Marine Engineers Beneficial Association had coerced contributions to its political action fund by threatening pension cutoffs or reductions, the amendment was redrafted and broadened in order to make the use of financial reprisals or threats thereof unlawful. Therefore, far from undercutting any action the Department of Justice may see fit to take in this case, if action is warranted, the Hansen amendment actually strengthens the Department's hand.

Again, in the Seafarers' case, the Government's contention insofar as it can be gleaned from the indictment and from the newspaper stories which led to the indictment, is that section 610 was violated because the payments were coerced through job discrimination and threats of job discrimination. That precise evil is also covered and prohibited in explict terms in the Hansen amendment.

With respect to the Pipefitters' case, the thrust of the prosecutions there, as is evident from the Government's briefs, is that section 610 was violated because the Pipefitters' Political Action Fund utilized assessments whose payment was required as a condition of employment. That precise evil is covered in explicit terms in the Hansen amendment.

The Hansen amendment is completely consistent with the basic theory of the Government's prosecution in United States against Pipefitters Local 562—United States Supreme Court No. 70–74 October Term, 1971—as stated in the Solicitor General's brief filed with the Court in November 1971. In that brief the Government states:

The essential charge of the indictment and the theory on which the case was tried was that the Fund, although formally set up as an entity independent of Local 562, was in fact a union fund, controlled by the union, *contributions to which were assessed by the union as part of its dues structure,* collected from non-members in lieu of dues, and expended, when deemed necessary, for union purposes and the personal use of the directors of the Fund. (Brief for the United States at p. 23, emphasis added.)

The Hansen amendment makes it perfectly plain that Federal contributions or expenditures financed by "dues, fees, or other moneys required as a condition of membership in a labor organization or as a condition of employment" are unlawful. Thus, under the Hansen amendment the Government would be entitled to a guilty verdict whenever it meets the burden of proving to a properly instructed jury that contributions were made from assessments which were part of a union's dues structure.

There could be no dispute on this point for in his floor explanation of the 18 U.S.C. section 610 Senator Taft emphasized that:

[U]nions can * * * organize something like the PAC, a political organization, and receive direct contributions, just so long as members of the union know what they are contributing to, and the dues which they pay into the union treasury are not used for [the] purpose [of making federal political expenditures and contributions]. 93 Congressional Record 6440.

In light of this explanation the Government advised the Supreme Court in *United States* v. *UAW,* 352 U.S. 567, that section 610 "had not silenced the political voice of labor unions" since unions may "properly" use "special funds contributed voluntarily by the membership" for "purely political activities." Brief for the United States in the UAW case at pages 37 and 38. And, consistent with that view, despite the fact that unions, as well as the Chamber of Commerce and the NAM, have openly and notoriously carried on political activities through labor and business political organizations such as AFL–CIO, COPE, and BIPAC for almost 30 years, the Government has never prosecuted either a union or a corporate group on the theory that unions and corporations have no right to set up and run legitimate labor or corporate political organizations such as COPE and BIPAC.

Thus as Senator DOMINICK stated, speaking in support of an amendment to section 610 he offered to the other body, the general view is that:

If a member wishes to pay money voluntarily to a candidate or to a labor organization fund for a candidate or even to a fund which the union will determine how it is to be spent, I have no objections.

CONGRESSIONAL RECORD, volume 117, part 22, page 29329.

The Hansen amendment building on this consensus tracks this language with a single addition making explicit what is implicit in the Crane amendment—that unions and corporations may solicit contributions to these funds as long as they do so without attempting to secure money through "physical force, job discrimination, financial reprisals" or the threat thereof. Thus the Hansen amendment does not break new ground, it merely writes currently accepted practices into clear and explicit statutory language.

Much has been made of the fact that some of the material which I inserted in the CONGRESSIONAL RECORD as part of legislative history in connection with my remarks is similar to material inserted by the gentleman from New Jersey (Mr. THOMPSON) as part of his remarks.

Those who are familiar with the operation of the Congress are aware of the rather common practice of Members drawing upon committee reports, hearings, briefs, and other background materials and documents in developing legislative history for a bill which will help to set forth legislative intent to guide those charged with responsibility of implementing and administering the act. In the development of my amendment I worked with other Members and their staffs. A background paper was prepared and underwent several modifications reflecting comments and suggestions made by Members who had an opportunity to review it. In order to make certain that the record was complete I inserted portions of that background material in the RECORD under authority to revise and extend my remarks. Obviously, the gentleman from New Jersey (Mr. THOMPSON) with whom I serve on the House Administration Committee which considered this legislation, utilized some of the same materials in revising and extending his own remarks.

Obviously, the members of the joint Senate-House conference committee were not concerned about the suggested effect of this amendment on pending cases. Nor were Members of the other body who approved the conference report by a voice vote. There is no reason for Members of this body to be concerned. This is much needed and meritorious legislation. I strongly urge an overwhelming vote of approval.

GENERAL LEAVE

Mr. DEVINE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on this subject.

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

There was no objection.

Mr. DEVINE. Mr. Speaker, I yield 1 minute to the gentleman from Indiana (Mr. DENNIS).

Mr. DENNIS. Mr. Speaker, and Members of the House, I regret that I could not ask the question of the gentleman from Idaho, but during the debate, in a colloquy with the gentleman, I pointed out that it seemed to me that his amendment operated to legalize certain union practices regarding the use of union dues for political purposes which heretofore had not been legalized. I am glad to note that the gentleman claims that this is

not true, and that he is merely codifying existing law.

I presume—and this is the question I wished to ask the gentleman—that the existing law which the gentleman says his amendment codifies, includes the decision in the Circuit Court of Appeals in the Eighth Circuit, I believe, in the Pipefitters' case, which specifically holds that the use for political purposes, of coerced funds, or of union dues which have to be paid, is illegal.

The SPEAKER. The time of the gentleman from Indiana has expired.

Mr. DEVINE. Mr. Speaker, I yield 1 minute to the gentleman from Minnesota (Mr. FRENZEL).

Mr. FRENZEL. Mr. Speaker, today this House will pass a much-needed election reform bill. It is a good compromise bill which merits broad support. In addition it stands as a prime example of congressional responsiveness.

This bill is the first significant reform in decades. It provides for expanded disclosure both for expenses and contributions, and establishes spending limitations for certain media expenses. More importantly, it is tailored to disrupt as little as possible our traditionally fair and open election systems.

The Congress has wisely resisted the strong temptation to expand substantially the existing, and obvious, advantages of incumbency. It also resisted the equally strong temptation to restrict unduly the rights of citizens who participate financially in the political process.

The bill has flaws, omissions, and even a loophole, or two. Most significant is the omission of a Federal Elections Commission. On balance, however, the good in this bill far outweighs its minor defects.

This reform bill complements the $50—$100 joint—deductibility for political contributions. Together, they provide great incentives for broadened political participation. Together, they are a real bonus for the people of this country.

Perhaps the happiest element in our whole treatment of election reform is that we are passing Congress own bill. It did not come from the Executive, although the Executive did contribute greatly and has indicated support and approval. It did not come from pressure groups, although many groups also made important inputs. It did not come from heavy popular interest, although the majority of our citizenry has been shown, in poll after poll, as favoring election reform.

All of these influences were important, but this bill was passed because Congress saw a problem area and tried to solve it in a reasonable way.

I want to add my commendations to those already heaped on the deserving chairmen, the gentleman from Ohio and the gentleman from West Virginia, and on the deserving subcommittee chairman, the gentleman from Virginia, and the gentleman from Massachusetts. Their efforts reflect credit on all of us.

It is my hope that this bill will be passed by an overwhelming majority today.

Mr. HAYS. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. PICKLE).

Mr. PICKLE. Mr. Speaker, the Members of the House will remember that during the first floor debate on this legislation I offered an amendment providing that broadcasters should charge comparable or earned rates, the same as the newspapers and other media could charge. The House passed that amendment by a strong vote of 219 to 150, a 69-vote majority, on a record vote.

When the bill went to conference this amendment was sort of traded off on the equal time provision. If I could offer an amendment now that would restate what was the clear intent of the House I would do so.

But, as you know, we have a straight yes or no vote on this conference report.

I want to make it plain that I do support the legislation because overall the two committees have done a good job and the overall purposes and the strong intent here outweighs any individual objection that I might have.

I do think the provision requiring broadcasters to give the lowest unit rate to political candidates, if that is indeed what the language really says, is patently unfair and should be corrected. I hope to take steps as we go along this year to correct that difference.

Mr. HAYS. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. BINGHAM).

Mr. BINGHAM. Mr. Speaker, the question has been raised about the meaning of the term paid telephonists in section 102(1) and the suggestion was made that this might include a campaign staff. For what it is worth, I would like to say as author of the amendment in House which included the term "paid telephonists"—it was not my intention to include in that term all staff that might use telephones incidentally talk to voters.

I had in mind people who are hired for the purpose of making telephone calls. That is a very distinct and recognizable category. It was not my intention to include anything beyond that. These people are generally hired in considerable numbers and it is, as I say, a distinct category. I repeat it was not my intention as author of the amendment which included the phrase "paid telephonists" to include general campaign staffs.

Mr. HAYS. Mr. Speaker, I yield 1 minute to the gentleman from Wyoming (Mr. RONCALIO).

Mr. RONCALIO. Mr. Speaker, I thank the chairman of the committee, the gentleman from Ohio (Mr. HAYS).

Mr. Speaker, my purpose in taking the floor at this time is to ask a question for the benefit of absent Members.

What about attacks on an incumbent? For example, those who have already said, in effect, "We will come into your area and put up billboards attacking you on the way you voted on a particular thing last year." Is that allocable to your opponent's expense limitations?

Mr. HAYS. No, it is not. But if a person—if it is an individual, and he spends more than $100, he has to make a report on it and, if he does not, then he is in violation of the law and can be fined or sent to jail.

Mr. RONCALIO. I thank the gentleman very much.

Mr. HAYS. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. ABBITT), chairman of the subcommittee, who did all of the hard work holding the hearings and who did a great job on the section of the bill on House administration.

Mr. ABBITT. Mr. Speaker, I appreciate very much the gentleman yielding to me and the kind words he has just spoken.

Mr. Speaker, I want to commend the chairman of the committee, and the chairman of the conference, and the House Members for the splendid job they have done.

To all intents and purposes, this is a bill that was passed originally by the House, with a few exceptions.

First, I want to comment on the subject of telephones. There was a slight change there. Some of the Members are a little bit excited and exercised by what we mean when we say "media".

If you will look at the first page of the report, it explains it very concisely.

The report reads as follows:

(1) The term "communications media" means broadcasting stations, newspapers, magazines, outdoor advertising facilities, and telephones; but, with respect to telephones, spending or an expenditure shall be deemed to be spending or an expenditure for the use of communications media only if such spending or expenditure is for the costs of telephones, paid telephonists, and automatic telephone equipment.

Mr. Speaker, it is just that simple. That is all that applies to telephones.

Now, as to the conference report, there were only about five instances in which the House bill was changed.

First, the provision of the Senate bill relating to the requirements on broadcasters, that is, television and radio, was adopted. Broadcasters must charge the lowest unit rate for space and time during the 45 days preceding a primary and 60 days preceding the general election.

Second, there was stricken from the House bill the provision requiring anyone who makes space available in a newspaper or magazine to a candidate in a national election campaign must make space available to other candidates for office.

Third, under the definition of "news media," we took out the provision relating to postage in computerized mailing as defined in the House version, and changed cost of telephoning to telephone expenditures.

Fourth, the House receded from their provision providing for a penalty for violation of section 103 and adopted the Senate provision, which provides for a fine of not exceeding $5,000 or imprisonment of not more than a year or both.

The fifth change was in the matter of reporting. We in the House report to the Clerk; the Senate reports to the Secretary of the Senate. In addition, there was the amendment that was offered by Mr. HARVEY requiring a report to the clerk's office of the Federal court in the various districts. That amendment was defeated in the House. At that time the chairman, (Mr. HAYS) promised that some provision would be made. What we did in the conference committee was to say that a report should be filed with the appropriate

State official, either the State election official or whoever the appropriate State official might be, the secretary of state or the equivalent officer. A copy of the report would be filed with that officer so it would be available locally. Other than that the House provision stands.

I think we have a good bill, one we can live with, and one which represents a great step in the right direction.

I am pleased that the Members of the House of Representatives were afforded ample time to study the conference report on S. 382, and I'm sure that having read the provisions of the bill, we all realize the importance and far-reaching effects of the legislation.

Although the bill is not what we had all hoped it would be, it takes a giant step in the right direction. Our existing laws are so outdated and unrealistic that an urgent need for reform exists.

The House conferees were opposed to a Senate attempt to repeal the "Equal Time" requirement for political candidates and after lengthy discussion, the repeal clause was removed and the existing law remained unchanged.

In an attempt to keep down the rapidly rising costs of campaigning, the conferees agreed to limit expenditures for the communications media to 10 cents per eligible voter, or $50,000, whichever is greater. Of this limit, no more than 60 percent could be spent for television and radio. An escalator clause was included with the communications media spending limit, based on annual increases in the consumer price index.

The bill also provides that broadcasters, meaning TV and radio stations, are required to sell candidates advertising time at the lowest unit rate for the time and space used. This stipulation would take effect only during the last 45 days preceding a primary election and the last 60 days preceding a general election.

In order to maintain the highest degree of confidence in Federal campaigns, the public is entitled to know specifically and accurately what money is spent by and on behalf of a candidate for Federal elective office, and also where those funds came from. This bill goes a long way in strengthening the requirements for reporting expenditures and contributions, and thus providing for disclosure to the people.

As opposed to creating another high cost commission, financed by the taxpayers, the House conferees were able to retain the provisions of the House version which provided for campaign reports to be filed with the Clerk of the House, for House candidates, the Secretary of the Senate for Senate candidates, and the Comptroller General for Presidential candidates. Also, copies of campaign reports are to be filed with the secretary of state—or equivalent officer—of the State in which the election is held. This last stipulation, I feel, is much more practical than what was proposed by the Senate which attempted to have additional copies of the campaign reports filed with the clerk of the United States District Court in which is located the residence of the candidate or the principal office of the political committee.

Another important aspect of the bill pertains to the role unions and corporations can play in political campaigns. Under the provisions of this bill, the definition of the terms "contribution" and "expenditure" does not include communications, nonpartisan registration, and get-out-the-vote campaigns directed at the stockholders of the corporation and their families and members and their families of labor organizations.

One of the most crucial provisions of the bill provides for a ceiling on contributions by any candidate from his personal funds, or the personal funds of his immediate family, in connection with his campaign for nomination for election, or election to Federal office in excess of $50,000 for President or Vice President, $35,000 for Senator, and $25,000 for Representative. I feel that this will help deter a wealthy candidate from being in a position, as a result of his or his family's personal fortune, to "buy" an election. The cost of campaigning is so great today that the average citizen cannot even consider running for office.

Finally, this bill repeals the Corrupt Practices Act of 1925 which is so outdated and impossible to live under that, as we all know, it has been honored only in its breach.

Gentlemen, the time to act is now. Although S. 382 is not a perfect bill, I urge your full support for passage—so that we might take the first step to needed election reform.

Mr. SPRINGER. Mr. Speaker, I yield the remaining time to the minority leader, the gentleman from Michigan (Mr. GERALD R. FORD).

Mr. GERALD R. FORD. Mr. Speaker, at the outset let me commend the Conferees. I think a good job has been done, and I intend to support the report. I think it is good legislation.

I would like to ask the distinguished gentleman from Ohio one question. As I read the Conference Report, except for section 401, the effective date for the new legislation is 60 days after the President signs it and it becomes law. Is that correct?

Mr. HAYS. The answer to that is "Yes." That is exactly right.

Mr. GERALD R. FORD. One other clarification. When I say "effective date," that means as to reporting expenditures, disbursements, or any other requirements under the legislation.

Mr. HAYS. That is right. No section, except for one, takes effect, and it does not either until 60 days after. It even has a longer period. But the rest of it, no part of it becomes effective until 60 days after the President signs it.

Mr. GERALD R. FORD. Mr. Speaker, let me reiterate what I said at the outset: I congratulate the conferees. I think this is good legislation and I hope it is overwhelmingly approved.

Mr. HAYS. Mr. Speaker, I yield myself the remaining time.

Does the gentleman from South Dakota have a question?

Mr. DENHOLM. Thank you very much, Mr. Chairman. The question I wanted to ask is this: If someone is operating on less than $50,000 in contributions, is there any attempt or purpose in the proposed law that would suggest or compel an allocation of the funds?

Mr. HAYS. No, not at all. If a person, for example, had only $20,000, he could spend the whole $20,000 on the media if he wanted to. The only limitation is that he may not spend more than $30,000 total of the $50,000 on the media.

Mr. DENHOLM. Thank you very much.

Mr. HAYS. Mr. Speaker, I want to say in conclusion that I appreciate all the cooperation from both sides, from all the members of my committee especially Mr. DEVINE and those on the other side, who while they were exhausting and penetrating in their questions made no attempt to filibuster consideration of the bill. Also I appreciate the cooperation of the members of the Committee on Interstate and Foreign Commerce, the gentleman from West Virginia (Mr. STAGGERS), and the gentleman from Massachusetts (Mr. MACDONALD) as well as the minority members of that committee.

Mr. Speaker, I do not say this is a perfect bill. It does not suit me in every particular. I would rather have had lower limits and a few other things, but we gave very little to the Senate in the conference. There are only a few items, which did not amount to much. In a conference we have to take as well as give in order to get agreement. I appreciate the attitude of the Senator from Rhode Island (Mr. PASTORE) and the other Senate conferees. We came up with the bill in record time. I think it is a long step in the right direction, and I urge adoption of the conference report.

Mr. MAHON. Mr. Speaker, under permission to extend my remarks, I wish to insert at this point in the RECORD the following:

Last Saturday, January 15, I met with members of the broadcasting industry from the district which I have the honor to represent. We had a splendid meeting. It was informative and helpful to me. I was given a broad range of information and assistance with respect to the pending measure, and other pending legislation, and with respect to a multitude of serious problems which confront the broadcasting industry. I was much impressed with the objectivity and dedication to public service which was apparent throughout the meeting.

As to the pending conference report, those speaking on the report have pointed out many of the weaknesses and inequities. The measure is far from perfect, but, under all the circumstances, I shall join in the passage of the measure as the best thing that can be done at this time.

With respect to related measures affecting the broadcasting industry I would urge that early hearings be held and House consideration be given to the high-priority problems involved.

Mr. HILLIS. Mr. Speaker, campaign reform is an absolute must, if we are to make our election system more just and democratic.

However, justice and democracy cannot

be well served by legislation which treats any party involved in election reform with gross inequity.

I feel the reform legislation we have before us today is unjustifiably discriminatory against the American broadcast industry and therefore it is with great reluctance that I am voting against the conference bill.

I agree with all other sections of the reform bill and am pleased Congress has finally taken action in this important field. However, the great advantages which would result from the bill still cannot outweigh the gross injustice which we would perpetrate on the broadcast media by passing this bill as reported out of conference committee.

What is so discriminatory? Only three provisions, but they are quite important. First, while print media would be required by the bill to charge political candidates "comparable rates," broadcasters would be required to furnish time at "the lowest unit rate." This could represent as much as a 50-percent difference in rates.

Second, in the 10-cent-per-voter limitation on spending, this bill specifies that only 6 cents can be spent on the broadcast media, but makes no similar provision for any other media—print, letters, telephoning, and so forth.

Third, the bill retains the equal-time requirement for broadcast media, but includes no such provision for other media.

To me, this amounts to unfair discrimination and favoritism at the expense of an industry which the Federal Government has already sought to control far beyond the bounds which I consider necessary and in the public interest. Certainly, I recognize the need for regulation of the airwaves, but not to this extent.

I would guess we feel justified in placing additional restraints on this media merely because it is the only one which the Federal Government licenses and, therefore, has considerable control over. Congress did not attempt to apply these three odious requirements to the print media because we knew full well we would have to answer to charges of violation of freedom of the press. Surely the electronic press should receive the same consideration. Freedom of the press must apply to all forms of public communication and information, and not only to certain segments.

Furthermore, if we are to accomplish the ends these provisions were designed to accomplish, we would have to extend these regulations to all the media.

For instance, in Indianapolis, if the equal-time provision did not exist and a candidate was not allowed to appear or advertise on one radio station, he would have more than a dozen other stations to go to. However, he would have the chance to appeal to only two daily newspapers in the city. Is it fair for us to require equal time of only one segment of a city's media? This is not to say I feel these regulations should be extended to the other media—I do not. Instead, they should be lifted from the broadcast industry's back.

What are the consequences of this type of favoritism and overregulation? Take a look at the railroads. Because of legislative and executive restrictions which were uniquely punitive and inequitable, America's railroads could not continue to operate competitively with airlines, buses, and the trucking industry. Hence, they are now being heavily subsidized and passenger service has been taken over by the Federal Government.

Overregulation is worse than no regulation at all, in my opinion, because it leads to such Government control and, ultimately, heavy subsidization and takeover.

Is broadcasting to be next on this list? If so, there are few who could doubt this would spell a heavy blow to a free press and, most importantly, to a free society.

I recognize how hard the Conference Committee has worked to report out a workable, compromise bill. But I simply do not think this is something on which Congress should compromise. What we are dealing with is a basic principle—and this is something on which Congress cannot compromise.

Surely Congress has not come so far in this important area to hurriedly accept at this point a blatantly inferior and unjust piece of legislation. I feel this bill should be sent back to committee so these odious provisions can be eliminated and Congress can send to the President a truly fair and effective campaign reform bill.

Mr. EDMONDSON. Mr. Speaker, the conferees have done a good job with a most difficult piece of legislation in bringing this conference report on S. 382 to the floor. I believe the Committee on House Administration and the Committee on Interstate and Foreign Commerce are deserving of general public commendation for the product of their joint labor in this most important field.

The bill on which we vote today is not perfect and no one who has worked for its passage makes such a claim for it.

Nonetheless, it represents progress in an area on which progress is long overdue, and good men have worked long and hard to make this day possible.

The committee and subcommittee chairman, and their minority counterparts, have earned the appreciation of the House and of the country.

I am confident their product will be overwhelmingly approved, both in this body and in the country at large.

Mr. Speaker, I supported the Pickle amendment in the House when this matter was before us last year, and share his view that broadcasters should have equal treatment with other media in rate requirements for candidates.

I hope this question can be resolved to assure this fairness of treatment by later legislation.

Mr. DERWINSKI. Mr. Speaker, I am, with some reluctance, voting for this Conference Report on the Federal Election Compaign Act of 1971.

The reason for my reluctance is that the final bill before us does have, in my judgment, substantial loopholes and inconsistencies. I am also concerned by the possibility that the public will be led to believe that through this vehicle we have solved all the abuses of election campaigns.

I also question the propriety of limiting funds that might be allocated for a specific media. I have a feeling that this decision should be made by the candidate or his advisers.

Further review of campaign expenditures and funds is certainly in order. However, I recognize that there is much in the bill which is certainly needed. I have expressed reservations but feel that the overall need and the great amount of study and legislative effort that has gone into this measure deserve a positive vote on final passage.

Mr. ANDERSON of California. Mr. Speaker, the current law governing political campaign financing was written in 1925 and does not adequately control the conduct of elections for Federal office. In addition, it does not protect the electorate, nor the candidate, from corruption.

Under the current 1925 law, the spending ceiling for House of Representatives candidates is unrealistically low at $5,000; for Senatorial elections, the ceiling is $25,000; and worse, there is no ceiling on Presidential election spending.

The unrealistically low House and Senate ceilings invite avoidance; whereas the absence of a spending ceiling in Presidential elections tends to give a candidate with large financial resources an undue advantage over one whose resources are limited.

The 1925 act is riddled with loopholes that allow an estimated 50 percent of the money spent on political campaigns to go unreported. In fact, 182 candidates for the U.S. Congress in 1968 filed campaign financial disclosure reports indicating that they neither received nor spent any money on their campaigns.

Largely because of advanced communications technology, campaign costs have skyrocketed in recent years. In 1952, candidates for all elective office spent 19 cents per vote. In 1968, candidates for public office spent nearly $60 million on radio and television broadcasts alone. Spending in 1968 totaled over $300 million.

In order to close the loopholes, open the doors of Federal office to men of outstanding ability who have limited financial resources and, simultaneously, free all candidates from the pressure of political obligations which are often incurred in raising funds to underwrite political campaigns, I urge my colleagues to support the Conference Report to the bill, S. 382, the Federal Election Reform.

Under this measure, a candidate for Federal office would be limited to 10 cents per eligible voter, or $50,000, whichever is the larger for the use of the communications media. Not more than 60 percent of these funds could be spent for the use of broadcasting stations.

A candidate who spent more than the legal amount would be subject to a $5,000 fine and 5 years imprisonment.

Special interests would not be allowed to unduly influence the outcome of elections by making contributions which were secured by physical force, job discrimination, nor would they be allowed to use dues required as a condition of membership or employment to further the interests of a candidate.

In addition, so that the public will know who is attempting to influence elec-

tions, the disclosure of campaign contributions is required. If a person contributed over $100 toward the election of a candidate, this would be revealed to the public.

Mr. Speaker, I support S. 382 as a meaningful reform in the election process.

However, the bill has several shortcomings. I feel that individual contributions to campaigns must be limited to $5,000. I feel that a candidate's use of his personal funds should also be limited. I feel that television and radio stations should be allowed to present "debates" between the major candidates.

These provisions are not in the bill, but will be introduced in the future and, hopefully, the law will be amended.

In conclusion, Mr. Speaker, I feel that the conference report, S. 382, is a necessary step toward campaign reform. It closes loopholes, and it provides for a more open atmosphere in campaign finance. I will support this conference report and I urge my colleagues to also vote for its adoption.

Mr. DONOHUE. Mr. Speaker, our overriding objective, with respect to this Federal Election Campaign Reform Conference Report before us, must be, in my opinion, to strengthen public faith and confidence in the national government.

Our immediate purpose, in our action on this report, is to try to insure that our Federal elective offices are, in fact, equally open to any qualified candidate and are not the exclusive preserve of individuals who possess great wealth or those who have access to extraordinarily large amounts of campaign spending subsidies.

To accomplish both of these primary objectives, I earnestly hope and urge that the great majority of the House will register their acceptance of this Conference Report. It is not, of course, perfect nor as strong as many of us would like but it is commonly regarded as the most acceptable compromise presently obtainable to effectively limit election campaign spending to a reasonable level and establish a contributor revelation procedure that will serve to reassure the general public about the integrity of the elective process in our national government election campaigns.

The SPEAKER. Without objection, the previous question is ordered on the Conference Report.

There was no objection.

The SPEAKER. The question is on the Conference Report.

Mr. SPRINGER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 334, nays 20, not voting 77, as follows:

[Roll No. 4]

YEAS—334

Abbitt	Archer	Bingham
Abernethy	Arends	Blanton
Abourezk	Ashley	Blatnik
Abzug	Aspinall	Boggs
Adams	Badillo	Bolling
Addabbo	Baker	Bow
Alexander	Begich	Brasco
Anderson, Calif.	Belcher	Brinkley
	Bennett	Brooks
Anderson, Ill.	Bergland	Broomfield
Anderson, Tenn.	Bevill	Brotzman
	Biaggi	Brown, Mich.
Andrews	Biester	Brown, Ohio
Broyhill, N.C.	Hansen, Idaho	Pike
Broyhill, Va.	Hansen, Wash.	Pirnie
Buchanan	Harrington	Podell
Burke, Mass.	Harsha	Poff
Burleson, Tex.	Hastings	Powell
Burlison, Mo.	Hathaway	Preyer, N.C.
Burton	Hawkins	Price, Ill.
Byrnes, Wis.	Hays	Price, Tex.
Byron	Hechler, W. Va.	Pucinski
Cabell	Heinz	Quie
Camp	Helstoski	Quillen
Carney	Hicks, Mass.	Railsback
Carter	Hicks, Wash.	Randall
Casey, Tex.	Hogan	Rees
Cederberg	Holifield	Reid
Celler	Horton	Reuss
Chamberlain	Hosmer	Riegle
Chisholm	Howard	Roberts
Clancy	Hull	Robinson, Va.
Clark	Hungate	Robison, N.Y.
Clausen, Don H.	Hunt	Rodino
	Hutchinson	Roe
Clawson, Del	Ichord	Rogers
Cleveland	Jacobs	Roncalio
Collins, Ill.	Jarman	Rooney, N.Y.
Collins, Tex.	Johnson, Calif.	Rooney, Pa.
Colmer	Jones, Ala.	Rostenkowski
Conable	Jones, Tenn.	Roush
Conte	Karth	Rousselot
Cotter	Kastenmeier	Roy
Coughlin	Kazen	Runnels
Culver	Keating	Ruth
Curlin	Kee	Ryan
Daniel, Va.	Keith	St Germain
Daniels, N.J.	Kemp	Sandman
Danielson	King	Sarbanes
Davis, Ga.	Kluczynski	Satterfield
Davis, S.C.	Koch	Scherle
Davis, Wis.	Kuykendall	Schwengel
de la Garza	Kyros	Scott
Delaney	Landrum	Sebelius
Dellenback	Latta	Seiberling
Dellums	Lent	Shipley
Denholm	Link	Shoup
Dennis	Lloyd	Shriver
Dent	Long, Md.	Skubitz
Derwinski	Lujan	Slack
Devine	McClory	Smith, Calif.
Dickinson	McCloskey	Smith, Iowa
Donohue	McCollister	Smith, N.Y.
Dorn	McCormack	Snyder
Dow	McCulloch	Spence
Dowdy	McDonald, Mich.	Springer
Drinan		Staggers
Dulski	McEwen	Stanton, J. William
Duncan	McFall	
du Pont	McKinney	Stanton, James V.
Dwyer	Macdonald, Mass.	
Eckhardt		Steed
Edmondson	Madden	Steele
Edwards, Calif.	Mahon	Steiger, Ariz.
Eilberg	Mailliard	Steiger, Wis.
Erlenborn	Mallary	Stephens
Eshleman	Mann	Stratton
Evans, Colo.	Mathias, Calif.	Stuckey
Fascel	Mathis, Ga.	Sullivan
Findley	Matsunaga	Symington
Fish	Mazzoli	Talcott
Flood	Meeds	Taylor
Flowers	Melcher	Teague, Calif.
Flynt	Metcalfe	Terry
Foley	Michel	Thompson, Ga.
Ford, Gerald R.	Mikva	Thompson, N.J.
Ford, William D.	Miller, Calif.	Thomson, Wis.
	Miller, Ohio	Thone
Forsythe	Mills, Md.	Tiernan
Fountain	Minish	Ullman
Frelinghuysen	Mink	Vanik
Frenzel	Mizell	Veysey
Frey	Mollohan	Vigorito
Fuqua	Monagan	Wampler
Galifianakis	Montgomery	Ware
Gallagher	Moorhead	Whalley
Garmatz	Morgan	White
Gaydos	Morse	Whitehurst
Gettys	Mosher	Whitten
Giaimo	Moss	Widnall
Gibbons	Murphy, N.Y.	Wiggins
Gonzalez	Natcher	Williams
Grasso	Nedzi	Wilson, Charles H.
Gray	Nelsen	
Green, Pa.	Nix	Winn
Grover	Obey	Wright
Gude	O'Hara	Wydler
Hagan	O'Neill	Wylie
Haley	Patman	Wyman
Halpern	Patten	Yates
Hamilton	Pelly	Yatron
Hammer-schmidt	Pepper	Young, Fla.
	Perkins	Zablocki
Hanley	Peyser	Zion
Hanna	Pickle	

NAYS—20

Ashbrook	Hillis	Purcell
Blackburn	Jones, N.C.	Rarick
Chappell	Kyl	Schmitz
Crane	McMillan	Sikes
Goodling	Myers	Teague, Tex.
Gross	O'Konski	Waggonner
Hall	Poage	

NOT VOTING—77

Annunzio	Fulton	Nichols
Aspin	Goldwater	Passman
Baring	Green, Oreg.	Pettis
Barrett	Griffin	Pryor, Ark.
Bell	Griffiths	Rangel
Betts	Gubser	Rhodes
Brademas	Harvey	Rosenthal
Bray	Hébert	Roybal
Burke, Fla.	Heckler, Mass.	Ruppe
Byrne, Pa.	Henderson	Saylor
Caffery	Johnson, Pa.	Scheuer
Carey, N.Y.	Jonas	Schneebeli
Clay	Landgrebe	Sisk
Collier	Leggett	Stokes
Conyers	Lennon	Stubblefield
Corman	Long, La.	Udall
Diggs	McClure	Van Deerlin
Dingell	McDade	Vander Jagt
Downing	McKay	Waldie
Edwards, Ala.	McKevitt	Whalen
Edwards, La.	Martin	Wilson, Bob
Esch	Mayne	Wolff
Evins, Tenn.	Mills, Ark.	Wyatt
Fisher	Minshall	Young, Tex.
Fraser	Mitchell	Zwach
	Murphy, Ill.	

So the conference report was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Annunzio for, with Mr. Passman against.

Mrs. Green of Oregon for, with Mr. Baring against.

Mr. Nichols for, with Mr. Hébert against.

Mr. Martin for, with Mr. Landgrebe against.

Mr. Rhodes for, with Mr. Goldwater against.

Until further notice:

Mr. Wolff with Mr. Bell.

Mr. Barrett with Mr. Collier.

Mr. Stubblefield with Mr. Edwards of Alabama.

Mr. Fisher with Mr. Betts.

Mr. Evins of Tennessee with Mr. Johnson of Pennsylvania.

Mr. Griffin with Mr. McClure.

Mr. Mitchell with Mr. Leggett.

Mr. Aspin with Mr. McDade.

Mr. Henderson with Mr. Burke of Florida.

Mr. Lennon with Mr. Jonas.

Mr. Byrne of Pennsylvania with Mr. Bray.

Mr. Carey of New York with Mrs. Heckler of Massachusetts.

Mr. Dingell with Mr. Esch.

Mr. Murphy of Illinois with Mr. Diggs

Mr. Rosenthal with Mr. Clay.

Mr. Fraser with Mr. Rangel.

Mr. Conyers with Mr. Roybal.

Mr. Stokes with Mr. Scheuer.

Mr. Fulton of Tennessee with Mr. McKevitt.

Mr. McKay with Mr. Mayne.

Mr. Brademas with Mr. Harvey.

Mr. Boland with Mr. Saylor.

Mr. Sisk with Mr. Gubser.

Mr. Young of Texas with Mr. Schneebeli.

Mr.Waldie with Mr. Pettis.

Mr. Udall with Mr. Minshall.

Mr. Ullman with Mr. Ruppe.

Mr. Caffery with Mr. Vander Jagt.

Mr. Downing with Mr. Bob Wilson.

Mr. Corman with Mr. Long of Louisiana.

Mrs. Griffiths with Mr. Mills of Arkansas.

Mr. Pryor of Arkansas with Mr. Whalen.

Mr. Wyatt with Mr. Zwach.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PRESIDENT NIXON'S $3½ BILLION CAMPAIGN FUND

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

Mr. ANDERSON of Tennessee. Mr. Speaker, an elected official in America can discharge his oath of office and acquire the possibility of statesmanship only when he stops running and starts serving.

Under this definition, we have not had a President for the past 3 years—only a candidate for President. Whether it be Vietnam or the domestic economy the President's actions have been geared not to his constitutional obligations but to E-Day, election day 1972.

Richard Nixon has violated his constitutional oath by undermining, eroding and undercutting the constitutional obligation of this Congress to determine the expenditure of public funds. Something has to be done about this because it is tantamount to a conspiracy to deprive the American people of their full rights to representative, constitutional government.

Somewhere downtown Richard Nixon has a three and a half billion dollar campaign slush fund built up of public funds this Congress appropriated for obligation and expenditure many months ago.

But let me assure you that this money will be spent. When? Precisely in time to jack up the economy and the President's publicity by November. A super pork barrel. In the meanwhile unemployment, pollution—yes, even law and order—are second order.

Much has been said during the past several months regarding the practice by the Nixon administration of withholding or freezing appropriations while Governors, mayors, and city managers are finding it more difficult to provide needed services to the people we represent.

The administration has shown an increasingly insensitive attitude to the deliberations and decisions of this Congress and the millions of constituents who await our actions and who expect to express their needs, their concerns and their priorities through us.

At the start of this fiscal year it was estimated that over $12 billion was being withheld from previously appropriated funds for various Federal aid programs designed to relieve the burdens of the poor, the elderly, the schoolchildren and those suffering from inadequate public facilities.

Last May, in a report received by my office, the Executive Office of Management and Budget detailed an ambiguous, and what I consider a ridiculous and unacceptable, explanation for the withholding of needed congressionally approved funds.

The OMB statement that "withholding is essential to prudent management" and the subsequent explanation that "we might think of all congressional appropriations as pouring large bulk sums of money into a single tank from which hundreds of pipes lead out. Money is released from the tank into the various pipes when projects are ready" is typical of the shell game approach to the Nation's problems upon which this administration has so heavily relied.

The Office of Management and Budget further contends that the fault lies with Congress, that withholding is necessary to "resolve inconsistent legislative directives concerning total Government spending and individual appropriation bills." This is sheer nonsense. We do need to speed up the appropriations process and all that leads to it, but I can recall many emergency sessions involving explicit continuing appropriations and other actions designed to accommodate the need for timely, orderly and exact appropriation laws.

Any congressional "inconsistency" regarding the $3.5 billion campaign slush fund will evaporate within the next few months like the morning dew in Dixie. Congressional "inconsistency" will be replaced by executive political expediency.

The Nixon administration's retort that it is a "prudent manager" is empty reasoning at best. Three years of this "prudence" has resulted in nearly $80 billion in public debt. Four years of the Nixon economy will witness an unprecedented $100 billion added to the debt of the Nation. But we do not call that deficit spending. Now it is a "full employment budget." More of the shell game.

The President is a politician and 1972 is an election year. Whether it is milk producers or a series of summit meetings, the President is constantly on stage watching the Gallup and Harris polls.

The President's campaign staff is now meticulously planning the use of appropriated funds so that the impact will be maximum by election day.

It is difficult to determine how many billions of dollars in all the agencies of Government are involved. My small staff has attempted to take on the Nixon bureaucracy and seek out the expected release of funds for the 10 major programs within the Departments of Housing and Urban Development and Agriculture between now and July. Thus far, from the bits and pieces we were able to put together, we anticipate that the Nixon campaign strategists will release during the next 6 months over three and one half billion dollars, 80 percent of the entire amount we appropriated for the fiscal year started last July, for reasons other than orderly management of public funds. The tactic is simply this: spend at a 20 percent rate in a nonelection year; 80 percent as an election rolls near.

Thus, many urban and rural communities throughout this country will be duped into believing that Mr. Nixon finally understands their problems and is willing to act to ease their burdens.

Mr. Speaker, whether the administration releases $3 billion or $30 billion of sorely needed funds is not the only major issue. The practice of withholding must be questioned.

If a city manager resorted to this same practice he would immediately be called to account for his actions. The same holds true for any appointed or elected official. It is the constitutional duty of Congress to seek out areas of concern, to appropriate moneys for the various programs to meet these concerns, and it is the duty of the executive to act with dispatch to see that these concerns are resolved.

This administration has failed in its constitutional responsibility and should be called to account.

The President has coined many new phrases during the last 3 years. We have hard "protective reaction" and "selective decontrol." I would hope Mr. Nixon would adopt the word "priority" in his growing "new language."

The administration's lack of concern for our growing domestic ills, the persistent blindness of the President to react to the real needs of his fellow countrymen, has resulted in a severe deterioration of the social and moral fiber of our society.

A few examples of the end run being planned by the administration using the $3.5 billion football are these:

Of the appropriated but unobligated funds for basic water and sewer grants for urban communities, the administration intends to release 90 percent during the closing months of the fiscal year. Even with his delayed expenditure of such massive amounts of money, there will still be some $500 million of basic urban water and sewer money in the OMB coffers at the end of fiscal year 1972. Maybe this will be released just in time for the election.

In addition, over three-fourths of water and waste disposal funds for rural communities are planned to be released during the same period.

Nearly all of the appropriated urban renewal funds, totaling nearly $1½ billion are ready to be obligated between now and July 1.

In the field of neighborhood facilities, practically 100 percent of the appropriated funds have yet to be released and can be expected to be granted during the next 5 months.

For the open space land program, Congress appropriated $100 million. Thus far, no obligations have been made in fiscal 1972 and we have learned that this entire amount will be granted prior to July.

In nearly every inquiry my office has made a similar trend has developed. That is, the apparent manipulation by the administration to announce the awarding of grants for various projects during the latter part of this fiscal year, thus receiving as much political mileage as possible before the November election.

There are more examples of administration manipulation. Nearly two-thirds of the funds for low rent public housing are expected to be obligated during the closing months of fiscal 1972.

Under the rural environmental assistance program for which Congress has appropriated $195,500,000, the Department of Agriculture plans to release about 80 percent just prior to July.

Finally, the New York Times reports that over $200 million are being withheld by the Nixon administration for the vital food stamp program. As a result of this news article and the response it stirred among Congressmen and Senators from both sides of the aisle, the Secretary of Agriculture announced last Sunday his intention to release these funds. But, Mr. Speaker, as I have stated, there will be $500 million of needed funds withheld

from the essential basic water and sewer program in July.

My staff is minute compared to the vast Nixon bureaucracy. However, one need not be a financial expert to see trends of political manipulation by those in high executive positions.

Listed at the close of this statement are those aid programs I have referred to in addition to others. Also listed are the amount of funds the administration plans to obligate and use as a complement to the already plush campaign fund to reelect the present occupant of the White House.

My office, as I am sure every congressional office, has had numerous inquiries from constituent localities regarding the withholding of approvals for urgently needed projects. I, as a majority of Members of this body, supported these programs and fully expected that the executive branch would forthrightly execute the disbursement of funds in a timely, judicious, and nonpolitical manner. The administration has not been the "prudent manager" it has so proudly declared itself to be. On the contrary, the Nixon budget managers have become "prudent politicians" in managing funds appropriated to it by this Congress.

Such mismanagement of Federal funds has made a shambles of needed public service projects. For months, a city government must await money to complete an urban mass transportation project. In the interim, workers are laid off and local contracts are left unfulfilled. Besides this, such sporadic, shotgun disbursement of Federal funds is the grossest form of business mismanagement and wastes countless millions.

Thus, we encounter a situation wherein the administration is not only playing politics with the well-being and livelihood of many American citizens, but is wasting money.

The newspaper, television and radio accounts will look good over the next several months as they tell the public that President Nixon and his department heads are furiously approving hundreds of millions to every section of the country for projects which could have been funded last year—but last year was not an election year.

Today I have referred to manipulation of funds appropriated this fiscal year. Previous discussions on this subject have centered around the administration's blatant efforts to impound funds appropriated in previous fiscal years. Those programs I have mentioned accounted for $1 billion of the alleged $12 billion impounded in fiscal 1971. Whether the withholding of funds for political purposes is described as "impoundment," I believe is just a matter of semantics.

The U.S. General Accounting Office, in its "Glossary of Terms Relating to the Budget and Fiscal Provisions of the Legislative Reorganization Act of 1970," dated December 1971, defines impounded funds as "any type of executive action which effectively precludes the obligation or expenditure of the appropriated funds." It is clear, therefore, that executive action precluding the obligation of appropriated funds for political purposes is, according to the glossary, an act of impounding.

The Office of Management and Budget has thus become the second most powerful office in the Nation. It has surpassed the importance of both the Congress and the judiciary and has, by its action, become the fourth branch of Government.

The time has come when Congress must reassert its control of the Nation's revenue and make clear to the executive that moneys appropriated for the various programs be distributed in an orderly manner on the basis of public need rather than the need by an incumbent President to be reelected.

If we are going to be weak-kneed about this, we had better get a constitutional amendment adopted not for a single 6-year term as has been proposed, but for a single 4-year term. It is unfortunate such an amendment could not be made retroactive.

We must conclude that restrictions imposed by the President on spending congressionally appropriated moneys is at least poor management and at worst wholly unconstitutional. Even William Rehnquist, former Assistant Attorney General and newly confirmed Justice of the Supreme Court, stated in a 1969 memo:

> With respect to the suggestion that the President has a constitutional power to decline to spend appropriated funds, we must conclude that the existence of such a broad power is supported by neither reason nor precedent.

And in Senate testimony last year, Mr. Rehnquist further stated that—

> The President is not at liberty to impound in the case of domestic affairs which have no national defense or foreign policy considerations.

This applies to all of the funds mentioned in my discussion.

This situation has prompted me to draft remedial legislation aimed at correcting this flagrant usurpation by the Executive—legislation which I hope will restore congressional authority over the purse. Legislation to breathe new life into our Constitution.

Congressional committees, their members and staffs devote a considerable amount of effort in the final drafting of appropriation proposals to be offered to both Houses of Congress. Floor debates are at time extensive and after final passage of such legislation we find that the Executive will only allow the disbursement of funds in a disorganized manner aimed to influence the American voter.

We in Congress took our own constitutional oath.

We had better shape up or ship out.

FEDERAL APPROPRIATIONS, OBLIGATIONS, AND RESERVES FOR MAJOR PROGRAMS WITHIN THE DEPARTMENTS OF HUD AND AGRICULTURE, FISCAL YEARS 1971-72

Department and program	Reserved from fiscal year 1971	Appropriations, fiscal year 1972	July–December obligations, fiscal year 1972	Anticipated January–July 1972 obligations	Anticipated reserves from fiscal year 1972
HUD					
Model cities	$786,165,000	$150,000,000	$200,000,000	$420,000,000	$316,165,000
Water and sewer	200,043,000	500,000,000	25,000,000	175,000,000	500,043,000
Urban renewal	200,000,000	1,250,000,000	36,000,000	1,414,000,000	None
Neighborhood facilities	None	40,000,000	450,000	39,550,000	None
Open space	None	100,000,000	None	100,000,000	None
Low-rent public housing	None	886,000,000	319,959,000	566,041,000	None
AGRICULTURE					
REA (2 programs)	None	669,100,000	208,383,000	460,717,000	None
FHA (2 programs)	77,092,000	137,192,000	48,441,000	165,843,000	None
Soil Conservation Service (4 programs)	None	303,664,000	117,854,000	185,810,000	None
REAP	45,000,000	195,500,000	43,901,000	196,599,000	None
Total	1,308,300,000	4,231,456,000	999,988,000	3,723,560,000	816,208,000

THE WEST COAST DOCK STRIKE

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

Mr. SCHERLE. Mr. Speaker, the intolerable dock strike continues to strangle the American economy. I have today introduced legislation which would permanently solve the west coast strike as well as bring about a quick settlement of the gulf ports and east coast strikes presently enjoined under the 80-day cooling-off period of the Taft-Hartley Act. For 2 years now, the President has been urging Congress to enact permanent emergency transportation legislation. My proposal encompasses and modifies the President's request. Congress should not evade the issue by approving another one-shot settlement for the west coast strike alone, as we have done so often in the past. The time to bring about a permanent solution to these crippling strikes is now.

The lengthy dock dispute, which has dragged on for 6 months and cost the American economy $1 billion, dramatically points up the deficiencies in current labor legislation. Once the limited resources of the Taft-Hartley Act have been exhausted—the court-ordered injunction has already expired on the west coast and is due to run out in the east coast and gulf ports next month—the President has no further recourse under present law, national emergency or no national emergency. All he can do is submit the case to Congress as a special crisis requiring a separate legislative solution. This "solution" is really none

at all, for it bucks responsibility to the Federal Government which should not become embroiled in labor litigation. Repeated congressional intervention violates the principle of collective bargaining and is a costly and inefficient waste of congressional energies.

Nevertheless, protracted transportation work stoppages, of which the United States has suffered a veritable plague in recent years, cannot be allowed to cripple the economy indefinitely. Some way must be found to represent the interests of the American public in these disputes. Thousands, perhaps millions of people who have no direct connection with the longshoremen or their employers have suffered heavy losses as a result of the dock strike, yet no way now exists to make their voices heard in the bargaining session between labor and management. No one would deny the dockworkers their legitimate right to a reasonable return for their labors. At the same time, it must be realized that others are being denied the fruits of their labors because the longshoremen closed virtually every major port in the Nation to gain their ends.

Farmers have suffered perhaps most of all. But lost farm income, estimated at a million dollars a day during the strike, is not an isolated economic occurrence. Sympathy for the farmer's woes will rapidly turn to empathy as the impact of agriculture's shrunken dollar is felt in other sectors of the economy. Agricultural loans will have to be renegotiated, new purchases of farm machinery will be deferred and consumer-purchasing patterns in farm States will decline sharply.

Nor are farmers the only exporters to feel the pinch. Other producers of goods for foreign markets not only sacrifice current sales; like the farmer, they also risk permanent loss of their overseas customers to competitors who can guarantee reliable delivery on a steady basis. Precautionary stockpiling can cushion the blow for manufacturers to some extent, as it cannot for farmers who are at the mercy of seasonal harvest and perishable commodities, but even these measures do not entirely compensate for the uncertainties of a long strike. Thus the businessman on Main Street, the worker in the factory—union and nonunion alike—and the farmer in the field are all penalized for work stoppages in the transportation industries.

In order to avert another such disaster for the economy, I plan to introduce a bill in the new session of Congress revising the Taft-Hartley Act to broaden its coverage to the entire transportation industry, including rail, air, maritime, longshore, and trucking. My proposal would also extend the President's powers to deal with national emergencies in the industry, and would redefine "national emergency" to include regional strikes with national impact, a concept not now recognized under Taft-Hartley. When the present provisions of the law have been exhausted, my bill would give the President three additional options which could be exercised singly or in succession, as his judgment of the situation warranted.

First, he could extend the cooling-off period up to 30 days more. This option would be useful if a settlement appeared imminent. In the event that no end to the dispute seemed to be in sight, he could direct the workers to resume partial operations, just enough to insure essential transportation services. Finally, if the participants were unable to reach agreement, he could empanel three neutral parties to act as judges. Labor and management would each submit a final offer and the three would then select one of the two. No arbitration would be permitted. Whichever offer was chosen would become the binding contract between labor and management. This solution should induce the participants to submit reasonable and realistic proposals since the panel would obviously reject extreme demands in favor of a more moderate position. It is hoped that the "final offer selection" device will obviate the need for arbitration by providing the necessary incentive for compromise.

It is my belief that this bill represents a viable solution to the impassed provoked by protracted transportation strikes. Despite the demonstrated need for such legislation, however, Congress has so far been reluctant to act. President Nixon submitted similar legislation almost 2 years ago. It is still languishing in committees in the Senate and the House. AFL–CIO President George Meany rejected these proposals when they were introduced, contending that they nullify the principle of collective bargaining and impose compulsory arbitration under another name. This is both inaccurate and shortsighted. All three additional options provided in my bill are actually incentives to labor and management to settle their own disputes. The deficiencies of the present law, on the other hand, virtually insure Federal intervention because Congress is forced to step in with special legislation in default of any other procedure for resolving labor-management differences.

Hopefully, the majority of my colleagues will recognize the fallacy of this reasoning and its partisan motivation. We must act promptly in the public interest to forestall future recurrences of strangling strikes. My bill offers one way to accomplish this. Those who reject it should be prepared to furnish a better solution.

ANNOUNCEMENT OF HEARINGS ON CONSTITUTIONAL OATH SUPPORT ACT

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

Mr. PREYER of North Carolina. Mr. Speaker, I wish to advise the House that a subcommittee of the Committee on Internal Security, consisting of myself as chairman, together with Mr. ICHORD, chairman of the full committee, Mr. PEPPER, Mr. ASHBROOK, and Mr. ZION, will resume hearings this coming Tuesday, January 25, regarding the administration of the Subversive Activities Control Act of 1950 and the related Federal civilian employee loyalty-security program. At the same time we are meeting to consider bills on this subject which have been referred to this subcommittee for consideration and report. These include H.R. 11120, introduced by Mr. ICHORD and myself, a bill to repeal the Subversive Activities Control Act of 1950, and which would establish a new program more fully set forth in the bill and known as the Constitutional Oath Support Act. We shall also give consideration to two bills, introduced by Mr. Ashbrook, which would amend the Subversive Activities Control Act, namely, H.R. 9669, a bill drafted and requested by the Attorney General, and the bill H.R. 574.

I wish to extend an invitation to all interested Members of the House to give us the benefit of their views. The subcommittee's extensive inquiry has revealed a number of failures in the administration of the Subversive Activities Control Act and of the loyalty and security program. Undoubtedly the bills we shall consider, although of varying scope, represent an effort to repair some of the deficiencies. The subject, however, is of a vast and complicated nature. We shall welcome the assistance of Members who may wish to make a contribution on the subject.

The bills before us address themselves to one or more of the principal issues which have been the subject of consideration in the subcommittee's oversight hearings to date. They include the question of the repeal or retention of the Subversive Activities Control Act of 1950, an Act which established the Subversive Activities Control Board, now a subject of much controversy; the question of the relationship of the Attorney General's "list" to the administration of the loyalty-security program; the question of an appropriate employment standard to assure the maintenance of a loyalty program for access to positions in Government whether "sensitive" or "nonsensitive"; and the question of remedial legislation in light of *Stewart v. Washington*, 301 F. Supp. 601, a Federal district court decision which invalidated the Hatch Act loyalty oath provisions.

The bill (H.R. 11120) would repeal the Subversive Activities Control Act of 1950—under which the Subversive Activities Control Board has functioned—and would establish a Federal Employee Security and Appeals Commission. This Commission would have the function of making determinations of the character of certain subversive organizations and also serve as an appeal board for Federal employees dismissed on loyalty or security grounds. Its functions would be performed in connection with the administration of an executive branch civilian employee screening program established by the bill, and not solely for general disclosure purposes. This program would require in general preappointment investigations and the exclusion of persons as to whom there is reasonable doubt that they will in good faith support the Constitution of the United States.

Only such orgainzations as are clearly relevant to the employment standard are the subject of determination by the Commission. These include: First, organiza-

tions which have as a purpose the overthrow of the Government of the United States or of any State by force, violence, or any unlawful means; second, organizations which advocate, teach, or urge, as a principle to be translated into action, the propriety or necessity of armed resistance or resistance by force to the execution of laws of the United States or the propriety or necessity of assisting or engaging in any rebellion or insurrection against the authority of the United States; and third, organizations controlled by the foregoing and which operate in support of their purposes. The Commission will proceed to make these determinations only upon application made by the Attorney General, by the head of any department or agency of the executive branch in cases in which the character of particular organizations is a controverted fact in issue before the agency, and such other persons as the President may authorize.

Determinations of the character of such organizations are for the purpose of assisting the employing agencies in the investigation of individuals so that "only such persons as are loyal to the Constitution, disposed to defend and maintain it against all enemies, foreign and domestic, and committed to the efficient execution of their duties thereunder, are employed by the Government of the United States." For this purpose likewise, and as an alternative to the requirements of the provisions of the Hatch Act invalidated in Stewart against Washington, the bill requires the completion of a written questionnaire by an applicant for Federal employment relating to his membership in organizations advocating or teaching that the Government of the United States, or of any State, should be overturned by force, and organizations determined by the Commission to be of the type previously noted. Unlike the Hatch Act "loyalty oath," there is in this provision no denial of employment conditioned on a disclaimer of membership in relevant organizations. The questionnaire is for investigative purposes only, to assist the agency concerned in arriving at its ultimate determination with respect to the question whether there is any reasonable doubt that the applicant will in good faith support the Constitution of the United States.

On the other hand, the bill, H.R. 9669, would retain the Subversive Activities Control Act of 1950 in its present form with the exception that it would change the name of the Subversive Activities Control Board by renaming it the "Federal Internal Security Board." The bill is an administration proposal and is intended to give support to the President's July 2, 1971, amendment, Executive Order 11605, to Executive Order 10450. The bill in no way alters the act. Its provisions would make applicable to proceedings conducted pursuant to Executive Order 10450, as amended, those provisions of sections 13 and 14 of the Subversive Activities Control Act of 1950 which accord subpena power to the Board, require public hearings with the assistance of counsel and the right to cross-examination, require the Board to take evidence and proceed to a determination of the issues when an organization fails to appear at a hearing, make punishable behavior in the presence of the Board or so near thereto as to obstruct the hearings, and accord judicial review.

This amendment to Executive Order 10450 authorizes the SACB upon petition of the Attorney General to make determination of the character of certain organizations described in the order as totalitarian, Fascist, Communist, subversive, or whether adopting a policy of unlawfully advocating commission of acts of force or violence to deny others their rights under the Constitution or laws of the United States or of any State, or which seek to overthrow the Government of the United States or any State or subdivision thereof by unlawful means. These determinations are in aid of the administration of the screening program established by Executive Order 10450 which has a purpose "to insure that the employment and retention in employment of any civilian officer or employee within the department or agency is clearly consistent with the interests of the national security."

The bill (H.R. 574) would amend the Subversive Activities Control Act of 1950 by conferring on the attorneys general of each State the power to initiate cases and to continue proceedings before the Board to the same extent and manner as conferred upon the Attorney General of the United States by the terms of the act. This appears to be an effort to expand the work of the Board, particularly in view of the fact that over the years, following the administration of Attorney General Brownell, the Department of Justice has not given the Board an appreciable amount of work to do.

It is my hope that the subcommittee can shortly resolve the major issues disclosed by our inquiry and that a bill may be drafted which will find support within the subcommittee, the committee, and ultimately the Congress. Surely at this stage in our history it must be clear to all that the systematic efforts to undermine our free institutions requires some kind of internal security system. To evolve a system which will protect our free society from its hidden enemies without making less free those who are not its hidden enemies will require the best thinking of liberals and conservatives alike. With the cooperation and assistance of the Members of this House, I believe that this result can be accomplished.

CHILDHOOD LEAD POISONING: THE SILENT EPIDEMIC

The SPEAKER pro tempore (Mr. VIGORITO). Under a previous order of the House, the gentleman from New York (Mr. RYAN) is recognized for 60 minutes.

Mr. RYAN. Mr. Speaker, during the course of the next 12 months, some 200 young children will die as the result of a totally preventable, manmade disease: Lead-based paint poisoning.

Childhood lead poisoning is a national peril, plaguing the children of our country's inner cities. Its genesis lies in the congruence of two factors. The first is the high incidence among young children of pica—a craving for nonfood items such as dirt, paper, paint, and plaster. The second is the presence of lead-based paint on the walls and ceilings of dwellings.

As the sweet-tasting lead-tainted paint and plaster fall within the reach of the children living in dilapidated dwellings, they are picked up and eaten.

According to the Department of Health, Education, and Welfare, 400,000 children are poisoned each year as a result of this disease. Of these, some 16,000 require treatment; 3,200 suffer moderate to severe brain damage; and 800 are so severely afflicted that they require institutionalization for the remainder of their lives.

To this we must add another grim figure: the 200 young children who die each year as a result of this dread menace.

The tragedy is that lead poisoning is a totally manmade and totally preventable disease. We know how to identify it. We know how to treat it; and we know how to avert its recurrence. It exists only because we let it exist.

In an effort to mount a Federal assault on this silent epidemic, I introduced three bills in March 1969. Subsequently, the senior Senator from Massachusetts, Senator EDWARD KENNEDY, introduced companion legislation in the other body.

On January 13, 1971, this legislation was signed into law as the Lead-Based Paint Poisoning Prevention Act, Public Law 91–695.

This law authorized a total of $30,000,000 to be appropriated for fiscal years 1971 and 1972 to combat childhood lead poisoning. Title I of the act authorized $9,990,000 of these funds to be used for grants by the Secretary of Health, Education, and Welfare to units of general local government to assist in developing and carrying out detection and treatment programs for victims of childhood lead poisoning. Under title II, $15 million was authorized for grants by the Secretary for developing and carrying out programs to identify high-risk areas, and then to develop and carry out lead-based paint elimination programs.

And $5,010,000 was authorized under title III for grants by the Secretary of Housing and Urban Development to carry out a demonstration and research program to determine the nature and extent of the problem, and the methods by which lead-based paint can be most effectively removed. And the Secretary was directed to submit to the Congress a full and complete report of his findings and recommendations by January 13, 1972. Such a report has not yet been forthcoming.

Title IV of the act prohibits the use of paint with a lead content in excess of 1 percent in residential structures constructed or rehabilitated after the date of enactment by the Federal Government, or with Federal assistance in any form. Regulations implementing this provision have now been promulgated, effective as of January 1, 1972.

Yet, despite the fact that the Congress mandated—by virtue of the passage of this act—a Federal program to

fight lead-based paint poisoning, the administration steadfastly refused to request funds to implement this law for either fiscal year 1971 and 1972. It was only after I had organized a bipartisan coalition of concerned Congressmen and citizens, and had repeatedly testified before the appropriate congressional committees that the administration submitted a belated amended budget request for $2 million.

This figure was totally inadequate to meet the needs of the Nation in combating this childhood menace. Therefore, those of us concerned about this devastating disease turned our attention toward the Congress to appropriate a more meaningful level of funding. As a result of our efforts, the Congress provided $7.5 million to fund the Ryan-Kennedy law for fiscal year 1972. And on August 10, 1971, President Nixon signed into law the Departments of Labor-HEW appropriations bill for fiscal year 1972—Public Law 92-280—containing this $7.5 million to fund the Lead-Based Paint Poisoning Prevention Act.

Although this amount was woefully below the $30 million authorized by the Ryan-Kennedy bill, it was urgently needed by local communities to mount programs to fight lead-based paint poisoning. Yet, despite this, months dragged by while these funds were impounded.

On October 4, I wrote to Secretary of Health, Education, and Welfare Elliot Richardson expressing my deep concern that these funds had not been released and urging him immediately to make these funds available.

On December 7, I received a response from the Secretary informing me that—

> The full $7.5 million appropriated by Congress for fiscal year 1972 for lead-based paint poisoning prevention is now available for obligation, pending completion of necessary regulations for implementation of Titles I and II of the Act. We will attempt to get these regulations out as quickly as possible.

Although long overdue, the release of this money will be a step toward facing the problem of childhood lead poisoning. Now it is the obligation of the Congress and the administration to insure that a much higher—and more adequate—level of funding is provided in the future.

Therefore, on January 18, 1972, the opening day of the second session of the 92d Congress, I introduced H.R. 12466 and its identical companion H.R. 12467 to amend the Lead-Based Paint Poisoning Prevention Act to increase the authorized level of funding for fiscal year 1973 and each year thereafter to $50 million, and to enlarge the scope of the Federal assault on lead poisoning.

Thirty-two Members of Congress have joined me in cosponsoring this legislation in the House. And Senator KENNEDY is introducing similar legislation in the other body.

Specifically, this legislation does five things:

First, for fiscal year 1973 and succeeding fiscal years it authorizes $20 million for grants to units of general local government for programs of detection and treatment; $25 million for grants for programs to identify high-risk areas and to develop and carry out elimination programs; and $5 million for HUD to carry out demonstration and research programs to determine the nature and extent of the problem and the methods by which the lead-based paint can best be removed. Any amounts authorized for one fiscal year but not appropriated may be appropriated for the succeeding fiscal year.

Second, it broadens the provisions relating to grants for detection and treatment of childhood lead poisoning to allow the Secretary to make grants to State agencies for the purpose of establishing centralized laboratory facilities for analyzing biological and environmental lead specimens obtained from local lead-based paint poisoning detection programs. The amount of any such grant cannot exceed 75 percent of the cost of such a facility—a matching requirement similar to that under the other sections of title I.

Third, the definition of lead-based paint is changed from paint containing more than 1 percent lead by weight—calculated as lead metal—in the total nonvolatile content of liquid paints or in the dried surface coating to 0.06 percent lead by weight. This change definition has been supported by preponderance of medical evidence and opinion. Perhaps the best summary of the reasons behind this were put forth in a statement by the American Academy of Pediatrics in support of my petition to the Food and Drug Administration, which was published in the Federal Register on November 2, 1971, to ban paint with a lead-content in excess of 0.06 percent from all household uses under the authority of the Federal Hazardous Substances Act. The text of this statement by the Academy, long in the forefront of the effort to combat childhood lead poisoning, may be found in the CONGRESSIONAL RECORD, volume 117, part 35, page 45640.

Fourth, my bill broadens the definition of those eligible to receive grants to include any comprehensive health services program within the meaning of section 222(a)(4) of the Economic Opportunity Act of 1964, thus facilitating the flow of funds to the community level at which they are most needed.

And fifth, it includes a provision encompassing legislation proposed by Representatives ROBERT TIERNAN and FERNAND ST GERMAIN of Rhode Island and Representative PIERRE DU PONT of Delaware, which authorizes grants to be made to State agencies in any case where units of local government within the State are prevented by State law from receiving such grants or from expending such grants in accordance with their intended purpose. Such is the case in both Delaware and Rhode Island.

The sponsors of this legislation are:
WILLIAM F. RYAN of New York.
BELLA ABZUG of New York.
HERMAN BADILLO of New York.
JONATHAN BINGHAM of New York.
JOHN BRADEMAS of Indiana.
FRANK BRASCO of New York.
JAMES BURKE of Massachusetts.
PHILLIP BURTON of California.
SILVIO CONTE of Massachusetts.
GEORGE DANIELSON of California.
JOHN DENT of Pennsylvania.
DON EDWARDS of California.
JOSHUA EILBERG of Pennsylvania.
ELLA GRASSO of Connecticut.
SEYMOUR HALPERN of New York.
MICHAEL HARRINGTON of Massachusetts.
KEN HECHLER of West Virginia.
HENRY HELSTOSKI of New Jersey.
LOUISE DAY HICKS of Massachusetts.
ANDY JACOBS of Indiana.
EDWARD KOCH of New York.
ABNER MIKVA of Illinois.
PARREN MITCHELL of Maryland.
CLAUDE PEPPER of Florida.
OTIS PIKE of New York.
CHARLES RANGEL of New York.
OGDEN REID of New York.
BENJAMIN ROSENTHAL of New York.
PETER RODINO of New Jersey.
FERNAND ST GERMAIN of Rhode Island.
PAUL SARBANES of Maryland.
JAMES SCHEUER of New York.
JAMES SYMINGTON of Missouri.

As long as this Government fails to mount a meaningful effort to eradicate the plague of lead-based paint poisoning, we will continue to expend far more resources patching up the sins which have been committed against our children by allowing them to fall victim to this man-made, yet preventable disease.

The obligations we owe the children of the Nation are inescapable. We either meet these obligations or we fail them. We do not neutralize them by ignoring them.

EDUCATION ACT AMENDMENTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. HALPERN) is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, at the time of the House vote on amendments to the Higher Education Act—including the all-important antibusing amendments of November 4, 1971—unfortunately I could not be present, having been officially excused for some weeks due to injuries sustained in a taxicab accident. Had I been able to be present to be recorded, I would have voted in favor of the Ashbrook amendment to prohibit the use of Federal funds for the forced busing of students or teachers, or for the purchase of equipment for such transportation to achieve racial balance. I am very much pleased that the House of Representatives overwhelmingly passed the Ashbrook amendment as well as the Green amendment, which added strength to this important measure by extending the prohibition to State and local funding.

The concept of the neighborhood school is a basic American tradition. Its preservation and support, regretfully, has become a highly emotional issue throughout the Nation. Buses have been burned; lawsuits have been filed; heated words have been exchanged, and the issue is far from dead.

This is due, I feel, to the misinterpretation of the implementation of the concepts of racial integration. To bus schoolchildren from one neighborhood to another to achieve racial integration is contrary to the provisions of the Civil Rights Act of 1964. Title IV clearly states that:

> Desegregation shall not mean the assignment of students to public schools in order to overcome racial imbalance.

Busing, to achieve racial balance is not an answer to this Nation's educational problems. Let us develop highly qualified teachers, build modern schools in more neighborhoods, recondition and improve existing educational facilities, develop better educational methods of instruction and learning and let us solve the problem of poor education in certain of our Nation's schools by meeting the problems at those schools. We have the resources and the will to effect meaningful and substantial changes which will correct our educational deficiences. The transportation of children across community or county lines to distant and unfamiliar schools is unjust. Parents who live in such neighborhoods as Flushing, Bayside, Kew Gardens, Richmond Hill, Jamaica, Queens Village and Forest Hills take great price in their communities and have carefully selected their homes and apartments largely on the basis of the availability and proximity of neighborhood schools. These parents should not be forced to send their children across Queens County or into other counties in New York; nor for that matter, should parents anywhere in the Nation be compelled to bus their children out of their home community just to achieve so-called racial balance. It seems clear to me that citizens should have an unqualified right to reap the full benefits of the community in which they live.

For the Congress or anyone else to deny them these rights would be blatantly unfair—rich or poor, black or white do not wish to bus their children to a distant and unfamiliar school.

It is time, Mr. Speaker, for our Nation's lawmakers to act to clarify the law so that the court can reflect the will of the American populace. To force busing on an unwilling and hostile community does little to encourage our citizens to believe that Government is responsive to the needs and wants of the community. It is for this reason that I support the discharge petition which would allow the Congress to act on the proposed constitutional amendment which would prohibit busing as a method of achieving racial balance.

We are a nation made up of minorities and this, Mr. Speaker, is our great strength. Our children must not become the object or the tools of social experiment. If our school systems are carefully planned and we make a commitment to assure that necessary funds are allocated to develop and train skilled personnel and new programs are created and instituted to aid the underachiever as well as the gifted, then and only then can we begin to solve the critical problems of our educational system.

Let us give rational thought to the problems that face our educational institutions and then let us commit ourselves to meaningful solutions which will meet the needs of all our children.

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, today we should take note of America's great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as nation.

American literature has had a strong influence and played an important role in our society. For instance, the January 1903 editorial in McClure's magazine has been called the most influential ever published. In it publisher, S. S. McClure declared war on the immorality and paved the way for a moral crusade against the evils of a modern society during the period of our history called the "progressive era."

EXPROPRIATION POLICY

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

Mr. GONZALEZ. Mr. Speaker, today the President announced a definite policy toward countries that expropriate property owned by U.S. citizens and firms.

We all know that in a developing country one of the critical needs is for capital. Capital can be had by saving, or by borrowing, or by some outside investment. During the past decade the developing countries have incurred a startling external debt; this external debt today amounts to some $43 billion, of which $23 billion will fall due in the next 5 years. All of this is loans from official sources. Private loans to developing countries aggregate to $16 billion of which $13 billion will be due by 1975.

In terms of individual countries, Chile is an example of a developing country that has a good base of natural resources, and has every hope of developing into a sizable economic power. Yet Chile now has annual debt servicing obligations amounting to a full 35 percent of her total export earnings, and has an external debt of some $3 billion.

For a country like Chile, or any developing country for that matter, private investment is a must, because there is a limit to the capital that can be generated from savings and a limit to the amount that can be borrowed. Private investment is not a new requirement; much of the development of the United States came about through foreign private investment.

Every country of course has a sovereign power, and among the powers of the sovereign is the right to expropriate. The difficulty, as the President has correctly observed, is that expropriation without reason, and without compensation, can only discourage outside investment. An expropriating country instantly creates an external debt—which it might not recognize, but must, if it is prudent—and at the same time discourages foreign investment, which may indeed be vital to its development. In some cases, and one that I know of in particular, the ability to pay a promised compensation for expropriated property hinged on new foreign investment, including loans from world lending institutions. Whatever the merits of the case, it is readily seen that the case created a great dilemma for all parties concerned.

The United States has immense private investments abroad—over $12 billion in the 19 countries of Latin America alone. These countries are developing, some very rapidly, and have great need of additional capital, both from official lending agencies and private investment alike. It seems clear the official sources cannot provide anything like the amounts that will be needed, so prudence would seem to dictate that private investment—at least to a sensible degree—should be encouraged. No one would suggest that a country allow itself to be wholly taken over by foreign private investors, but neither should any country discourage private investment altogether. There is a prudent way.

It seems to me the duty of the United States to protect its citizens and their investments. Moreover, we have the duty to encourage the developing countries to allow a prudent amount of private investment, if we are to see our assistance programs bear the full fruits of their promise. Recognizing all this—that official capital lending is insufficient, that there are limits on what a developing country can save or borrow—and that there is a role for foreign investment, it seems to me only reasonable that the United States should seek to protect and encourage private investment in developing countries. It is in our own best interests to do this, and it should in fact be in the interest of the developing countries themselves. I do not insist that we demand any unreasonable rights, but only that all parties concerned should follow a path of reason.

I, therefore, welcome the President's statement on a new U.S. policy concerning expropriation. In some respects, the policy statement closely follows an amendment I have offered to the various bills authorizing added U.S. participation in the various multilateral lending institutions. This legislation will be brought to the House floor in the coming weeks.

I, therefore, welcome the President's amendments creating an expropriation policy, however, because the President's announced policy is deficient in some respects, specifically in that it does not lodge responsibility in any particular person or department and in that it does not contain language quite as positive as in my amendment. Finally, I believe that it is the duty of Congress to state its own policy, to join with the President, and help bring about the goal that he seeks to further, as we all do—the continued orderly development of the countries of the world, for the benefit of all mankind.

Mr. Speaker, I include the text of the President's message on expropriation policy in the RECORD at this point:

POLICY STATEMENT, ECONOMIC ASSISTANCE AND INVESTMENT SECURITY IN DEVELOPING NATIONS

We live in an age that rightly attaches very high importance to economic development. The people of the developing societies in particular see in their own economic development the path to fulfillment of a whole range of national and human aspirations. The United States continues to support wholeheartedly, as we have done for decades, the efforts of those societies to grow economically—out of our deep conviction that, as I said in my Inaugural Address, "to go

forward at all is to go forward together;" that the well-being of mankind is in the final analysis indivisible; and that a better-fed, better-clothed, healthier, and more literate world will be a more peaceful world as well.

As we enter 1972, therefore, I think it is appropriate to outline my views on some important aspects of overseas development policy. I shall discuss these matters in broader compass and greater detail in messages to be transmitted to the Congress in the coming weeks. Nineteen seventy-one saw great changes in the international monetary and trade fields, especially among the developed nations. A new economic policy was charted for the United States and a promising beginning was made on a broad reform of the international monetary system—starting with a realignment of international exchange rates. Now, in 1972, the problem of how best to assist the development of the world's emerging nations will move more to the forefront of our concern.

Any policy for such assistance is prompted by a mutuality of interest. Through our development assistance programs, financing in the form of taxes paid by ordinary Americans at all income levels is made available to help people in other nations realize their aspirations. A variety of other mechanisms also serves to transfer economic resources from the United States to developing nations.

Three aspects of U.S. development assistance programs received concentrated attention during the past year. These were:

Continuing a program of bilateral economic assistance;

Meeting our international undertakings for the funding of multilateral development institutions; and

Clarifying the role of private foreign investment in overseas development and dealing with the problem of expropriations.

As to our bilateral economic program, it is my intention to seek a regular and adequate fiscal year 1972 appropriation to replace the present interim financing arrangement which expires February 22. I urge that this be one of the first items addressed and completed by the Congress after it reconvenes. Looking beyond this immediate need, I hope the Congress will give early attention to the proposals which I submitted last year to reform our foreign assistance programs to meet the challenges of the '70s.

In regard to our participation in multilateral institutions, I attach the highest importance to meeting in full the financial pledges we make. In 1970, the U.S. agreed with its hemispheric partners on replenishing the Inter-American Development Bank. Our contributions to this Bank represent our most concrete form of support for regional development in Latin America. While the Congress did approve partial financial for the Bank before the recess, it is urgent that the integrity of this international agreement be preserved through providing the needed payments in full.

These Inter-American Bank contributions—together with our vital contributions to the International Development Association, the World Bank and the Asian Development Bank—are the heart of my announced policy of channeling substantial resources for development through these experienced and technically proficient multilateral institutions. These latter contributions also require prompt legislative action, and I look to the Congress to demonstrate to other nations that the United States will continue its long-standing cooperative approach to international development through multilateral financial mechanisms.

I also wish to make clear the approach of this administration to the role of private investment in developing countries, and in particular to one of the major problems affecting such private investment: upholding accepted principles of international law in the face of expropriations without adequate compensation.

A principal objective of foreign economic assistance programs is to assist developing countries in attracting private investment. A nation's ability to compete for this scarce and vital development ingredient is improved by programs which develop economic infrastructure, increase literacy, and raise health standards. Private investment, as a carrier of technology, of trade opportunities, and of capital itself, in turn becomes a major factor in promoting industrial and agricultural development. Further, a significant flow of private foreign capital stimulates the mobilization and formation of domestic capital within the recipient country.

A sort of symbiosis exists—with government aid effort not only spending the flow of, but actually depending for their success upon, private capital both domestic and foreign. And, of course, from the investor's point of view, foreign private investment must either yield financial benefits to him over time, or cease to be available. Mutual benefit is thus the *sine qua non* of successful foreign private investment.

Unfortunately, for all concerned, these virtually axiomatic views on the beneficial role of and necessary conditions for private capital have been challenged in recent and important instances. U.S. enterprises, and those of many other nations, operating abroad under valid contracts negotiated in good faith, and within the established legal codes of certain foreign countries, have found their contracts revoked and their assets seized with inadequate compensation, or with no compensation.

Such actions by other governments are wasteful from a resource standpoint, shortsighted considering their adverse effects on the flow of private investment funds from all sources, and unfair to the legitimate interests of foreign private investors.

The wisdom of any expropriation is questionable, even when adequate compensation is paid. The resources diverted to compensate investments that are already producing employment and taxes often could be used more productively to finance new investment in the domestic economy, particularly in areas of high social priority to which foreign capital does not always flow. Consequently, countries that expropriate often postpone the attainment of their own development goals. Still more unfairly, expropriations in one developing country can and do impair the investment climate in other developing countries.

In light of all this, it seems to me imperative to state—to our citizens and to other nations—the policy of this Government in future situations involving expropriatory acts.

1. Under international law, the United States has a right to expect:

That any taking of American private property will be nondiscriminatory;

that it will be for a public purpose; and

that its citizens will receive prompt, adequate, and effective compensation from the expropriating country.

Thus, when a country expropriates a significant U.S. interest without making reasonable provision for such compensation to U.S. citizens, we will presume that the U.S. will not extend new bilateral economic benefits to the expropriating country unless and until it is determined that the country is taking reasonable steps to provide adequate compensation or that there are major factors affecting U.S. interests which require continuance of all or part of these benefits.

2. In the fact of the expropriatory circumstances just described, we will presume that the United States Government will withhold its support from loans under consideration in multilateral development banks.

3. Humanitarian assistance will, of course, continue to receive special consideration under such circumstances.

4. In order to carry out this policy effectively, I have directed that each potential expropriation case be followed closely. A special inter-agency group will be established under the Council on International Economic Policy to review such cases and to recommend courses of action for the U.S. Government.

5. The Departments of State, Treasury, and Commerce are increasing their interchange of views with the business community on problems relating to private U.S. investment abroad in order to improve government and business awareness of each other's concerns, actions, and plans. The Department of State has set up a special office to follow expropriation cases in support of the Council on International Economic Policy.

6. Since these issues are of concern to a broad portion of the international community, the U.S. Government will consult with governments of developed and developing countries on expropriation matters, to work out effective measures for dealing with these problems on a multilateral basis.

7. Along with other governments, we shall cooperate with the international financial institutions—in particular the World Bank Group, the Inter-American Development Bank, and the Asian Development Bank—to achieve a mutually beneficial investment atmosphere. The international financial institutions have often assisted in the settlement of investment disputes, and we expect they will continue to do so.

8. One way to make reasonable provision for just compensation in an expropriation dispute is to refer the dispute to international adjudication or arbitration. Firm agreement in advance on dispute settlement procedures is a desirable means of anticipating possible disagreements between host governments and foreign investors. Accordingly, I support the existing International Center for the Settlement of Investment Disputes within the World Bank Group, as well as the establishment in the very near future of the International Investment Insurance Agency, now under discussion in the World Bank Group. The Overseas Private Investment Corporation will make every effort to incorporate independent dispute settlement procedures in its new insurance and guarantee agreements.

I announce these decisions because I believe there should be no uncertainty regarding U.S. policy. The adoption by the United States Government of this policy is consistent with international law. The policy will be implemented within the framework of existing domestic law until the Congress modifies present statutes, along the lines already proposed by this administration. The U.S. fully respects the sovereign rights of others, but it will not ignore actions prejudicial to the rule of law and legitimate U.S. interest.

Finally, as we look beyond our proper national interests to the larger considerations of the world interest, let us not forget that only within a framework of international law will the developed nations be able to provide increasing support for the aspirations of our less developed neighbors around the world.

DEBATE SURROUNDING THE U.S. PUBLIC HEALTH SERVICE HOSPITALS AND CLINICS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. BURKE) is recognized for 10 minutes.

Mr. BURKE of Massachusetts. Mr. Speaker, as part of the continuing debate surrounding the U.S. Public Health Service hospitals and clinics, I would like to

share with my colleagues the correspondence I have received from Colonel Paston, executive committeeman for the Disabled Officers Association. I commend your attention to Colonel Paston's views which are detailed below in correspondence with the Department of Health, Education, and Welfare:

DISABLED OFFICERS ASSOCIATION,
Washington, D.C., November 9, 1971.

Re the future of PHS hospital and clinic system.

Hon. ELLIOT L. RICHARDSON,
Secretary, Department of Health, Education, and Welfare, Washington, D.C.

MY DEAR MR. RICHARDSON: December 31, 1970, you stressed that no decision had been made at that time and that your Department will review its findings with the Congress, *beneficiary groups*, and employee organizations *before a final decision is reached* (see attached copy of notice signed by Dr. Jack Butler, Assistant Surgeon General, Director, Federal Health Program Service).

I am also enclosing a copy of my February 9, 1971 letter addressed to you referring to Dr. Butler's communication and requesting you to notify me of the date, time, and place you plan to assemble *beneficiary groups* before final decision is reached to afford me an opportunity to be present and participate in the conference, since the members of this organization, all disability retired officers of the armed services, are USPHS beneficiaries.

I now learn that, on October 8, 1971, you closed the Ft. Worth clinical research center after you applied for and received FY 1972 appropriations to operate all the USPHS Hospitals and clinics during that fiscal year (see attached remarks of Rep. James A. Burke, CONG. REC., vol. 117, pt. 29, p. 37884).

Since your Department didn't review its Ft. Worth findings with this beneficiary group, nor informed me of your intended action, may we rely on your promise to review with us your findings as to the other USPHS Hospitals and Clinics *before a final decision is reached?*

Sincerely,

Col. D. GEORGE PASTON.

HEALTH SERVICES AND MENTAL HEALTH ADMINISTRATION,
Rockville, Md., December 22, 1971.

Col. D. GEORGE PASTON,
Brooklyn, N.Y.

DEAR COLONEL PASTON: Secretary Richardson has asked that I reply to your letter of November 9, 1971, concerning the transfer of the Fort Worth Clinical Research Center to the Department of Justice and the proposed conversion of the Public Health Service hospitals to community management and use.

The Fort Worth Clinical Research Center is not a Public Health Service general hospital. This Center while under the direction of the National Institute of Mental Health was used exclusively for treatment of narcotic addicts and a few geriatric psychiatric cases. The Department of Health, Education, and Welfare's action in transferring this facility to the Department of Justice is separate and distinct from the studies to determine the feasibility of converting the Public Health Service general hospitals to community management and use.

While I cannot speak for the Secretary, he has stated publicly that it is his intention ". . . to consult fully with the appropriate committees of the Congress and with representatives of our beneficiary groups, employee organizations, and community agencies . . ." before making any final decision on the future of the Public Health Service general hospitals and clinics. This final decision has yet to be made.

I am attaching a copy of Secretary Richardson's letter dated November 15 to Congress informing them of the status of the Public Health Service study. As stated in this letter, none of the proposals is sufficiently well spelled out. Our next step will be to refine the proposals and develop the necessary data needed to make a decision.

Sincerely yours,

ROLAND D. MCRAE,
Interim Director, Federal Health Programs Service.

WASHINGTON, D.C., *January 6, 1972.*

Col. D. GEORGE PASTON,
Disabled Officers Association,
Brooklyn, N.Y.

DEAR COLONEL PASTON: I can honestly admit that I have never witnessed in all my years in Washintgon such persistent efforts on the part of the Administration to go against the near unanimous feeling of Congress as expressed on several occasions, most recently in the Senate Concurrent Resolution 6, which passed both Houses on December 9th. The closing down of the Fort Worth narcotics treatment facility of the Public Health Service, in my opinion is one of the most blatant displays of Executive Department arrogance this city has seen in many a year.

In late November, the Sunday papers carried reports that the Secretary had made a decision to disband the Public Health Service Commission Corps and whatever rationale they offer for this, it all adds up to the same thing, in my opinion, and that is another attack on the future of the Public Health Service System. I am enclosing for your perusal a copy of my remarks delivered in the House on this very subject.

I honestly wish I could be more optimistic that my efforts and the efforts of others will be successful in this matter. However, everything seems to point in the opposite direction. On December 9th a confidential memorandum from the Department of Health, Education, and Welfare was revealed. Its contents made unpleasant reading for anyone from Boston, since it seems clear that Boston's Public Health Service Hospital is a prime target for early closing. In other words, all the resolutions and bills passed by Congress on the subject, even authorizations and appropriations, seem to be for naught, given the obvious determination of the Executive Department to work its will on the Health Service. All I can do at this point is pledge my efforts to continue the fight and hope that public opinion will make itself known to Mr. Richardson and the President.

With all good wishes, I am

Sincerely,

JAMES A. BURKE,
Member of Congress.

DISABLED OFFICERS ASSOCIATION,
Washington, D.C., January 11, 1972.

Hon. JAMES A. BURKE,
House of Representatives,
Washington, D.C.

DEAR MR. BURKE: I fully agree with yours of the 6th that the plan of the Dept of HE&W to close the USPHS hospitals and clinics which the Congress legislated to be maintained and operated by that Dept (Senate Concurrent Resolution 6), is blatant Executive arrogance. I also agree with what you said (CONG. REC., vol. 117, pt. 34, p. 45046).

In the Declaration of Independence we said: "The history of the present king of Great Britain is a history of repeated injuries and usurpations all having in direct object the establishment of an absolute tyrrany." Our Constitution provides. "Every order, resolution, or vote to which the concurrence of the Senate and the House of Representatives may be necessary (except on a question of adjournment) shall be presented to the president of the United States; and before the same shall take effect, shall be approved by him, or, being disapproved by him, shall be repassed by two-thirds of the Senate and the House of Representatives . . . (Article I, section 7); and, in Article II, section 1: "The executive power shall be vested in a president of the United States of America."

The executive branch is distinguished from the legislative branch (the Congress). The Constitutional power of Congress to make laws may not be abrogated by the executive who is responsible for putting into effect the laws made by Congress, whose legislative duties he may not usurp.

You will recall the copy of my Nov. 9th letter to Mr. Richardson which I sent you. I received a reply (copy enclosed) dated Dec. 22nd from Roland D. McRae, Interim Director, Federal Health Programs Service, with the enclosures he mentions. You will note that he mentions the Ft. Worth, Boston, and the other USPHS hospitals, and doesn't mention the USPHS clinics.

You, Representatives Paul G. Rogers (Fla.), Jim Wright and Jack Brooks (Tex.), Hale Boggs (La.), John M. Murphy (N.Y.) and the other Representatives and Senators have, commendably, been doing a great job (a) to prevent the executive from usurping the power of Congress to make the laws, and (b) to compel the USPHS to continue the maintenance and operation of these health facilities which cost the government far less than to convert them to community management and use with a lesser grade of medical care than the USPHS now provides to statutory beneficiaries.

Armed with the truth, the Constitution, and the President's State of the Union avowal to slow the alarming rise in the cost of medical care and that America, the wealthiest nation in the world, it is time we became the healthiest nation in the world, you are bound to prevail.

Sincerely,

D. GEORGE PASTON.

FAST BREEDER REACTOR MANAGEMENT TEAM SELECTED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. HOLIFIELD) is recognized for 15 minutes.

Mr. HOLIFIELD. Mr. Speaker, a most important announcement was made on January 15, 1972, by the Atomic Energy Commission. After 10 years of research and development on the "fast breeder" nuclear reactor, we have arrived at the point in technology where we are ready to construct a full scale—500 megawatt—reactor for the produtcion of electricity.

The Joint Committee on Atomic Energy and the Atomic Energy Commission have supported this research and development project for the past 10 years.

On June 4th, 1971, President Nixon, in his energy message to the Nation, made a national commitment to achieve a commercial fast breeder reactor by 1980. On that occasion he said:

Our best hope today for meeting the Nation's growing demand for economical clean energy lies with the fast breeder reactor. Because of its highly efficient use of nuclear fuel, the breeder reactor could extend the life of our natural uranium fuel supply from decades to centuries, with far less impact on the environment than the power plants which are operating today. . . . I believe it important to the Nation that the commercial demonstration of a breeder reactor be completed by 1980.

With this background of scientific effort and national commitment by the President, the Atomic Energy Commission and a group of advisory representa-

tives of privately and publicly owned electric utilities across the Nation began meetings to work out the preliminary plans for the selection of a common management team for managing, constructing and operating the first demonstration plant. By January 15, 1972, the electric utilities had pledged contributions of approximately $240 million and noncash contributions—land and equipment—valued at $100 million. The total Federal participation in the construction of the demonstration will be over $100 million. On Friday the Atomic Energy Commission and the Utility Advisory Committee came into unanimous agreement on the selection of the Tennessee Valley Authority and the Commonwealth Edison Co. as the management team. Four groups were considered and it is a tribute to the wisdom of the final selection that the three unsuccessful groups joined in the final approval of selection unanimously.

Mr. Speaker, in these days of increasing need for electricity, the past few years' record of rapidly increasing costs of fossil fuels and the prediction of oil and gas depletion within a century, we face the absolute necessity of finding a new heat fuel source. We believe that we have found the new source in uranium and plutonium.

The new breeder type reactor will extract from any given amount of uranium 100 times as much heat energy as the existing types of nuclear reactors. This will insure the world a new source of heat energy for the next thousand years.

If it is wisely used in the interests of all the people, monopoly pricing techniques can be avoided and our basic energy need can be cheap, clean, and inexhaustible.

I append to my remarks a news release on the breeder reactor and a newspaper article from the Washington Post of January 15, 1972:

TVA, Commonwealth Edison Set To Build Fast Breeder Nuclear Plant

(By Thomas O'Toole)

An atomic power plant that will produce more nuclear fuel than it consumes will be built in the state of Tennessee by the Commonwealth Edison Co. of Chicago and the publicly owned Tennessee Valley Authority.

The first of the so-called fast breeder nuclear plants to be authorized in the United States, the station will generate as much as 500,000 kilowatts of electricity and cost as much as $500 million, making it the most expensive power plant ever built.

"I am very enthusiastic about this project," Atomic Energy Commission Chairman James R. Schlesinger said yesterday in announcing the move. "We are gratified by the fact that this initial plant brings together the resources of a major investor-owned utility as well as a major publicly owned power supplier."

The fast breeder plant was chosen by President Nixon as the best way for the United States to meet its energy needs for the next 30 years.

"Because of its highly efficient use of nuclear fuel," the President said in his energy message June 4, "the breeder reactor could extend the life of our natural uranium fuel supply from decades to centuries, with far less impact on the environment than the power plants which are operating today."

The AEC figures that half the power plants built in the last two decades of the century will be fast breeder plants. By the year 2000, there might be 600 fast breeder power reactors in use in the United States, producing as much as 600 million kilowatts.

The breeder announced yesterday for Tennessee will be what the AEC calls its demonstration plant, providing a testing ground for all the breeders to follow. The AEC and the TVA will put up $100 million each for the plant, with the rest to be paid for by the U.S. electric utility industry.

In what AEC Chairman Schlesinger called an "unprecedented cooperative endeavor," the U.S. utility industry already has pledged $240 million to the plant's financing.

Construction of the plant is due to begin one year from now, with power being generated by 1980. Under terms of a contract drawn up by the AEC, Commonwealth Edison will manage the project. TVA will construct and operate the plant, which will produce power for the TVA system.

A site for the plant has not been chosen, but AEC officials said they are studying three locations, all in Tennessee. The most probable location is near Rogersville, about 63 miles from Knoxville.

Commonwealth Edison and TVA were chosen to build the plant from proposals submitted by four utility groups. Schlesinger said that one reason Commonwealth Edison and TVA were picked was because of their long experience with conventional nuclear power plants.

"Together," he said, "they have 20 per cent of the nuclear capacity in the U.S."

Another reason TVA was chosen is that no opposition to the breeder is expected there from environmentalists, although conservationists did halt construction of a TVA dam for a conventional power plant. TVA has experienced no construction delays on its inherently more dangerous than a conventional atomic plant.

While the fast breeder is theoretically a "cleaner" type of nuclear plant, it is also inherently more dangerous than a conventional atomic plant.

One reason is that the "breeder" produces plutonium fuel, which is the most enduring radioactive poison known to man. Plutonium takes 24,000 years to lose half its radioactivity. Another reason is that a breeder plant will be cooled by liquid sodium metal, which ignites on contact with air or moisture.

Despite such dangers, the AEC is convinced that the sodium-cooled breeder is the safest, most reliable means of producing electricity through splitting the atom.

In the last 20 years, the AEC has spent $600 million on breeder research, most of it on the safety aspects of breeder technology. It expects to spend another $2 billion on the breeder in the next 10 years proving its safety.

The breeder works by bombarding fissile uranium with very high-energy neutrons charged to as much as one million electron volts. This converts the uranium into plutonium, as the uranium itself "burns" to produce electricity. A 1,000 kilogram bundle of uranium fuel will produce twice as much plutonium.

Congressman Holifield Lauds AEC Decision on Demonstration Fast Breeder Reactor

Congressman Holifield praised the decision made on Friday, January 15, 1972, by the Atomic Energy Commission and the Electric Utility Advisory Committee in selecting the Commonwealth Edison Company and the Tennessee Valley Authority as the entity to manage, construct and operate the first nuclear fast breeder demonstration plant.

Congressman Holifield said, "This important decision is the culmination of more than ten years research and development on the 'fast breeder project.' More than 600 million dollars has been authorized by the Joint Committee on Atomic Energy and expended by the Atomic Energy Commission. We are now ready to build a 500 million dollar demonstration electric power generating plant and the decision to start building this plant is the final preparatory act enabling the start of construction in 1972."

"Simply stated the 'fast breeder' reactor will extract 100 times as much heat from a gram of uranium and its by product plutonium, as we now extract from the same gram of uranium. Furthermore, this increase in the extractable heat from uranium will guarantee an electrical energy supply for the people of the United States and the world for the next 1000 years."

"Early last spring I had the personal opportunity to bring the great possibilities of the 'fast breeder reactor' to the attention of President Nixon and to urge his approval. On June 4, 1971, in his energy message to the nation the President made a commitment to support the 'fast breeder' project as a national commitment.

"The President said, and I quote: 'Because of its highly efficient use of nuclear fuel, the breeder reactor could extend the life of our natural uranium fuel supply from decades to centuries, with far less impact on the environment than the power plants which are operating today.'

"Without the President's wise commitment, the active support of the Atomic Energy Commission, and the Joint Committee on Atomic Energy, and the cooperation of the electric utility companies, this decision to go ahead could not have occurred."

Congressman Holifield went on to say, "The Atomic Energy Commission estimates that half of the power plants built in the last two decades of the 20th Century will be 'fast breeder' plants. By the year 2000 there will be 600 'fast breeder' plants in use in the United States.

"Our national use of electricity in 1965 was one trillion kilowatts. It is estimated that we will need ten trillion kilowatts in the year 2000.

"The decision to start building the 'fast breeder reactor' is the most gratifying event of my twenty-nine years of service in the Congress. For more than a decade I have worked, planned and legislated to reach this point. I believe that the 'fast breeder reactor' will make our people free of dependence on fossil fuels which may be depleted within a century or century-and-a-half. Its long range benefits to mankind cannot be properly and adequately estimated. Society depends more and more on electric energy for every facet of life. The more we gain in population the more we will depend on an increased supply of clean and cheap electricity for the reduction of pollution and the production of the necessities of life."

LEGACY OF PARKS?

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

Mr. ROSTENKOWSKI. Mr. Speaker, tomorrow, the President will give his annual state of the Union address. In his January 22, 1971, address, Mr. Nixon had strong and encouraging words for Americans. He said: The American people will not—and should not—continue to tolerate the gap between promise and performance in government." He promised "the most extensive program ever proposed by a President of the United States to expand the Nation's parks, recreation areas and open spaces in a way that truly brings parks to the people, where the people are." He promised "a legacy of parks."

In the year since the President's January 22 address, Mr. Speaker, we have not seen parks brought "to the people, where the people are." We have seen quite the opposite. The administration has proposed, through the Department of Housing and Urban Development, that the highly successful open space program be linked with low-income housing grants. This proposal would make it virtually impossible for any city to obtain open space funds for parks and recreational development unless that city applies for and receives, among other things, low-income housing grants. We have yet to see in this country a meaningful, annual, national recreation program. Unfortunately, we seem to be taking little positive action toward the creation of a genuine "legacy of parks."

Yesterday was the time to reevaluate our priorities. Today, Mr. Speaker, it is past time. Today we must do what needs to be done in our Nation for recreation, for the development of our parks and for the closely linked area of youth opportunity programs. We must make changes. We must make changes now.

VETERANS OF FOREIGN WARS NINTH ANNUAL CONGRESSIONAL AWARD TO HON. THOMAS E. MORGAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. ROONEY) is recognized for 5 minutes.

Mr. ROONEY of Pennsylvania. Mr. Speaker, the Veterans of Foreign Wars is one of the outstanding organizations representing the veterans of this country. The VFW has selected as the recipient of the annual Congressional Award for outstanding service to the Nation my distinguished dean, Chairman of the House Foreign Affairs Committee, our beloved colleague from Pennsylvania, the Honorable THOMAS E. MORGAN.

In honoring TOM MORGAN the VFW honors itself. There is no one in public life more deserving of this tribute than my friend from Pennsylvania.

The award will be presented to Chairman MORGAN at the Sheraton Park Hotel in Washington, D.C., on March 7, 1972.

It is with great pleasure I insert the following news release from the Veterans of Foreign Wars for the benefit of my fellow Members:

[News Release]

WASHINGTON, D.C., JANUARY 14.—Rep. Thomas E. Morgan, a small town physician from Southwestern Pennsylvania who was first elected to Congress more than a quarter of a century ago, has been selected to receive the Veterans of Foreign Wars 9th annual Congressional Award for outstanding service to the nation.

V.F.W. Commander-in-Chief Joseph L. Vicites, in announcing the 1972 recipient, said, "We have chosen Congressman "Doc" Morgan for this award because of his record of dedication in the Congress of the United States for the past 27 years. During those years he has earned the respect of his colleagues on both sides of the aisles as well as the Presidents he has served with.

"President Nixon recently cited him as one who has dedicated a lifetime to benefit humanity. This is one of the many reasons why no one is more deserving of the V.F.W. Congressional Award than Congressman Morgan," the Commander-in-Chief explained.

Presentation of the award will highlight the annual V.F.W. Congressional Dinner to be held March 7th at the Sheraton-Park Hotel in the nation's capital. In addition to honoring Rep. Morgan, the dinner also pays tribute to all Members of Congress and climaxes the annual four-day Washington Conference of V.F.W. National Officers and Department Commanders.

Congressman Morgan has served continuously in the Congress since he was first elected in 1944. For the past 13 years he has served as chairman of the powerful House Foreign Affairs Committee, a post in which "he has shown a deep and abiding concern for people in need of assistance, both home and abroad," according to President Nixon.

The son of a Welsh coal miner, Congressman Morgan received his doctor of medicine degree from Wayne University in 1934 and has practiced medicine and surgery in his hometown of Frederickstown, Pa., since then. During the first year he ran for office, "Doc" Morgan delivered 112 babies while on the campaign trail.

Although he maintains a low profile in Washington, Rep. Morgan is both effective and respected on The Hill. He is considered by most as not simply the chairman of a powerful House Committee but rather as a compassionate friend in Congress.

"Rep. Morgan symbolizes the dedication to our country that is held by the more than 1,700,000 members of the Veterans of Foreign Wars," said Commander-in-Chief Vicites in making the announcement.

The V.F.W. Congressional Award is the highest honor presented by the V.F.W. It was first presented to former Sen. Carl Hayden of Arizona in 1964. Recipients since have been Rep. John W. McCormack of Massachusetts; Sen. Everett Dirksen of Illinois; Rep. Wilbur Mills of Arkansas; Sen. Richard B. Russell of Georgia; Rep. Olin E. Teague of Texas; Sen. Henry M. Jackson of Washington, and Rep. Leslie C. Arends of Illinois.

"By awarding this honor to one of our national legislators, the V.F.W. seeks to dramatize the importance of the role of a freely elected legislature to serve the great ends of this Republic, maintaining true allegiance to the United States of America and fidelity to its Constitution and laws, the fostering of true patriotism, maintaining and extending the institutions of American freedom, and preserving and defending our country from all her enemies, at home and abroad," Vicites concluded.

STRIP MINING

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

Mr. SEIBERLING. Mr. Speaker, two articles appeared during the last month on coal strip mining which I want to bring to the attention of my colleagues.

First is an article by Doral Chenoweth in the New York Times detailing the slow and painful demise which strip mining is bringing to the little village of Hendrysburg in Ohio. I know Hendrysburg and some of its residents, and have watched its gradual strangulation as the land around it has been first stripped clear, then dynamited and chewed up by the huge jaws of one of the world's largest power shovels.

Undoubtedly, the village itself will before long be literally wiped off the map, and its people will join the thousands of my fellow Ohioans who, in a tragedy reminiscent of the Grapes of Wrath, have been driven from their beautiful countryside by the spreading desert of the strip miners. The cost to these good people, in human terms, is beyond calculation.

Second is a series of three articles from the Cleveland Plain Dealer by Richard Ellers. Ellers describes the activities of one Ohio strip miner who also happens to be a State senator serving on the Senate committee charged with strengthening Ohio's strip mining law. The story dramatically illustrates one reason why effective State regulation of strip mining is so rare—and why prompt and drastic Federal legislation is essential.

The Plain Dealer articles also bring out some aspects of the cost of strip mining in economic terms, especially the spreading circle of damage to farmland surrounding stripped areas. Getting down to actual dollars and cents, the State of Ohio is spending $885,000 to rebuild a mile-long stretch of road damaged by one stripper's activities.

Another shocking aspect brought out by these articles is the fact that much of the actual stripping has taken place on land owned by the National Forest Service. How the inevitable devastation of the land brought about by strip mining can be reconciled with conservation, which is supposedly the mission of the National Forest Service, is beyond my comprehension. Moreover, as the article points out, since the strip mining operations are being conducted on Federal lands, the Federal Government must bear ultimate responsibility for the havoc being wrought to the surrounding property.

The texts of the articles follow:

SAY GOODBY TO HENDRYSBURG

(By Doral Chenoweth)

COLUMBUS, OHIO.—Zip Code No. 43744 is about to disappear, victim of the most literal rip-off ever to hit this nation. And when it does, the only official notice the Government will take is to erase a post office for the little village of Hendrysburg, Ohio—43744. Two businesses—the fourth-class post office and Kaplet's Grocery—are all that remain to bind a hundred families into a community.

A hundred years ago this village was the center of a lush farming area, lots of timber, goats and cattle, and good corn-whiskey making. Fifty years ago this village was the center of a lush farming area, lots of timber, goats and cattle and good corn whiskey. In both periods, it was on National Pike, the main route to the opening west. When National Pike became busy U. S. Route 40, it was still lush in the things good earth could provide. Route 40 is still there, but it is mostly used by a few youngsters on bikes crossing from the closed township school to Kaplet's for a cold bottle of soda-pop.

The heavy traffic consists of massive coal trucks without company names on the doors. But they belong to Hanna Coal Company, out of Cleveland, or a subsidiary. The coal company also owns the public roads that once were considered township property. Now the roads have been marked "Private Property" and closed to visitors, especially writers with cameras.

This is the heart of Belmont County, the scarred site of what could become a symbol for a rebirth of Woodstock Nation. It could become a battleground for environmentalists.

I first got that message one day in early May when I was driving from Columbus, Ohio, to Pittsburgh. I picked up two young people, packs on their backs, heading for the May Day busts in our capital. I recall that both were Vietnam veterans. They talked freely of their Washington intentions, feel-

ings for this country, and total dedication to their task. I remember the comment of one when he looked out the car window over Hendrysburg. He saw the gouged hillside.

"This is where we ought to have the demonstration. . . . I am peaceful for the Washington thing, but when I see things like that I think violence," he said.

A Cleveland man, Theodore Voneida, a biology professor from Case-Western Reserve University, has also talked about the possibility of violence, recalling that in Kentucky, strip mining opponents were shooting at bulldozers and stopping coal trucks with human roadblocks. Professor Voneida, worried about the stripping of wildlife, mankind and life-giving foliage, asked the Ohio Legislature to ban surface mining until a more permanent control measure could be devised. He said massive earth-moving shovels scooped out holes big enough in one bite to park three Greyhound buses.

Hendrysburg, in some measure, deserves what is happening. The professor said Belmont County residents were embittered and frustrated. But I walked the mile of crumbling street in Hendrysburg. I could hear the crunch of a $10-million scoop at the top of the hill. I looked up and saw the huge lever mechanism that is capable of digging the equivalent of a new Panama Canal in seven days and nights.

I talked to an old man in front of the newest building in town, the Masonic Lodge (circa 1966) and he said he didn't mind too much. "I got a little settlement," he hold me. His well went sour about a year ago. The lady in the post office said she and her husband sold their farm some years ago to coal strippers. Got $200 an acre, she said. Now her husband is postmaster. They have 55 combination boxes left. "When it gets down to twenty five, they sometimes close an office like this. Guess this one'll have to go," she reasoned.

The four-room school closed two years ago. All the farms started going in 1967 when the big shovels were moved in by parts and built on site.

Ohio lawmakers gave tender treatment to the appeals of R. W. Hatch, president of the Hanna Coal Company, when he pleaded that strip-mining measures would force Hanna out of business. He said requirements of the new bills "would close us down, not tonight, not this week, but in a very short time." He told the group that it would cost $6,000 an acre to put the land back in useful shape.

Ohio law now requires that a strip mining company keep a piece of equipment, really a symbol, on the property it intends to reclaim. But law leaves the time limit to do the reclaiming up to the company. One flies over some 150,000 acres of stripped battleground land and there are the rusting bulldozers, old trucks sunk in mud, sometimes an obsolete power shovel. The letter of the law is being met.

Fly along old Route 40 (now adjacent to the speedy new Interstate 70) and you can see tops of hills being graded by Hanna equipment.

Something of an official inconsistency exists across the road from the office of Zip 43744. A white enameled U.S. Government plaque reads: "Forest Fire Warden—Burning Permits Issued Here." The forests are gone. So is the corn ground for making good whiskey. The goats and cattle are missing. The people will be missing in a few months. Most of them will have $200 in their pockets.

[From the Cleveland Plain Dealer, Dec. 25, 1971]

SENATOR'S MINING LEAVES SCARS ON LAND AND PEOPLE

(By Richard G. Ellers)

PINE GROVE, OHIO.—State Sen. Oakley C. Collins' strip-mining forays through the rolling Lawrence County countryside have left a lot of ugly scars, hard feelings and bitter memories around here.

Collins, R–18, Ironton, is both head of the Collins Mining Co. and a member of the Ohio Senate's Urban and Highway Affairs Committee, which is considering legislation to toughen Ohio's strip-mining laws.

In the last three decades, the senator's mining company has gouged coal from thousands of once-scenic acres here in Lawrence County.

Few people are happy with the results. And because of that, many question Collins' presence on a legislative committee charged with tightening control of strip miners.

Everett Rose, who lives in this little crossroads village, can talk about the Collins Mining Co. and Oakley C. Collins first hand. Thirty-eight of those thousands of Collins-stripped acres belong to Rose.

"Sen. Collins paid me $5,000 to strip my land," Rose said. "That was a good price—at least it would have been a good price if they had reclaimed my land as well as they had promised."

Instead, Rose said, shoddy reclamation work left most of the 38 acres a barren, rock-strewn wasteland that will be useless for decades.

Reports from Lawrence County farmers and other residents like Rose indicate the senator has left a trail of unfulfilled promises, much like his strip-mining has left a serpentine trail of desolation.

People with unkind things to say included:

Mrs. Larry Blankenship of nearby Pedro, who remembers Collins' empty promises to "look into" her repeated complaints that his company's dynamite blasting had shaken and damaged her new home.

Frank Wagner, who sued Collins for $150,000 after waiting nearly a year for Collins to fulfill his promise to remove seven feet of sediment that had washed onto Wagner's farm from Collins' spoil slope in Fox Hollow.

Otto and Paul Monnig, brothers who have watched Collins' spoil wash down the hollows and bury tile outlets on their croplands.

Delano Cline, Wagner's neighbor, whose barn roof collapsed from the shock of dynamite blasts. Sediment also washes onto his land.

Like most of those who spoke about their troubles with the Collins Mining Co., Cline marveled at how the senator seems to be oblivious to those problems when it comes to politicking.

"Despite my complaints and his doing nothing about them, he would still telephone us at election time, looking for our votes," Cline said. "He always says, 'Don't forget me, Delano,' and I tell him, 'Buddy, I won't forget you,' but I don't think he knows how I mean it."

Wagner started having sediment troubles soon after Collins started stripping back in Fox Hollow. The troubles peaked in August of 1969 when heavy rain sent thousands of tons of sand and sediment down through the hollow onto Wagner's farm and into Big Pine Creek.

"So much sand filled the creek that it flowed backwards until the storm quit," Wagner insisted.

When the rain quit and the ground water disappeared, Wagner found sediment packed seven feet deep over the shallow creek that leads out of the hollow.

Sand was a foot deep in Wagner's tractor shed. It lay six feet deep on the several-acre cornfield near the house. A pair of 30-inch corrugated pipes under a creek crossing were plugged tight with sand.

A year later, the Wagners were able to calculate that more than 40,000 tons of sand and sediment had covered the land. They calculated by counting the truckloads of sand that were hauled away.

Wagner said he called Collins after the storm. He said the senator came to his farm, looked over the damage and promised to clean off the sand immediately.

"But the crews never came," Wagner said. "Whenever I would call about it, Collins always had a bulldozer breakdown or some other problem that kept him from working on our place."

Weary of nearly a year of promises and chagrined by lost crops. Wagner hired a lawyer and filed his damage suit. He also asked the court for an injunction that would stop the Collins Mining Co.'s operations until the sand was removed from the Wagner farm.

"Can you imagine the coincidence," Mrs. Wagner said. "Four days before the court hearing, Sen. Collins showed up with his men to dig and haul the sand away."

The appearance of Collins' crew did not make the Wagners completely happy.

"We gave Sen. Collins permission to run his equipment through our backyard so he could go up in the hollow to build sediment traps," Mrs. Wagner said. "We asked that the equipment go around the edge of our garden—but instead, they went right through it. The heavy equipment packed the ground so hard we could hardly run a disc through it.

"Next time he wants equipment in the hollow, he can send it down his own spoil slope."

Wagner said Collins built six earthen dams back in the hollow to create a series of sediment traps. But the traps had filled up by last summer. Sand has been coming into the ditch and creek again.

Early in November, under a crackdown by the U.S. Forest Service which owns the land that Collins mines, the senator had his crews dredge the traps and build the dams higher.

Wagner said the damage has not stopped yet, and that it was not all corrected a year ago. With a hand auger, he dug a plug of dirt from a field to show that two feet of sand still cover some of his land.

And because sand from the spoilbank still plugs the end of some field drain lines, a section of land that stays permanently wet blocks him from getting in machinery to work a 22-acre section.

The same plugged-drain problem is costing the Monnig brothers dollars in crops never planted.

Otto Monnig showed a four-acre plot alongside Little Pine Creek which he and his brother have not been able to farm for several years.

"We put $1,500 worth of tile under that field and got three crops off it before the sand plugged it," he said.

Because it stands in water most of the time, the field cannot be farmed.

"If he were made to take care of all this damage, his mining business wouldn't pay," Monnig said. "But I guess that is what makes people say there should be no strip-mining."

Monnig's sediment troubles also come from Collins-mined U.S. Forest Service land. He feels the federal government is as much to blame as Collins for his troubles.

"If you give a man permission to use your land, then you are responsible for what he does," Monnig said. "I don't think anyone should have the right to put something (sediment) onto someone else."

Mr. and Mrs. Blankenship live on Ohio 93 near Pedro. "We have a new home," Mrs. Blankenship said. "The blasting separated several windows from the walls and cracked tile and the glass wall in our shower."

The Blankenships said an insurance adjuster reported the damage was due to the blasting and paid them $50 to fix a window.

"We called the Collins people but the senator and the others refused to come out to look at it," she said. "Every time we called, they said, 'We'll let you know,' but we never hear from them."

Her husband consulted a lawyer about suing Collins for the repairs.

"We gave up on the idea when the lawyer explained how much it would cost us to prepare a case," Blankenship said. "We would

have to hire a blasting expert to study the land and calculate the force of the shocks. That right there would be more than $1,000."

Mrs. Ford DeLowder lives across the highway from the Blankenships. She said the blasts shook her home. When she complained, Collins promised he would cut the size of the shots, she said.

"Some shots were smaller, but others were just as big after that," she said.

[From the Cleveland Plain Dealer, Dec. 25, 1971]

STATE SPENDS $885,000 TO REBUILD ROAD BESIDE COLLINS' COAL PLANT

HANGING ROCK, OHIO.—Under planning and a contract let during the administration of former governor James A. Rhodes, Ohio is spending $885,000 to rebuild a mile-long section of Ohio 650 that runs alongside the coal preparation plant of the Collins Mining Co. here in Lawrence County.

The Collins Mining Co. is owned and operated by State Sen. Oakley C. Collins, R-18, Ironton, a member of the Ohio Senate's Urban and Highway Affairs committee.

The road costs are higher than usual because the two-lane highway has to be rebuilt with interstate highway strength to bear up under Collins' heavy coal trucks.

The new mile-long section will be higher than the old roadway to avoid a flooding problem caused mostly by the Collins' operations, a problem which cost the state an average $9,700 a year in extra maintenance, 20 times the normal cost for maintaining such roadway.

Collins' preparation plant includes a coal-washing operation in which sand and other noncoal material is flushed away to be pumped to settling ponds.

But the operations leaked sediment into Osborne Run which borders Ohio 650. When the sediment plugged the creek, heavy rains flooded the road, undermining its foundation and eroding its macadam surface.

Lawrence countians remember that after the coal plant was opened, highway maintenance crews came three, four and five times a year to clean the ditch. Sometimes they were there so often it looked like a permanent assignment, according to some residents.

Reconstruction of the road is costing more than normal because:

The road must be paved in concrete 15 inches thick to bear the heavy truck loads.

The state had to build a $35,000 bridge to connect Collins' driveway with the raised road.

A compacted dirt "bench" was built, between the roadway and the ditch, to provide a permanent work road for equipment to dredge the creek in the future.

The bridge and culverts had to be faced with glazed brick to protect the structures from corrosion by acid drainage from old coal mines.

Collins contends, and highway officials agree, that some of the sedimentation in Osborne Run comes from above his coal plant. This sediment originates in the spoil banks of old strip mine operations (many of them by Collins Mining) in the creek's watershed.

However, highway maintenance cost records show that ditch work on the mile of Ohio 650 tripled after the Collins coal preparation plant began operation in 1960.

During the six years prior to that time, ditch cleaning along the one-mile section cost an average $3,200 annually, ranging from a low of $581 in 1955 to a high of $5,133 in 1959.

But after Collins' coal washing began, cleaning costs jumped to an annual average of $9,700, ranging from a low of $530 in 1963 to a high of $21,053 in 1965.

State Highway officials said several factors account for the wide range in ditch cleaning costs, including the number and force of rainstorms, cleaning intervals and fluctuations in Collins' operations.

Although state highway reports stated that Collins' mining operations were largely responsible for the maintenance and reconstruction work, none of the costs were charged to the company.

This contrasts with the long-standing policy regarding traffic accidents. The Ohio Department of Highways bills insurance companies for repair of vehicle-caused damage to guard rails, light and sign posts and other structures.

One state highway engineer at the Chillicothe division office said the highway department's policy is not to charge a business for such increased maintenance costs if the business operations do not alter the size of a watershed.

When the raising and improvement of the mile of Ohio 650 was first proposed in 1965, the project carried an estimated total cost of $250,000—typical for a similar improvement of "ordinary" two-lane roadway.

But further study showed that spongy bottom land would have to be dug out and replaced and that the pavement would have to be stronger than ordinary to bear the heavy coal trucks.

The revised proposal made in 1968 carried a cost estimate of $446,000.

In 1970, the final proposal included the need for the extra bridge, higher right-of-way costs and the "workbench" for future dredging. By then the estimated cost for the one-mile project was up to $722,000.

Bids for the work were to have been let last spring. In October 1970, the highway department moved the contract bidding to last January 5, six days before the Rhodes administration left office.

Actual costs will total about $885,000 including $180,900 for right-of-way purchases, $56,700 in highway department engineering, and $629,000 in actual construction.

The coal preparation plant and part of Collins' haul road from a strip mine to the plant are on land which Collins leases from the federal government.

These lands are part of the Wayne National Forest administered by the U.S. Forest Service.

Files in the district ranger's office in Ironton contain many complaints by rangers about seepage of coal wash sediment into Osborne Run.

The files contain reports of pump breakdowns when wash water from the plant was let into the stream. There also are reports of sediment pollution caused by overflow or wall-breeching of the settling ponds.

The main settling pond, in an old strip mine pit on federal land above the plant, is almost filled.

Collins was asked by the U.S. Forest Service two years ago to build a new pond so the old one could be abandoned.

Instead, Collins pushed dirt up to make the walls of the pond even higher.

Early in October, the new district ranger, T. Alan Wolter, gave Collins an ultimatum: Stop using the pond immediately or face cancellation of his federal land use permits.

Collins did not reply to the ultimatum until after it was made public, nearly a month later, by The Plain Dealer.

The senator then wrote to Wolter and said he had pipe on order and was preparing to relocate the settling pond.

[From the Cleveland Plain Dealer, Dec. 26, 1971]

COLLINS RESISTS U.S. REQUESTS TO CORRECT MINING VIOLATIONS

(By Richard G. Ellers)

IRONTON, OHIO.—T. Allan Wolter, a district ranger in the Wayne National Forest near here, says better strip-mining regulations are needed to eliminate problems such as those the U.S. Forest Service has had in its 17 years of dealings with State Sen. Oakley C. Collins and his Collins Mining Co.

Collins, R-18, Ironton, holds three U.S. permits to strip mine coal in the forest and a permit to maintain in it haul roads and a coal preparation plant near Hanging Rock.

Wolter said the U.S. Forest Service has had problems with Collins over maintenance of the haul roads and settling ponds, and over sedimentation from the coal preparation plant and from mining spoilbanks getting into streams.

Wolter said one of the chief problems along the haul roads had been Collins' failure to clean up spilled coal. Wolter explained that the coal exposed to air and moisture creates an acid that is washed by rain into local streams.

The sedimentation also washes into streams and causes flooding of roadway and farmlands, Wolter said.

Two years ago Wolter's predecessor, ranger James Hunt, noted in a U.S. Forest Service report: "A review of the history of the permit (one of Collins' permits) will show it is and has been extremely difficult to get the permittee (Collins) to take any action as required.

"It has been a continual 'battle' to get conformation to permit requirements," Hunt added in his report.

Many conservationists and strip mine foes contend the federal government should not permit strip mining on national-forest lands.

But Wolter called strip mining "a legitimate use of the forest and, as long as it is done properly."

Because the problems with Collins' operations originate on Federal lands many people say the federal government is as much or more responsible than Collins, and must bear ultimate responsibility for correcting them.

Wolter largely agrees.

"I can't escape the fact that in some ways, we (the U.S. Forest Service) are responsible for these problems," he said. "But our files show how much we have tried over the years to get Collins Mining to do the corrective work."

Wolter was transferred to Ironton in September to take charge of the southern half of the forest.

He estimated that since his arrival, the problems with Collins' mining operations have taken two-thirds of his time, although the mining concerns only a small part of the 57,000 acres under his care.

Wolter said he is formulating stricter rules for strip mining in the forest on the basis of Collins' past performances.

"Mr. Collins has an application pending for a new strip mining permit." Wolter said. "I am working on some conditions I will propose for any new contracts we make."

For one thing, Wolter would like to have a full-time federal inspector assigned to watch the Collins operation on government land.

"The inspector probably wouldn't have authority over the job, but he would always be in immediate contact with the ranger who would have the authority to shut the work down on the spot for repeated violations," Wolter said.

As it is now, Wolter and his staff men must inspect permit operations along with their other forest management duties. This means inspections are made about once a week.

Wolter said most existing regulations for mining and reclamation are adequate, if they are enforced. Provisions for an immediate shutdown because of violations would put teeth in the enforcement, he added.

Wolter considered his existing authority broad enough two months ago to give Collins several ultimatums for correction of long-standing problems.

Wolter said he would start action to cancel permits if problems were not corrected by certain deadlines.

Most force was in Wolter's threat to cancel

the permit under which Collins' haul road crosses federal land between the preparation plant and his active mining area. Although Collins is not mining federal land at the moment, a shutdown of the section of haul road would effectively halt his operations.

Collins dismissed the U.S. Forest Service complaints at the time as "trivial, . . . not worth talking about." Collins did little about the ultimatums until their existence was revealed publicly several weeks later in an article by The Plain Dealer.

Wolter said that following the publication, Collins' employes and equipment arrived within hours to work on spoilbanks that were washing onto the Frank Wagner farm along Big Pine Creek. Wolter had ordered Collins to stop the flow of sediment down the hollow to the Wagner farm.

Sediment and mine acid from Collins' operations also have found their way into privately owned Lawco Lake, which is several miles east of the Wagner farm.

Lawco Lake is owned by the Lawrence County Fish and Game Protective Association.

The association, and its secretary, Clarke Haney, have been after Collins for five years to stop the pollution of the 28-acre lake.

"Fishing has declined steadily," Haney said. "The U.S. Soil Conservation Service here calculated that 1,800 tons of sediment will wash into our lake every year from the Collins' spoilbank."

The lake was excavated and dammed by hand by club members in 1924. The club has about 200 acres of hills and hollows for camping around the lake. About 800 families are members of the association; there are 84 cottages on the grounds.

Haney said Collins has not replied to any of the club's complaints since 1968.

"Sen. Collins came to one of our meetings late in 1966, with his warm handshake and his big smile," Haney recalled. "He told us no harm would come to our lake from his mining, and he promised to take care of any damages."

Haney said Collins built dams to create sediment traps in the hollow. But some traps have filled in and rains have breeched the dams in the others, he said.

The author of the U.S. Soil Conservation Service report, district soil conservationist Dwight Allman, said he inspected the Collins spoil bank recently and found nothing that would change the report.

"There has been work up there, but the ground is still bare, still subject to the erosion by rain and by winter's freezing and thawing," he said.

Allman said that without a cover crop of grasses, the sandy slopes would continue to slip.

Allman added that many trees planted by Collins in reclamation work have since died. Allman said he took seven random soil samples in spoil areas. He said tests showed that soil in only four of the samples would support tree life.

Collins was unavailable for comment.

GIRLS OF DARTMOUTH

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

Mr. MONAGAN. Mr. Speaker, in a delightful column which appeared in the Waterbury, Conn., Republican on November 26, 1971, Tom Braden, the columnist, discussed his attitude toward the admission of women as students at Dartmouth College. As a Dartmouth graduate and trustee of the college, his self-examination is so interesting and significant in the light of this major problem of today's traditional one-sex college that I include it for the information of my colleagues.

As a fellow alumnus of Dartmouth and admirer of Mr. Braden's literary skill, I enjoyed his column, although I cannot say that I agree with all his conclusions.

The column follows:

DARTMOUTH GOES "EXTREMIST"

(By Tom Braden)

HANOVER, N.H.—I never thought of Narcissus as a conservative until last weekend when I recognized him in myself—and in a lot of old friends sitting around a table trying to decide whether or not to change Dartmouth College.

Narcissus, you may remember, was a mythological character who fell in love with his own image in a pool of water. But let me explain about Narcissus and Dartmouth and when you read the word, Dartmouth, you can substitute whatever place you cared about when you were 18.

Dartmouth is first a place, white cold in winter, startlingly soft in spring, like Joseph's coat in fall. There's enough room in the place for a boy to swing a cat, and mostly they do.

Second, Dartmouth is a style. There aren't many people there and most of them get to know each other pretty well, which is perhaps why in 200 years of history, Dartmouth has produced so few major politicians. When a man grows up in a town meeting, so to speak, he has a tendency to assume that the world will take him as he is without the necessity of his campaigning.

The style is outdoors—the result of place. It is personal—the result of size. It is also modest. In many ways, Dartmouth is not quite—not quite as big as Yale, not quite as rich as Princeton, not quite as self-confident as Harvard. It is possible to find Dartmouth men who are stuffed shirts but they have been away for a long time.

In the third place, of course, Dartmouth is an education, an increasingly good one, so I am told.

So here we are, 16 Dartmouth men of various classes sitting around a long polished table in the trustees' room, trying to decide whether to admit women to Dartmouth, and hold classes the year around, partly so as to make room for the women.

Now there was no very good reason for not doing this, except the reason that it would change things. But you would have thought to hear us talk that we were about to bulldoze the place, pave it, as California's Gov. Reagan once suggested for another place, and put parking stripes on it. We behaved like men asked to adopt a new mother. "My gut feeling is it's wrong," somebody remarked. "It's only my brains that make me do this thing."

We did do it. I mean we did admit women to Dartmouth. Our brains told us that the college owed a duty to society and that barring some catastrophe, which would once again make physical strength the test of survival, society was going to become less and less the sole possession of the male. Our brains told us it was pointless to continue the college as a unique institution if the only way it could be unique was as a relic. But our hearts cried. We liked mother the way she was.

There is a little of Narcissus in us all. It's what makes us hold on to things we have no use for, register to vote in the party of our fathers, think that civil service or unions or business or whatever institutions we grew up with are fixed foundations, whose usefulness must not be reexamined. We are all a little in love with our past.

Which is why it is nonsense to say that Americans these last few years have been recklessly tossing their heritage to the four winds in a societal revolution.

This is no revolution. Change under pressure of logic and fairness is the best defense against revolution, assuring that those who would be angry are left with "light and transient reasons." It is the Narcissus in all of us which is dangerous.

DHUD—THE SLUM LANDLORD

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

Mr. MONAGAN. Mr. Speaker, in an article in the January 1, 1972, edition of the National Journal, William Lilley III and Timothy B. Clark have done an excellent job in reporting a complex and disturbing problem: the failure of a program to provide housing for the poor through FHA loans. The article is penetrating and thorough, providing in-depth background on the investigations in Detroit by the Subcommittee on Legal and Monetary Affairs and the Detroit News, and in Philadelphia by the Philadelphia Inquirer.

The article concisely defines the problem: programs designed to allow poor people to own their own homes have been misused by corrupt real estate speculators who are buying and selling unsound houses in decaying urban neighborhoods to people who cannot afford to refurbish or maintain them. The result is abandoned dwellings, owned by the taxpayer, leading to other social ills such as crime and drugs.

The article gives an excellent perspective on how the problem evolved, beginning in 1961, when Congress enacted a new FHA program, National Housing Act, section 221d2, which substantially liberalized the standard FHA insurance program. After the 1968 riots, section 223e was passed, establishing a special risk pool to back up mortgages in areas that traditionally would be "red lined."

The investigations by the subcommittee and the Philadelphia Inquirer have been outlined accurately and in detail, painting a grim picture of how a program designed to assist the poor has made victims of them and the taxpayer at the same time.

I commend the National Journal, and its reporters, William Lilley III, and Timothy B. Clark, for providing us with an article that plays an important role at this time. The investigations have shown that the foreclosure situation is nearing national emergency proportions. Allegations of criminal conduct are now appearing in many major cities of our country. Because the subcommittee has jurisdiction over both the DHUD and the Justice Department, priority attention is being given to this disturbing development, which, if not checked, threatens to make mockery of both congressional and executive branch initiatives as we seek to provide adequate housing for all Americans.

As the article notes, the problem is not limited ω just two cities. Nor is it necessarily limited to the problem of repossession—although this alone may cost the Federal Government several billions of dollars.

It is vitally important that all of us fully acquaint ourselves with the many

facets of this problem. The following article from the National Journal is an excellent beginning toward this end:

URBAN REPORT/FEDERAL PROGRAMS SPUR ABANDONMENT OF HOUSING IN MAJOR CITIES

(By William Lilley III and Timothy B. Clark)

The Federal Housing Administration, which has underwritten development of many suburban neighborhoods in the past 37 years, now is financing the collapse of large residential areas of the center cities.

The agency's programs designed to allow poor people to own their homes have been largely misused by corrupt real estate speculators who are buying and selling unsound houses in decaying urban neighborhoods to people who cannot afford to refurbish, or even maintain, them.

The result: abandonment of single-family dwellings set in what used to be stable urban communities. Drugs and crime and other social ills are attracted to abandoned houses like maggots to a rotting carcass, and thus abandonment on a small scale leads to decimation of entire neighborhoods.

Poor people, who lose their cash investments and their housing, are the most tragic victims. Another victim is the federal government, which stands to lose a lot of money unless the abandonment cycle prevalent in major American cities today is reversed.

So serious is the problem that the HUD Department, parent of the FHA, is facing the prospect of becoming, against its will, the largest owner of housing in a number of cities—dilapidated housing which it must assume because FHA-insured mortgages are in default.

Implications for HUD: Experts believe that in two major cities—Detroit and Philadelphia—HUD is now the largest owner of single-family dwellings.

The cost to the government of repossessing the housing is staggering: the General Accounting Office estimates that foreclosures in each city will reach $200 million.

The most serious aspect of the problem is that it is not limited to the two cities, and that HUD could very well be faced with a multi-billion-dollar repossession bill.

"If it has happened here and in Philadelphia, you can bet that the other major urban areas are having similar experiences," Detroit's Democratic Mayor Roman S. Gribbs said in an interview.

The most likely candidates are Baltimore, Boston, Cleveland, Dallas, Fort Worth, Los Angeles, Miami, St. Louis and Washington. The troubles in those cities with abandoned FHA-insured housing could well rival those in Detroit and Philadelphia.

Despite the fiscal implications of the abandonment problem, the HUD Department has not yet acknowledged its severity, and the abandonment and repossession problems facing FHA in Detroit and Philadelphia were largely uncovered by investigators outside of the department.

In Philadelphia, the situation was unearthed by investigative reporters for the Philadelphia Inquirer, and the Inquirer's long series on the issue has deeply scarred the department's reputation in the city.

In Detroit, the facts were gathered by the House Government Operations Subcommittee on Legal and Monetary Affairs, chaired by Rep. John S. Monagan, D-Conn.

Debate: Heavy publicity surrounding the disclosures of abandonment rates in Detroit and Philadelphia has fueled a growing debate about the future of FHA homeownership programs for the poor.

Two of the foremost Democratic experts on housing policy—Rep. Thomas L. Ashley, D-Ohio, and Milton P. Semer—believe that these FHA programs are exacerbating abandonment and therefore hurting the cities. They say the programs should be stopped and radically recast.

Ashley is a 19-year member of the House Banking and Currency Subcommittee on Housing which writes housing legislation. Semer, former general counsel (1961–65) of the Housing and Home Finance Agency (HUD's predecessor), was a special counsel (1966–67) to President Johnson for housing and urban affairs.

But arrayed on the other side of the question are Gribbs and other urban politicians who say that abandonment must be stopped within the context of the existing programs and that homeownership insurance must be expanded to serve their poor, center city constituents.

"If you have one bad house in an otherwise stable block that is allowed to deteriorate to the point of abandonment," Gribbs said, "then it becomes a magnet for vandalism, crime, fire, blight, drug addiction and other kinds of socially pathological forces.

"The only way to stabilize neighborhoods when houses become abandoned is for the government to take action promptly.

"Rehabilitate them so they can be made livable; or if they are hopeless, then demolish them. The only way to stop blight is to put people into the homes."

THE PROBLEM

Abandonment of housing in poor neighborhoods has become commonplace in major American cities.

But in Detroit and Philadelphia, the problem has reached new dimensions. It is more extensive than in other cities and, more significantly, it has reached into homeownership neighborhoods.

In the past, abandonment has plagued government-subsidized multi-family projects—most notably the vast and grim public housing developments. But in these cases, the urban decay brought on by abandonment has involved relatively small areas of the city, since the high-rise housing projects are concentrated in small geographical areas. Large-scale abandonment of single-family houses can—as in Detroit and Philadelphia—mean death to large residential areas.

The trend in the two cities is profoundly discouraging to housing experts, including Ashley and Semer, both of whom said that the acceleration of abandonment in neighborhoods of single-family homes marked the end of a viable residential real estate market in low-income areas of center cities.

"The private enterprise cycle has run its course in urban neighborhoods," Semer said, "when poor families, already desperate for any kind of housing, begin abandoning their own homes at a rapid block-after-block rate."

The programs

Ironically, the federal programs which are causing the problems in Detroit and Philadelphia were enacted in part to deal with the problem of abandonment.

To a large degree, the justification for the programs, which make homeownership possible for the poor, was the argument of many housing experts that the best defense against abandonment is to shift the urban dweller, especially the poor urban dweller, from tenancy to ownership.

As recently as April 1971, the National Urban League, in its impressive, 126-page Survey of Housing Abandonment, defended that thesis, basing its conclusions on studies of housing in Atlanta, Chicago, Cleveland, Detroit, Hoboken, New York and St. Louis.

Programs allowing the poor to buy their homes were enacted first in the early 1960s, and were expanded after the major urban riots of 1967 and 1968. Democrats and Republicans alike decided that the good name and powerful resources of FHA should be put to work in the center cities as well as the suburbs.

Until the 1960s, FHA had insured mortgages only in neighborhoods where there was virtually no risk that the asset would depreciate. Declining center city neighborhoods were "red lined" out and made ineligible for FHA insurance.

"So stringent were the standards," said HUD Under Secretary Richard C. Van Dusen, "that FHA insurance was made available only to those who really did not need it."

First step—In 1961 Congress enacted a new FHA program, known by its section number in the National Housing Act (Section 221d2), which substantially liberalized the standard FHA insurance program—the Section 203b program which has been heavily used in the suburbs.

Section 221d2 liberalized down payments, all the way down to $250, and lengthened maturities, all the way up to 40 years, so that it would be easier and cheaper for inner-city residents to use the insurance programs.

However, the program received little use; FHA was reluctant to abandon its strict standards for economic feasibility.

More muscle—With the aim of forcing FHA to underwrite inner-city mortgages, Congress, in the wake of the 1968 riots, enacted Section 223e of the National Housing Act, establishing a special risk pool to back up mortgages in areas that traditionally would be red lined.

The enactment of 223e was "the starting gun for one of the biggest gold rushes in the real estate speculative history," said Semer, "and it really was a gold rush because the payoffs came in cold, hard cash."

Semer said that the combination of 221d2 and 223e "took all the risk out of the riskiest part of town."

The 221d2 program made it possible for the real estate speculator to sell to the poor, and the 223e backup made it possible to induce FHA and the lending industry to underwrite a risky mortgage.

Implementation—HUD has implemented the new program aggressively. Van Dusen said that "the pendulum swung away from the suburbs and toward the center cities when central-office orders went out in 1967 for FHA to take risks. The Detroit FHA office, in particular, took the orders as a mandate to take real risks. We have since learned that social concerns without proper guidelines can lead you into big mistakes."

Cycle of decay

The investigations by Monagan and the Philadelphia Inquirer have focused on public and private venality and on lax public administration which have combined to corrupt the homeownership programs in poor urban neighborhoods.

The two investigations have uncovered masses of data on the exploitation by real estate speculators of federal programs and of the poor, exploitation which has exacerbated the abandonment problem and contributed to general urban decline. The exposés have been rewarded with a steady stream of headlines in major newspapers around the country.

The cycle exposed by the inquiries begins when unscrupulous realtors, often working in white and black teams, move into a declining neighborhood that seems ripe for racial blockbusting.

Holding out the prospect of racial inundation and accompanying social problems, the realtors scare white families into selling their houses for a song, and then spend small amounts on cosmetic refurbishments of the buildings.

The next step is to get FHA approval of a mortgage guarantee. That step is not difficult, given FHA's mandate under the 221d2 and 223e programs. But the key to profit for the realtor-owner is securing an inflated appraisal of the property—and that too has proved all too easy, thanks to the laxity or venality of the FHA appraisers, who often are local realtors working for fees. A grand jury in Philadelphia currently is investigating alleged corruption in FHA appraisals in the 221d2 program.

One speculator traced by the Inquirer

through the deed books averaged a markup of 172 per cent on more than 50 properties involving 221d2 mortgages—thanks to inflated appraisals.

Once FHA backs a property, the owner is assured of finding a lender in the savings and loan industry to assume the mortgage, because there no longer is any risk involved no matter how bad the neighborhood or the house in question.

The owner also has a ready-made market, thanks to the generous down-payment and mortgage-repayment terms under the federal program and also to the severe shortage of low- and moderate-income housing in urban centers.

Thus the programs have worked so that the speculators are guaranteed their profits and the lenders their investments, but at the expense of the poor and, eventually, of the federal government.

Hustling the poor—In a key part of the speculative cycle uncovered by the two investigations, the unscrupulous realtors actually go out and hustle the poor in order to unload the properties in their inventories.

In both Detroit and Philadelphia, nearly 100 per cent of the new homeowners in the 221d2 transactions were either black or Puerto Rican, and more than 20 per cent of them were welfare mothers with large families. In Philadelphia, an appreciable percentage of the new homeowners could not read English, and the speculators often sold them life insurance policies to cover their mortgages.

The Inquirer series has said that in almost all cases, poor families originally wanted to rent rather than own. But speculators convinced them that it was cheaper to own because of the federal backup, and that the houses were sound because the FHA had approved them. In many cases, the realtor-owners made the $250 cash down payment for the new homeowner.

Stuck with a lemon—Once the transaction was completed and the speculator had his money out of the transaction, the poor family was stuck with a house that soon, if not immediately, required major expenditures for upkeep—a new furnace or a new roof, for example.

But the poor homeowner was accustomed to renting, and unskilled in home maintenance—and substantial repairs were beyond his resources or capabilities. Therefore, he invariably adopted the posture of other private property owners caught in the squeeze of declining values and rising costs: milk the property for all its worth by foregoing maintenance and taxes and finally, when severe deterioration dictates early abandonment, by foregoing mortgage payments.

Thus a major focus of the Inquirer investigation has been the extent to which bad FHA appraisals have stuck poor homeowners with unsound properties requiring major expenditures. During September, the paper ran article after article with photographs of demonstrably unsound or unsafe properties. Stamped over each photo in block letters was the caption: "FHA Approved." And many of the houses pictured already had been abandoned.

Foreclosures

Once the mortgage is in serious default, the private lender holding the note will foreclose on the property, and HUD, as the guarantor, must pay the lender and take possession.

Van Dusen, among others, pointed out that HUD often has been faced with severe foreclosure problems—but of a different kind.

The past—In the past, the department has acquired and sold off large inventories of FHA-insured, repossessed houses in communities where big aerospace and atomic-energy projects had led to overbuilding. When the projects were completed, the real estate market dried up and FHA acquired the properties through foreclosure. The biggest acquisitions were in Fort Worth, Tex.; Paducah, Ky.; Portsmouth, Ohio; Savannah, Ga.; Tampa, Fla.; and Wichita, Kans.

Semer, who as general counsel of the housing agency had overseen the acquisition and resale program, said there was no problem as to the ultimate disposability of the houses; it was only a question of timing and pricing.

"We had to feed the stuff into the local real estate markets in such a way that we didn't destroy the markets," Semer said.

No takers now—But in Detroit and Philadelphia, "there are no takers at any price," Semer said.

In the Detroit case, HUD and General Accounting Office experts estimate that HUD already has lost about $10,000 per house and would have to invest another $9,000 in each house to make it livable. Historically, HUD has averaged a $3,000 loss per house in acquisition and resale of an FHA-backed dwelling.

"But even then with another $9,000 thrown in, and this is the crucial point, there still wouldn't be any takers," Semer said.

EXPOSING THE PROBLEM

The HUD Department has had an inconsequential role in exposing the drastic abandonment rates in Detroit and Philadelphia.

Even the statistics on the number of FHA-insured abandoned houses, and on the potential costs to the federal government, have been collected by sources outside of the agency.

In response to an inquiry, the department said it keeps no such statistics and that any kind of nationwide estimate was impossible.

In Philadelphia, the Inquirer's extensive investigation has met with active resistance from HUD. The newspaper has in fact filed two court suits in an attempt to force HUD Secretary George W. Romney to release the names of appraisers who approved FHA insurance for 140 houses that had major structural deficiencies.

In Detroit, spadework performed by the Legal and Monetary Affairs Subcommittee of the House Government Operations Committee has been given little assistance by HUD.

Contrasting views: There is disagreement as to the severity of the abandonment situation.

Administration—The Nixon Administration has said there is no serious problem.

For example, Romney said at a Dec. 17 news conference that the Detroit and Philadelphia newspapers had overstated the seriousness of the problem and the costs of repossession. He blamed lax administrative policies of the previous Democratic Administration for whatever problems existed, and claimed that the Nixon Administration already had taken corrective steps before the abandonment problem attracted attention in Congress and the press.

Rebuttal—The Detroit and Philadelphia newspapers and Democratic housing experts sharply dispute Romney's argument.

Ashley, for one, said that FHA was still so "suburb oriented" that it could not see disaster coming. Monagan made the same point and said that "FHA could never really have a handle on the problem because they don't keep any statistics on it. They aren't even geared up to keep those kind of statistics."

More bombshells—It is likely that HUD will be forced to take a public posture of greater concern, for serious abandonment and repossession problems will be exposed in other major cities.

Monagan said his subcommittee intends to investigate a series of other cities, possibly starting with Chicago.

Ashley said the Housing Subcommittee will seek special funds for a study of all FHA operations, "including the non-trouble areas like Dayton, Minneapolis and St. Paul as well as the troubled East Coast cities like Newark."

At the same time, the success that the Philadelphia Inquirer has had with its investigative series on FHA is bound to prompt newspapers in other cities to start similar exposés.

Philadelphia

Although the rate of HUD repossession of abandoned housing in Philadelphia is running slightly below the rate in Detroit, the Philadelphia situation has had a more spectacular impact.

The facts in Philadelphia have been exposed by Philadelphia Inquirer reporters James B. Steele and Donald L. Barlett, with strong support from executive editor John McMullan.

Beginning in June, McMullan freed the two reporters from daily assignments and put them to work entirely on tracking FHA operations in Philadelphia. Most of their time initially was spent in laborious examination of property deed books in Philadelphia city hall.

To date, the research has produced a series of more than 50 lengthy articles, which began on Aug. 22 and is still going forward. Most have been carried, as have been seven major editorials, on the newspaper's front page.

Hugh Scott—In its latest series of exposés, starting the second week in December, the Inquirer linked Senate Minority Leader Hugh Scott, R-Pa., and one of his top aides, Edward E. Pilch, with the real estate speculation.

The point of connection is United Brokers Mortgage Co., the real estate-mortgage banking firm which has been the biggest beneficiary of inner-city FHA transactions in Philadelphia.

The president of the company, Louis Bank, is a longtime friend of Scott's, and has served as one of his key fund-raisers since Scott's 1956 reelection campaign for a House seat. At one time, while serving in Congress, Scott served as counsel to the company.

Pilch runs Scott's Philadelphia office on a full-time basis. He also works actively as a licensed realtor for Louis Bank and owns what the Inquirer called a "substantial amount" of stock in United Brokers Mortgage Co.

The Inquirer implied repeatedly that Scott's influence helped the firm secure FHA-approved mortgages ("Scott's Political Influence Called Beneficial to Mortgage Firm," read one typical headline.) To date, neither Scott nor Pilch have replied to the Inquirer's charges.

Scope—The scope of Philadelphia's abandonment problems is immense.

The Philadelphia landscape is dotted with signs proclaiming HUD ownership of abandoned houses and more are "popping up like a measles epidemic," the Inquirer said. The red, white and blue signs tell passersby: "Warning. U.S. Government Property. A theft from your government is a theft from you. Report theft of government property to the FBI."

The foreclosure rate on FHA-insured properties, the Inquirer reported, is running at one in every 13 mortgages. From January 1968 to June 1971, FHA foreclosures in Philadelphia totalled 2,848, more than the entire total for the 33 previous years of FHA existence. By the end of 1971, more than 4,000 homes will be repossessed by HUD in Philadelphia, the Inquirer estimated.

HUD is the biggest property owner in north Philadelphia and possibly the biggest in west Philadelphia, the newspaper says.

Impact—More than half of the HUD-owned housing is in areas which once were on the fringes of bad slums and were almost 100 per cent white. Now they are almost 100 per cent black.

Thus the operation of the HUD programs, theoretically designed to stabilize neighborhoods threatened with decline, in practice made things worse by providing powerful stimuli for block busting, heavy in-migra-

tion of poor blacks and Puerto Ricans and for large-scale abandonment.

The Inquirer also uncovered the extent to which the unsubsidized, homeownership programs were being manipulated by real estate speculators.

Before the paper's investigations, housing experts thought that HUD's abandonment and repossession problems were limited largely to the subsidized programs, particularly the multi-family rental programs such as public housing and rent supplements. (For a report on problems with the subsidy programs, see Vol. 3, No. 30, p. 1535.)

Refuting that theory, Steele and Barlett published statistical tables showing that activity in 221d2 constituted the bulk of FHA's underwriting in urban areas.

In Philadelphia, for example, activity in the 221d2 program represented one-sixth of all FHA transactions in 1969, and almost twice as many 221d2 mortgages (10,327) were written as the standard 203b mortgages (6,780).

On August 22, the Inquirer produced another table showing the volume of FHA activity in Philadelphia and 11 other major metropolitan areas. The data, which covered the period 1967–69, was broken down by program and showed that the special risk, unsubsidized 221d2 mortgages far exceeded other types of unsubsidized and subsidized mortgages.

Detroit

Monagan's investigative work focuses on the scale of the abandonment problem in Detroit: he found that FHA already had repossessed more than 5,200 homes and eventually would own some 20,000—at a total cost of about $200 million to the agency.

The Detroit newspapers have claimed that by the end of next year, HUD probably will be the biggest owner of residential real estate in the city. Already, some entire blocks in east Detroit are abandoned and officially the property of HUD.

FHA activities in Detroit are dominated by the special-risk homeownership programs. In 1969, for example, FHA underwrote more special-risk mortgages through the 221d2 program (16,640) than it did to the standard 203b insurance program (14,986). Monagan found that poor families using the programs had been victimized by real estate speculators and were homeless and on the move to adjacent neighborhoods, presumably bringing with them higher densities and greater social problems.

Monagan's on-the-scene investigation touched off an uproar in Detroit. Front-page articles in the Detroit News and the Detroit Free Press, and eventually in The New York Times and The Washington Post, stressed the seriousness of the problem.

Reaction—Detroit politicians fear that the Monagan investigations will force the government to cut back, if not abolish entirely, the special-risk programs, and their fears may be well-founded.

Monagan said in an interview: "HUD in Detroit cut back on public housing and instead emphasized the much cheaper FHA-mortgage insurance programs which put the poor into homeownership.

"Those kinds of programs gave free enterprise its head. But with real estate speculators, incompetent or crooked appraisers and welfare mothers with no homeownership experience the only players in the game, is it realistic to give free enterprise its head in the inner city?"

HUD, for its part, reacted to the preliminary investigations of the Monagan subcommittee by "red-lining" the declining areas and making them ineligible for FHA mortgage support.

Gribb's strong protests caused HUD to rescind the new policy within hours after it was issued. Later, the mayor wrote Romney that it was "the most potentially dangerous" administrative decision ever made by a federal agency because it "wrote off blocks, neighborhoods and even the entire core of the city."

Defense—Detroit politicians with inner-city constituencies have rallied to defend the programs. Their first defense is to blame crooked speculators.

Gribbs appeared in that cause before Monagan's subcommittee, and two House Members from Detroit, John Conyers Jr. and Lucien N. Nedzi, both Democrats, accompanied the subcommittee on its investigations.

Since the investigation, in early December, all three have worked to build political support for the inner city insurance programs.

"Don't kill the program, expand it," Gribbs told the committee.

"I hope there is no thought of deciding that FHA mortgages for low- and moderate-income families are not economically feasible because of what happened in Detroit," Conyers said. "If anything, we want to see the programs strengthened.

"The neighborhoods we toured in east Detroit were predominantly black, and it was significant that a large number of well-kept homes were interspersed with a large number of vacant, vandalized buildings owned by HUD. I am interested in what can be done to remove the threat of those empty buildings to the surrounding neighborhoods."

Nedzi said, "It appears that we need some new approaches to solving this terrible problem of the city, perhaps even to the extent of selling the homes rehabilitated by HUD for half their original cost. Losing 50 percent on the house is better than a 100-percent loss."

THOUGHT OF CHANGE

The position taken by the Detroit politicians reflects their center city constituencies, and similar stands could be expected if HUD moved to end the homeownership programs in the high-risk areas.

But Gribbs, Conyers and Nedzi also believe that the declining neighborhoods of their city and others like it cannot be saved by the HUD programs alone, and that, if the areas are to become truly stable, comprehensive attacks must at the same time be made on nonhousing problems, such as drug addiction and crime. This is a thought which finds sympathy at the highest levels of the HUD and HEW Departments.

But some housing experts, including Ashley and Semer, believe that HUD's high-risk programs are inherently defective—that homeownership probably cannot work in the slums—and that more radical solutions are in order. New directions for housing assistance to the urban poor also are under consideration at the HUD Department.

Ashley, Semer: Ashley and Semer both say that the government's FHA programs are all based on middle-class, free-enterprise principles, and that those principles are incompatible with a slum environment, and especially incompatible with the politically popular idea of insured homeownership for the poor.

The FHA programs backfire in slum environments because they are premised on the assumption that the homeowner can both improve and protect the asset. But by definition, poor people lack the resources to improve the property; similarly, slum areas have high crime rates which make it difficult, if not impossible, for the resident to protect the property.

"You cannot run a middle-class program in the ghetto," Ashley said, "and that's why we have bankrupt FHA programs in the cities. It's the fault of the Administration and the Congress, Republicans and Democrats, because we have been relying upon a more-than-30-year-old system of mortgage underwriting which was explicitly designed *not* to cope with the problems of the cities.

"The Administration and Congress have shown a tremendous inability to respond to the enormous and complex changes taking place in the center cities.

"That is why we took a program that was crafted for the suburbs and put it in the inner city. If we had stopped to think about it, we would have agreed that the program was designed to avoid just that kind of environment.

"That it has been perverted by swindlers, that its effects have been ruinous and that its treasury might go bust should have been expected," Ashley said.

Pathological turf

Gribbs expressed concern about crime and other social problems plaguing areas of his city characterized by abandonment, and his remarks were echoed by a high-ranking HUD official who did not wish to be identified:

"It's less a housing problem per se than one of socially pathological turf. There are such tremendously powerful negative forces at work locally that it is beyond the capacity of government to protect a housing investment.

"Yet for government to gain control of inner-city environments would require an investment more enormous than it is willing to make.

"For example, we are just wasting our time managing urban properties in troubled neighborhoods unless we can get a handle on drug addiction, to pick one of the most disruptive forces upon a neighborhood, but HUD has no authority or expertise in that field."

Richardson and HEW

It is possible that HUD may get more help with problems like drug addiction from the HEW Department.

HEW funds drug rehabilitation, health, vocational training and a host of other programs that are essentially oriented toward the cities, and while these programs never have been coordinated on a community-wide basis, the department's leadership is considering moving in that direction.

In the process of formulating its fiscal 1973 budget reqests, HEW considered adopting a number of new criteria for judging how to spend its resources, and one of the suggestions was for a comprehensive "urban strategy."

A Sept. 7 memorandum to HEW Secretary Elliot L. Richardson from Lawrence E. Lynn Jr., assistant secretary for planning and evaluation, noted that HEW provides more money to urban areas than any other federal department and said that HEW "could have a significant impact on urban areas if we developed a concerted, comprehensive strategy attacking urban problems. Clearly any strategy would have to be an interagency-intergovernmental attack on America's urban crisis."

Earlier in the memorandum, Lynn wrote of the changes occurring in the country and said that "for an increasing number of the people living in American cities change has meant decay, deterioration, continued unemployment, and growing alienation from the rest of society. . . . The problems of American cities are of such transcending importance as to command an urgent response on a national scale."

The urban strategy was not considered sufficiently developed to be acted on, but Richardson ordered that more work be done on it, and, in an interview, echoed the concern expressed by Lynn.

Richardson talked of the process of urban deterioration that has led to abandonment of housing and many other problems in the cities, and he said that HUD alone could not stop the decay. "I'm convinced," he said, "that to deal with the problems of the cities, you have to deal with them all—health services, education, housing, land use, industrial development. These cannot be isolated from each other if you are concerned with turning around the deterioration of the cities."

Richardson talked about grouping of HEW programs to aid neighborhoods: "If you don't provide decent education, health services, recreation and so on, people won't want to live in a neighborhood. Planning that doesn't account for these services is just not planning."

Search for strategy

But there is little prospect of HEW assistance soon on a scale that would have substantial impact on deteriorating neighborhoods. The immediate key to influencing the physical, and social, course of those neighborhoods, if indeed any influence can be brought to bear, probably lies in changing the nature of the government's housing assistance plans, according to experts in the field.

Homeownership doubts

Ashley and Semer contend that the high-risk homeownership programs are exacerbating the abandonment cycle, and they want the programs stopped and radically recast, although they offer no ready solutions. Semer, moreover, raises the fear that even if the high-risk programs are ended, recent liberalization in down-payment regulations under standard FHA insurance programs may contribute to the same cycle. The new regulations require only a 3-per cent down payment. "On a $10,000 house that comes to only $300—the same kind of easy down payment that has gotten HUD into such big trouble with real estate speculators in Detroit and Philadelphia," Semer said.

Monagan also believes that the government should think anew about the homeownership orientation of its housing policies.

"Are we throwing good money after bad?" Monagan asked. "That is the big question when you put the poor into homeownership. No question that it is a laudable goal, but is it a workable one? I don't have any conclusions yet, but we should start to consider the possibility that it might be unworkable."

The fact that HUD has become one of the biggest owners of residential real estate in Detroit and Philadelphia eventually will force the federal government to modify its urban housing programs.

Housing allowances—Already the repossession problem has provided added impetus for a shift in federal housing strategy toward subsidizing consumption probably through a major expansion of the still experimental housing allowance program, which provides cash or cash substitutes to the poor.

(For a fuller report on alternative housing strategies and housing allowances, see Vol. 3, No. 30, p. 1535.)

Van Dusen said that the Detroit and Philadelphia situations were "a clear indicator of the weakness of the existing program structure."

He said, "That's why we are taking a very hard look at housing allowances as an alternative strategy."

HUD officials are quick to note that housing allowances also might strike out.

Van Dusen said: "You have to ask yourself the big question: 'If it had been housing allowances in Detroit instead of 221d2, would the same number of houses in the same neighborhoods be vacant? In other words, would the physical situation be the same?"

"That's the big question."

LOG CABIN INDUSTRY

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

Mr. HANLEY. Mr. Speaker, I want to share with my colleagues a recent program undertaken by the South Central New York Resource Conservation and Development Project concerning the rebirth of the log cabin as a recreational second home.

At this point, Mr. Speaker, I would like to introduce an article from the November issue of the Soil Conservation magazine, published by the U.S. Department of Agriculture, explaining the history and details of the project:

RC&D SPURS LOG CABIN INDUSTRY

(By Maurice Postley)

The author: Maurice Postley is a retired New York newspaperman who has lived in the foothills of the Catskills since 1963. He is an associate director of the Delaware County Soil and Water Conservation District and is in charge of public relations for the South Central New York Resource Conservation and Development Project.

The area: The South Central New York Resource Conservation and Development Project area includes seven counties, but an eighth, Tompkins County, has formally requested inclusion. The original seven—Broome, Chenango, Cortland, Delaware, Madison, Otsego, and Tioga—cover 3.7 million acres. Tompkins County will add 314,000 acres. The area is agricultural in nature; dairy farms predominate. Accessibility from New York City, Long Island, Westcheser County, and New Jersey suburbs has increased the popularity of the region for second homes.

A log cabin industry that did not exist a year or so ago is burgeoning in the South Central New York Resource Conservation and Development Project area, and any hard-headed realist would have to agree that developments in recent months offer promise of an industrial complex that may be ideal for the region. And why not? The timber grows locally. The entrepreneurs and workers are local residents. And most of the log cabins are being built right in the seven-county RC&D area.

Urban-oriented people seeking second homes or recreation homes in the country find the log cabin enticing, because it can meet all modern needs and yet retain rural charm.

The idea for the log cabin project originated with Richard F. Howard, a woodland conservationist employed by the Soil Conservation Service. Philip C. Comings, chairman of the RC&D Steering Committee, and his associates gave encouragement.

Among objectives of SOCENY, Howard's alliterative simplification for the South Central New York RC&D Project are the following: Find uses for underutilized natural resources, such as woodland, scenic attractions, and streams; promote activities that can develop job opportunities for local residents; and establish local industries.

Because of a law adopted in the late 1920's authorizing the state of New York to purchase abandoned farms and plant them to trees, the state owns more than 200,000 acres in the SOCENY RC&D Project area. More than 50,000 acres of this state-owned land is in pine trees of 6 inches or greater diameter. An additional million trees are planted each year on about 1,000 acres of privately owned land.

This then was the resource that existed when Howard presented his log cabin plan to the RC&D Steering Committee. "A log cabin industry," Howard stated, "could bring an additional market for evergreen plantation thinnings."

The plantations require regular thinning, and the only use for trees cut in thinning had been pulpwood, a low-value product with an uncertain market.

Both the RC&D Steering Committee and the New York State Department of Environmental Conservation agreed to participate in the log cabin project.

During the winter of 1969–70, Howard drew how-to plans, indicating to manufacturers how machinery could produce pre-cut parts.

The RC&D Steering Committee authorized reproduction of plans and made them available to the public at $2.50 per set. About 125 sets have been purchased—from as far away as the upper Amazon Valley of South America.

Inquiries came from loggers, sawmills, building supply contractors and companies, real estate agents and developers, building contractors, and others, including potential sources of financing.

In Howard's how-to-do-it plans, the logs are squared off on three sides. The rounded side is used for the exterior face. The logs are cut to length and numbered to go together like a child's Lincoln log set. A "bead" of asphalt roofing cement applied with a caulking gun closes the exterior crack between any two logs.

Numerous business activities indicate the potential for the project.

In Guilford, N.Y., for example, R. & L. Log Buildings, established in April 1970 by Ralph and Loren Wildenstein, a father-and-son team of dairy farmers with a small sawmill on their property, have had their own crews erect 26 log cabins thus far. And they have orders on hand to keep them busy during the winter.

Log Line, Inc., at Spencer is headed by Earl Richards of the RC&D Steering Committee. He studied the idea for almost a year and then resigned as project engineer with IBM to go into the log cabin industry.

Log Line has purchased a 35-acre site for a new plant and aims to build 50 log structures in 1972.

The Farmers Home Administration has approved Log Line Buildings for customary home financing. The firm is closely cooperating with New York State College of Forestry, the New York State Department of Environmental Conservation and the U.S. Forest Service and is working with Cornell University on a plan to help minority groups build inexpensive log houses.

A glance at costs is pertinent. Materials, including floors, walls, roof and roofing, doors and windows, in short, the shell, cost $5 to $8 per square foot. The cost of erection is extra. A small building can be erected at a cost of about $4,000. To this of course, must be added the cost of land, water, sewage disposal, furnishings, electrical installation, a fireplace, if desired, and so on. At present, the completed buildings range from about $8,000 to $23,000.

About 50 log buildings are now in the project area. At an average of $10,000 each, their cost comes to half a million dollars. In addition to building costs, annual family expenditures to local retail and service businesses are estimated at $50,000 to $100,000 the first year.

It may not be surprising that we are optimistic about the future of this new industry. Those in the log cabin business in our project area believe they will be able to sell buildings outside the area as time goes on and the production process is refined.

The log cabin has not turned back the clock. It has turned it ahead.

DR. MORRIS A. SCHOENWALD

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

Mr. HANLEY. Mr. Speaker, many Americans who perform great services for their communities and their country receive litle public acclaim because they are quiet, unassuming citizens. One such noteworthy man is Dr. Morris A. Schoenwald, who has given the people of Syracuse, N.Y., a lifetime of service.

Dr. Schoenwald closed his private office last month, after more than 45 years of practice as a physician and friend to many Syracuse families. To the best of my knowledge, he was the oldest practicing surgeon in the city of Syracuse. He

specialized in obstetrics and gynecology.

Dr. Schoenwald came to this country with his parents while still a boy, but he soon learned how to make his way. He worked his way through Medical School at Syracuse University, and after his internship in New York City, he returned to open a practice in Syracuse. During his career he served on the staffs of three Syracuse hospitals, and as an associate professor at his alma mater. Dr. Schoenwald also found time to contribute many hours of service at the old Syracuse Dispensary.

It would be impossible to estimate the number of babies he has delivered. So long has Dr. Schoenwald been serving Syracuse families, and so faithful have his patients been, that he has delivered many grandchildren of those who he originally delivered years ago.

Even though he had to raise his two sons alone after his wife's death, the doctor never refused a call from a patient, no matter what the time or circumstance. Such devotion and compassion has endeared him to the whole community.

Dr. Schoenwald is held in high esteem by the people of Syracuse because he is the kind of man who has, in a quiet and responsible way, helped make his city a better place in which to live. A naturalized citizen, Dr. Schoenwald has given much to his adopted community and his Nation.

Although Dr. Schoenwald will work on a part-time basis for the Onondaga County Health Department, it is only fitting that we mark his retirement from his private practice. His services as a full-time physician will be greatly missed, and we can only offer him our respect and our gratitude for his long and distinguished service.

PLAUDITS ARE DUE THE SKIPPER OF THE "STORIS"

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

Mr. SIKES. Mr. Speaker, plaudits are due to the courageous skipper of the Coast Guard Cutter *Storis*, who did what the traditions of America call for but which so few now seem willing to undertake. Comdr. William P. Allen did his duty as spelled out by treaty and by law when he apprehended Russian fishing trawlers inside U.S. waters, and in so doing he reestablishes the very important example of standing up for the rights of our country. For some strange reason, there have been far too many instances where our country's spokesmen simply rolled over and played dead when there was a confrontation with foreign nations. We did not gain our stature in the world following those tactics, and we have been losing it all too rapidly. It should be noted that, other than a little backknifing to get even, the Russians are going to do nothing about this occurence. That in itself tells an important story.

HEALTH CARE

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

Mr. SYMINGTON. Mr. Speaker, one of the most important issues facing this new Congress is that of health care. The costs faced by families caring for their sick is astronomical and continues to climb. The medical bill for each American was $358 for fiscal year 1971, up $31 from fiscal year 1970. These most recent cost figures point again to the need for Congress to act on some form of national health insurance measure. The House Ways and Means Committee, under the leadership of Representative WILBUR MILLS, has completed public hearings on health insurance and may complete action on the proposed insurance legislation early this spring.

Congress is moving to help America's sick meet these intolerable medical costs. The magnitude of this aspect of health care is illustrated by a news article written by Richard Lyons. The item appeared in the New York Times, January 18, 1971, and is a summary of a recent report done by the Social Security Administration. At this point I insert the article in the RECORD.

U.S. HEALTH BILL $75 BILLION IN 1971—AVERAGE COST PER PERSON $358 FOR THE FISCAL YEAR

(By Richard D. Lyons)

WASHINGTON, January 17.—Americans spent over $75-billion on their health care in the fiscal year 1971 at a rate of increase that was double that of both the cost of living and the gross national product.

Statistics released today by the Social Security Administration showed that the average health bill for each American was $358 in the fiscal year 1971, up $31 from the fiscal year 1970 and 10 times as much as was spent at the end of World War II.

The data indicated a sharp rise not only in the total amount spent nationally on health, $7.2-billion more than in the fiscal year 1970, but also—and more importantly—in that part of the G.N.P devoted to health.

During the fiscal year 1971 it was 7.4 percent, up three-tenths of 1 percent. While this rise is seemingly small, it translates into billions of dollars as well as an increased national demand for health care services.

DEMAND HAS DOUBLED

In the last 40 years, the demand for health care, as expressed as that segment of the G.N.P. devoted to health, has doubled. Statisticians regard this as a more meaningful yardstick of health costs than the actual numbers of dollars themselves.

The statistics, which include total cost of health goods and services ranging from a bottle of aspirin to a heart transplant, add documentation to rising complaints by experts and private citizens that health care costs are out of control in part because of increased demand.

The report, entitled "National Health Expenditures 1929–71," was prepared by Mrs. Dorothy P. Rice and Mrs. Barbara S. Cooper and printed in the Social Security bulletin made public today. It also noted the following:

While health outlays rose substantially in dollars, the percentage increase of 10.7 per cent was the smallest since the Medicare and Medicaid programs went into effect in 1966.

Federal, State and local Government funds spent on health rose 14 per cent in a year so that they now account for three of every eight dollars devoted to this area of the national economy.

Despite governmental attempts to contain the tarnished Medicaid program, which underwrites health care for the poor and near poor, its outlays rose 25 per cent in one year to $6.5-billion.

Federal efforts to control rising Medicare expenses were partially successful as payments to doctors rose only slightly, and those to nursing homes actually dropped.

Private health insurance companies laid out $16.6-billion in benefits, retaining an additional 10 per cent of that amount in profits and administrative expenses.

HOSPITAL BILL BIGGEST

As in the past, payments for hospital care made up the largest share of the total national bill for health goods and services, almost $30-billion. This was followed by: physicians' services, $14.2-billion; drugs, $7.5-billion; dentists' services, $4.7-billion, and nursing home care, $3.4-billion.

In addition, $2-billion was spent on medical research in the fiscal year 1971, while $3.5-billion was invested in new public and private healthcare facilities. Both of these amounts set records.

During the 1971 fiscal year, which started in July of 1970 and ended last June, the cost of living as expressed by the Consumer Price Index rose 4.5 per cent, while the increase in the Gross National Product—the value of all goods and services produced in the country—went up 5.6 per cent.

The total bill of $75-billion compares with a bill of $67.7-billion in the 1970 fiscal year and also represented 7.4 per cent of the G.N.P. in 1971.

FUNDS TO REVIVE FCC INVESTIGATION OF A.T. & T.

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

Mr. BINGHAM. Mr. Speaker, along with 17 House colleagues, I am today introducing legislation that would direct the Federal Communications Commission to complete its long postponed and recently abandoned investigation of the internal finances and structure of the American Telephone & Telegraph Co. and its subsidiaries.

This bill would authorize a special $2-million appropriation to the FCC to enable it to conduct a study of the price and rate-setting policies of A.T. & T., including its revenue requirements and the reasonableness of prices, profits, and investments.

I was shocked to learn that yet another increase in telephone rates has been approved by the New York State Public Service Commission for New York which will cost the public another $160 million—9-percent increase for the average consumer. This is the second major increase in the past 6 months, the total result of which is an astonishing 29-percent average increase in the cost of telephone services. Telephone service itself, of course, is no better than it has been in recent months. The public should be aware that the hidden finances and internal structure of the parent company, A.T. & T., accounts heavily for these service rate increases, and that the broad investigation I am proposing today is essential if these spiralling telephone charges are ever to be brought under control.

The FCC has long taken the position that it cannot pass responsibly on telephone rate increases without knowing much more about the complex internal

accounting, investment, and cost structure of A.T. & T., upon which rates for telephone service are supposedly based. No investigation of this rate base has been made in over 35 years. Since 1965, the FCC has been trying to get such an investigation underway. On December 21, 1971, after numerous postponements, the Commission announced it is abandoning the project. A majority of the members claimed that the FCC lacks sufficient funds and staff to do the job.

It is essential that this investigation continue earnestly and without delay. The last rate increase put before the FCC involved a half billion dollars in increased charges to the public—the largest proposed public utility rate increase in history. The FCC simply can no longer be called upon or expected to rule on such increases in the public interest unless it has the full information it needs on A.T. & T.'s internal structure and finances.

At the time of the last major rate increase, I claimed that the company's rate policies were creating inflationary pressures. I have frequently stated that telephone charges are unjustly distributed among various classes of telephone users, with large users receiving unfair advantages over individual users, and that increases in telephone charges and A.T. & T.'s rate of return on its investment should not be permitted so long as its service continues to decline in many areas of the country, such as New York City—to cite a particularly serious example.

Today, I foresee that unless this investigation proceeds, price pressures will mount and American consumers will pay untold millions of dollars in future increased telephone charges which the FCC will have little choice but to approve without the basic information it might obtain from this study. A.T. & T. is a monopoly which sets its charges without the usual restraints on competition. Its charges are subject only to approval by the FCC—and, in some cases, State regulatory commissions—the only voice the public has in the matter. Last year, A.T. & T.'s receipts totaled $17 billion.

In addition to an investigation of the telephone "rate base," the legislation I have today introduced directs a review of the closely related matter of the "vertical integration" between A.T. & T., Western Electric, and other telephone subsidiaries. A.T. & T.'s policy of purchasing all its telephone equipment from Western Electric appears to have significant impact on the cost of telephone service, and may critically affect the development of technology and diversity in the communications industry. These issues, however, need careful analysis by the FCC.

This bill does not include an explicit directive for the FCC to investigate alleged discrimination in hiring and promotion, particularly against women and minority individuals, by the telephone company. Such discrimination has been charged in a petition filed with the FCC by the Equal Employment Opportunity Commission. I consider it an extremely serious charge which ought to be fully reviewed and acted upon by the FCC. The discrimination issue, however, has been ruled by the FCC to be separate from those relating to telephone rates, and it does not seem likely that FCC action on discrimination will be stymied by lack of funds and staff as has been the case with the "rate base" investigation. FCC review of the findings of discrimination by the EEOC, in fact, is already underway, as it should be, and I am confident that action will continue until the issue is resolved. Thus, I have refrained from including it in this legislation despite my deep concern with that situation.

A list of the early cosponsors of this legislation, the FCC announcement terminating any further investigation of A.T. & T. which my legislation would reverse, and a report from yesterday's New York Times concerning the latest telephone rate increase in New York follow:

A LIST OF COSPONSORS

JAMES ABOUREZK (D., S. Dak.); HERMAN BADILLO (D., N.Y.); PHILLIP BURTON (D., Calif.); WILLIAM COTTER (D., Conn.); HAMILTON FISH, JR. (R., N.Y.); JOHN HEINZ (R., Pa.); HENRY HELSTOSKI (D., N.J.); EDWARD KOCH (D., N.Y.); SPARK MATSUNAGA (D., Hawaii); and BRADFORD MORSE (R., Mass.).

ABNER MIKVA (D., Ill.); DAVID PRYOR (D., Ark.); BENJAMIN ROSENTHAL (D., N.Y.); JAMES SCHEUER (D., N.Y.); JOHN SEIBERLING (D., Ohio); ROBERT TIERNAN (D., R.I.); PARREN MITCHELL (D., Md.); SAM GIBBONS (D., Fla.); JAMES J. DELANEY (D., N.Y.); and FLOYD V. HICKS (D., Wash.).

[News From Federal Communications Commission]

ACTION IN DOCKET CASES—PHASE II IN AT&T INTERSTATE RATE CASE DISMISSED BY FCC

Issues involved in Phase II of the AT&T rate case (Docket 19129) have been ordered dismissed by the FCC. The Commission said that the action was necessary because of insufficient resources to permit adequate preparation for and staffing of the proceeding.

The FCC cited the steady growth in the number and complexity of regulatory problems in the common carrier area. This increased workload, the FCC said, is aggravated by budgetary and staffing limitations and turnover, over which it has no control.

"Under these circumstances, we find it necessary to revise our program priorities and to defer action on the Phase II issues until we are in a position to go forward with the proceedings in a meaningful manner. Without minimizing the importance to the consumers of communications services of the issues involved in Phase II and the recognized need to seek their resolution as soon as we are able to do so, we believe it will make for a more orderly procedure to dismiss the proceedings with respect to Phase II issues rather than simply deferring. We will reinstitute further proceedings on the issues involved as and when we are in a position to treat them with the required effectiveness."

The rate case was begun on January 21, 1971, to determine the lawfulness of increased rates for interstate long distance message telephone service filed by AT&T. The proceeding was divided into two phases. Phase I dealt with the issues of a fair rate of return for the interstate service of the Bell System companies. Phase II involved all other issues that could affect their interstate revenue requirements. These issues included prices and profit of Western Electric, the manufacturing unit of the Bell System, and amounts claimed by the Bell System for investment and operating expenses.

In July, hearings were completed on the Phase I rate of return issues, and an Initial Decision proposing a rate of 8.25 percent was issued by the Hearing Examiner on August 27, 1971. It is now under review by the Commission.

In its January 21 order instituting the proceeding, the Commission specified that implementation of the rate of return findings of Phase I would be subject to the determinations made in Docket 18128. This proceeding, which is currently in active hearing, is concerned with principles that should govern distribution of the Bell System's revenue requirements among its different interstate services. The dismissal of Phase II has no effect on the Docket 18128 hearing. The dismissal does not affect the proceedings which deal with the effects of discrimination in employment allegedly practiced by the Bell System upon its revenue requirements. (Petition of Equal Employment Opportunity Commission, Docket 19143.)

Concurrently with its dismissal of Phase II in Docket 19129, and for similar reasons, the FCC terminated the Telephone Rate Investigation, Docket 16258, which it instituted in October 1965. An interim decision issued in July 1967, determined a fair return for the Bell System as of that time (7–7.5 percent), as well as certain other significant rate-making issues. The unresolved issues in Docket 16258 were similar to those involved in Docket 19129.

Action by the Commission December 21, 1971 by Orders. Commissioners Burch (Chairman), Robert E. Lee and Reid, with Commissioner Bartley concurring and issuing a statement, and Commissioners Johnson and H. Rex Lee dissenting and issuing statements.

[From the New York Times, Jan. 18, 1972]

A PHONE RATE RISE OF 9 PERCENT ON AVERAGE GRANTED IN STATE: P.S.C. ALSO ORDERS REBATE OF $1.50 A MONTH TO USERS WITH WORST SERVICE—2D INCREASE SINCE JULY; ACTION TAKEN TO GIVE UTILITY 8.23 PERCENT RETURN ON CAPITAL—U.S. PRICE REVIEW DUE

(By Francis X. Clines)

ALBANY, January 17.—The Public Service Commission today approved a $160-million increase in telephone rates, averaging about 9 per cent more statewide for the consumer.

Calling the increase "distressingly large," the commission sought to soften it by ordering the New York Telephone Company to pay $1.50 monthly rebates to a minority of customers with the worst phone service. The commission described the rebate order as "historic."

The increase, which is subject to review by the Federal Price Commission, follows a "temporary" $190-million rate rise last summer. That one will become permanent, like the one announced today, and the effect of the two rises, which total $350-million, will be to lift the phone rates for most New York City users 29 per cent above what they were before last July 9.

A $391-MILLION RISE SOUGHT

The sum of the two increases comes close to the $391-million in rate rises originally sought by the company last February.

It means that a customer who was paying $10.20 a month in New York City before the first increase and who now pays about $12.33, will see his phone bill rise to $13.18.

[More than half of the New Jersey Bell Telephone Company's customers will have to pay minimum increases ranging from $1.20 to $22.40 a year, according to the rate schedule filed in Newark. The company has already won approval for the additional $48.5 million in revenue that the new rates would produce.]

REBATES FOR 2 MILLION

The rebates in New York are expected to affect about two million of the company's 11.5-million customers. These are phone users mainly in the New York City metropolitan area, particularly Brooklyn, who experience "chronic poor service." A total of $15-million in annual rebates is anticipated.

Unless the Federal Price Commission rules otherwise, the increased rates can be expected to take effect in a few weeks, with the rebates to begin a month later. A price commission spokesman said the panel had a goal of acting within 10 days of a requested increase, checking the proposal for its effects on service and the company's capital standing.

The five-member Public Service Commission ruled that the increase was necessary to maintain a fair over-all return for the company of 8.23 per cent. The increase "necessarily reflects the huge sums" spent by the company to improve faulty service, the commission said, but it does not provide for increased wage costs that are expected to result when the current strike by phone repairmen ends.

"There is a grave danger that the price of telephone service will increase substantially in the years ahead," the commission asserted, noting the rising costs caused by inflation, urban deterioration and vandalism, and expanded phone networks.

"Of major concern is the possibility that telephone service will be priced out of the reach of the less affluent members of society," the commission's 108-page decision declared.

"The major culprit" in rising costs is the phone company's "rapidly expanding capital plant," the commission declared, promising "close examination" of this program to eliminate waste and unnecessary telephone usage.

One critic of the rate rises—New York City's Municipal Service Administrator, Milton Musicus—described the rebate order as "beautiful." But otherwise, he said, "rate-setting is being confused with profit-setting."

Closer scrutiny of expenditures and efficiency is required. Mr. Musicus said. He questioned the 8.23 per cent return as overly generous "especially considering the fact that the rest of us are subject to budget restraints," and said it favored the investor at the expense of the consumer.

COIN CALLS AFFECTED

In New York City the rate increase will affect coin phones as well as residential and business phones. In phone booths the 10-cent call will remain at the same price, largely because technical problems prohibit switching over to a 15-cent call. But the costlier coin calls—from eastern Queens to Lower Manhattan, for example—will increase from 40 per cent to 67 percent. The former 15-cent call will cost a quarter, and the 35-cent call a half dollar.

About 978,000 residential customers in the city are not expected to have to pay rate increases, because the basic cost of message rate service was not changed, and these customers typically do not exceed minimal use of their phones. Such customers can expect the same monthly charge of $6.08, according to the commission's estimate, providing they do not exceed 50 message units, the company's billing factor based on distance.

The majority of city customers, more than two million, will experience rate increases, because the commission permitted a rise in the cost of additional message units from the current 6.25 cents per unit to 7.1 cents. Most customers require additional units.

What this means is that the city customer whose monthly bill now it $9.20, with 50 extra message units, will pay $9.63. Before the first rise last July, the same customer's bill was $7.46, by the commission's estimate.

The heaviest users will pay the largest increases. A business phone that runs up 250 extra units a month, for example, used to cost $18.45 a month, now costs $21.71 and will cost $23.83.

In the suburbs, where a flat rate for unlimited local calling is in effect in many areas, rises of 8 to 9 per cent for some flat rates.

The commission also authorized increases in the company's charge for installations, roughly doubling the current costs, to $12.50 for a residence and $25 for a business.

In addition the phone company was ordered to file within 90 days of the end of the current strike a timetable for introducing charges for excessive use of directory assistance—the information operator, 90 per cent of whose activity is caused by only 10 per cent of phone users, according to P.S.C. estimates.

The company also was ordered to plan extension of the message-rate service, which, depending on a customer's phone habits, can prove cheaper than flat-rate service.

PURE FOOD ACT OF 1972

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

Mr. BINGHAM. Mr. Speaker, today I am introducing a bill which, if enacted, would effect one of the most significant and comprehensive reforms in the history of the Federal Food, Drug, and Cosmetic Act. The need for the Pure Food Act of 1972 is highlighted by an alarming series of incidents related to the production and distribution of food. Specifically, the tragic events of this past year stemming from the discovery of deadly botulism infection in canned foods, as well as continuous evidence that contaminated and adulterated foods are being produced in this country every day, require the Congress to take a searching look into the operations of the Food and Drug Administration and its legal authority.

FOUR FATAL FLAWS IN FDA LEGAL AUTHORITY

A careful investigation of the Food, Drug, and Cosmetic Act reveals four fatal flaws in the legal authority of the Food and Drug Administration:

First. Inability to discover who makes food. The people who make food affect every single American, and yet their industry is one of the most unregulated in our society. "Who is making food" is a guessing game which present law forces the FDA to play. If an individual or a company wants to start a food plant, he simply begins operations. No one is required to notify the FDA when production commences. The FDA learns the identity of producers only haphazardly—through reports of field agents who happen across new plants, from complaints of private citizens, from news reports or advertising, or by voluntary reports of foodmakers at their whim. Although a long registry of food plants has been compiled by the FDA, the list is perennially out of date, because plants open and close without notice. Before the FDA can begin to serve its proper function of insuring that Americans eat safe and wholesome food, it must have a simple and systematic way to discover who is processing food.

Second. Inability to control how food is made. Incredible as it may sound, the FDA has no way to require manufacturers to install basic equipment such as sterilizers, temperature or time devices or warning mechanisms to insure the production of unadulterated food. Also, the FDA cannot set appropriate educational standards for employees operating complex food machines. In 1970, the Congress passed a law which strengthened the drug control authority of the FDA, enabling it to demand manufacturer compliance with standards for adequate equipment, adequately trained personnnel, necessary analytical controls, and so forth. If the FDA is to exert effective influence for the safe manufacture of food in this country, it must have comparable authority over the food industry.

Third. Inability to discover potential public health hazards. At recent hearings before the Public Health and Environment Subcommittee of the House Interstate Commerce Committee, witnesses testified that there are approximately 200 authorized inspectors working in the field for the FDA's domestic food inspection program and that in 1971 they conducted 11,000 inspections. With more than 60,000 food plants known to the FDA, these figures reveal that the average food plant is federally inspected but once every 6 years. This record of Federal inspection is woefully inadequate. It may be noted that some States and municipalities conduct their own inspection of food plants. However, these local investigations do not cover all known food plants and are frequently not as thorough as inspections performed by Federal authorities.

Following this statement appears a selection of some seizure actions initiated by the FDA against tainted foods. The list reveals that while the public focuses its attention on spectacular incidents of food contamination, such as that involving botulism infection, diligent food inspectors routinely uncover food containing filth and contaminants.

One must not be misled by these seizure actions. It is fair to assume that they represent the discovery of only a fraction of the total of unwholesomeness foods being produced, thus compelling the conclusion that the laxity of much of the food industry in cleaning up its plants and protecting American consumers from tainted foods is a disgrace. If the American consumer is to have pure food, it is essential that the Federal Government expand the food inspection program.

Unfortunately those few inspections that are conducted are seriously limited. The law confines Federal food inspectors to checking the plant and its operations. They have no authority to examine company performance records or data on the effectiveness—or even the exist-

ence—of quality controls. Also, as I was recently told while inspecting a food plant in my district, Federal inspectors have no legal authority to take photographs at a plant or disassemble equipment. Thus, if an owner objects, they cannot conduct as thorough an investigation as they deem necessary.

In controlling the drug industry, Congress expanded the FDA's inspection authority to cover these vital points. Also, the Congress toughened the meat and poultry inspection program of the Department of Agriculture several years ago. Meat and poultry inspectors have the power to force individual compliance with national sanitation standards. These Department of Agriculture inspectors can conduct rigorous and meaningful examinations of the processes of production at the plant and can suspend the business operations of owners in violation of Federal standards. Commonsense tells us Congress should do no less in the case of other foods.

Important as frequent inspections are in guaranteeing high health standards, other cooperation from producers is necessary. For example, this past summer, after discovering the existence of botulism infection, Bon Vivant Co., tried to locate the source of the infection and stop the shipment or delivery of the poisoned cans. Bon Vivant realized, however, that it could not eliminate the danger to the public on its own and notified the FDA that this hazard existed. But precious time was lost as the company pondered when to notify Federal authorities. Such delay is intolerable. Food products are marketed very quickly and delay in recall can mean some foods will never be recovered. Similarly unacceptable is the failure of other companies to report spoilage of other potential public health hazards. By keeping such information secret, companies inhibit the FDA's learning which companies need close and regular scrutiny and what processes and products are most susceptible to contamination and adulteration. In order to protect the public, the FDA must be notified whenever companies improperly prepare any food.

Fourth. Inadequate authority to act in cases of public health emergencies. When the FDA discovers that certain food is poisonous or otherwise harmful to public health, what can it do? If the product already has been shipped, it can request the producer to recall all of the tainted food. However, recall undertaken by the manufacturer is strictly voluntary; the FDA has no authority to order and enforce recall.

Sometimes the producer lacks the financial ability or the will to carry out an effective recall; in that case, the FDA must act. A valuable remedy at this stage is seizure and ultimate destruction of the contaminated food. However, this is a slow procedure. Sample foods taken from a plant must be analyzed. Then, if contamination is discovered, the FDA must locate the batch from which the sample came and file papers in a law court to have the food seized or held for further analysis. Locating the contaminated batch often proves difficult or impossible as manufacturers can freely ship the food prior to receiving a court order barring shipment. Destruction comes only at the end of the long legal battle which often takes months to resolve. Presently, the FDA lacks the decisive power to embargo or stop the shipment of foods suspected of contamination before obtaining a court order. Embargo power is needed if the FDA is to have effective control over every contaminated product.

The FDA has a powerful remedy in publicity. However, to be effective public warnings must be understood as well as received by consumers. This the FDA cannot ensure. Further, the FDA must use public warnings cautiously because of the twofold danger of shaking public confidence in manufactured food products or, alternatively, of creating a "boy-who-cried-wolf" phenomenon which leaves the public incapable of evaluating the threat.

The FDA as Federal food safety officer needs in its arsenal added weapons against public health hazards. In the drug area, the FDA has the power to certify drugs. By proper use of certification, the FDA can insure that the public purchases only safe drugs. Similarly, in the meat and poultry fields, Federal inspection and compliance with certain standards is a prerequisite to sale of that food. Thus, the Federal regulators of drugs, meat, and poultry have significant influence with those industries and can enforce necessary quality and health standards. It is now necessary to extend such influence to the Federal regulators of the food industry.

NEED FOR REFORM—CLEAR RECOGNITION

The Commissioner of the FDA, Dr. Charles Edwards, has formally requested greater authority for his Administration. Specifically, he proposes a law requiring the registration and licensing of food manufacturing, processing and packaging plants. Even more extraordinary is the demand of the National Canners Association—NCA—representative of about 90 percent of the Nation's food canners. In October, NCA petitioned the FDA to strengthen Government controls over the food industry—an unprecedented instance of an industry seeking to limit its authority. The action of NCA and its food companies may be unique, but it is not unexpected. Public confidence in canned foods reached an all-time low following the recall of products made by Bon Vivant Co. and the Campbell Soup Co. In addition, the incidents occasioned increased congressional inquiry into this area. Thus, NCA apparently wanted to restore public faith and, at the same time, head off tougher proposals from consumers and their representatives.

The NCA would require some registration of producers with the FDA but the registration would apply only to manufacturers of heremetically sealed containers—airtight containers processed by heat. This definition is too narrow, omitting from any registration requirement manufacturers of such products as soda, bread, cereal, and any product packaged in cardboard boxes. Furthermore, while the NCA would establish certain requirements for the safe production of food, these would not be applied across the board to all registrants but only to producers of low-acid foods or products most susceptible to botulism infection. This limitation means that producers of most popular canned or bottled juices, berries, jams, jellies, fruits and wines, as well as other foods, would escape regulation. Finally, the NCA fails to grapple with FDA's inadequate legal authority. Under its proposal, the FDA would still be unable to set and enforce standards for manufacturing food, check production records, require quality control devices or initiate more frequent inspections.

In an article appearing in the December 21, 1971, New York Times, the problem of the lagging Federal food inspection program was carefully surveyed. I am including the text of that article following my statement.

PURE FOOD ACT OF 1972

My bill the Pure Food Act of 1972 is tailored to end the flaws in the FDA's legal authority and provide it with the powers essential to insuring that the American consumer will buy only wholesome food.

First. Ability to discover who makes food. The first provision of this act would require all food manufacturers, processors, and packers to register their name, place of business, and location of every plant with the FDA and inform it when operations cease. Thus, the FDA would have an up-to-date registry of food plants across the Nation. Another section of the bill would enable the FDA to charge a reasonable fee for registration and use the proceeds to defray the cost of administration. In this manner, the burden of enforcement would fall more equitably on the persons desiring to do business.

Second. Ability to control how food is made. To enable the FDA to exert decisive influence over the operations of food plants, the Pure Food Act would institute a new licensing authority. All plants registered with the FDA would have to be licensed to do business. By granting the FDA licensing power the act would enable that agency to control how food is made in this Nation. Initially, temporary licenses would be granted to all registrants. However, within 1 year, licensees would have to apply for a renewal and meet specified requirements. Before a renewal would be granted, a licensee would have to provide the FDA with a complete list of all products it makes and the processes it employs and be inspected. Further, to keep its license, the licensee would have to comply with strict food production standards, including:

First. Install necessary equipment, including sterilizers, temperature, and time control devices and warning devices, and process food in containers as required by the FDA.

Second. Keep processing records on hand and open for inspection for 5 years.

Third. Meet educational requirements set by the FDA for employees.

Fourth. Institute a scheme of insurance against losses due to improper manufacturing, if the FDA requires.

If an establishment fails to meet any of these tests, it might lose its license or be denied a renewal. The Pure Food Act also would provide that the FDA may set a reasonable charge for the license and, as in the case of registration, would permit the proceeds to be used to cover costs of administration.

Third. Ability to discover potential public health hazards. The Pure Food Act would mandate on-site inspection every 2 years when licenses come up for renewal. Such constant surveillance would keep the FDA closely aware of working conditions at the plant and on top of potential public health hazards. Inspection is one of the greatest weapons in the assaults on spoiled food. Other provisions of the bill would expand the FDA's capacity to confine potential public health hazards. Every licensee would have to inform the FDA of all instances of spoilage or contamination and set aside dangerous foods. Any failure to do so would be a violation of the license and subject the violator to loss of his license and civil penalties. Also, the bill would expand the inspection authority of the FDA at the plant to cover quality control records, processes, controls, and facilities, and permit inspectors to use reasonable means to carry out a proper inspection. The food inspectors would have wide latitude to study the equipment or photograph items they consider vital to an effective inspection. Thus, the FDA would have access to pertinent information on food production and would have the power to deny the privilege to do business to those who threaten public health.

Fourth. Adequate authority to act in instances of public health emergencies. The proposal would also establish a new procedure to enable the FDA to act swiftly in emergencies. If the FDA suspects certain foods might be adulterated or misbranded, it would be empowered to undertake an immediate investigation—within 48 hours—and make known to the public its findings if they reveal the existence of a significant potential public health hazard. During the short period of the investigation, the FDA would have power to embargo or stop the shipment or sale of the suspected food.

If such a hazard exists, the FDA is authorized to take one or more of the following steps to insure public safety:

First. Embargo any food including that not yet shipped;

Second. Order the recall of any or all food in the contaminated shipment; and

Third. Suspend the license of any person responsible for the shipment.

Combined with existing authority, these administrative powers give the FDA a full array of legal forces against potential public health hazards. They are designed to permit swift and decisive action at any point in the flow of commerce so as to choke off the danger to the public.

CONCLUSION

Last November, with more than 25 cosponsors, I introduced legislation, H.R. 11583, to require the name of the manufacturer to appear on the label of all food he produces. That bill seeks to expand consumer knowledge in the market so as to insure he purchases better quality food and to avoid products discovered to be contaminated. My continuing investigation of the food industry has convinced me that that bill needs broad supporting legislation to strike at the source of the production of unwholesome and dangerous food. The Pure Food Act of 1972 is just such legislation.

Currently, the FDA's operating budget for food programs is $18 million. Fees collected in the registration and licensing processes can help defray the costs of this package, but additional funds will probably be needed to increase the number of food inspectors, if we are to have reasonable assurance of purity in our foods.

The FDA's food officials have been hamstrung long enough by inadequate legal power. The Pure Food Act will break that tether and give them a strong arsenal of weapons against manufacturers who endanger the public by peddling unhealthful food. Nothing less than registration, licensing, emergency health hazard powers can now suffice. The fulfillment of the basic right of the American consumer to place full confidence in the food on his grocer's shelf or in his kitchen cupboard can be postponed no longer.

The material follows:

SECTION-BY-SECTION ANALYSIS OF THE PURE FOOD ACT OF 1972

TITLE

Sec. 2. Findings and Purpose.

Sec. 3. (a) Amends Section 44 of the Federal Food, Drug and Cosmetic Act as follows:

Registration and licensing of food producing plants

Sec. 404. (a) and (b) require any person engaged in the manufacture, processing or packing of any class of food distributed in interstate commerce *to register* with the Secretary of HEW his name, place of business, location of every plant and any other information required by the Secretary, and notify him when business permanently ceases.

(c) Requires that *every registrant be licensed* in order to do business in interstate commerce and prohibits doing business unless licensed. Initially, all registrants will receive a *temporary license* for one year. Thereafter licenses must be renewed every two years.

(d) Outlines the *general conditions of the license.*

(e) Sets forth three *specific conditions for granting a license* or its renewal, including the applicant's (1) providing the Secretary with a complete list of all food handled by his establishment, (2) informing the Secretary of the processes used in the preparation of food and the controls to ensure the production of wholesome and safe food and (3) permitting an inspection according to other provisions of this act.

(f) *Requires* a licensee (1) to process any food in containers as required by the Secretary, (2) to retain processing records on all foods for five years, (3) to set aside any food which has been improperly prepared and evaluate it as to any potential public health hazard and report to the Secretary any findings at least seven days prior to distribution, (4) to report to the Secretary all instances of production which may pose a potential public health hazard where the food is already in the stream of commerce, (5) to open all records to inspection, (6) to include as standard equipment sterilizers, temperature and time control devices and any other equipment the Secretary deems necessary, and (7) to meet any employee educational requirements set by the Secretary, (8) to establish a scheme of insurance itself against losses due to improper production techniques, as required by the Secretary, (8) to follow any regulation promulgated by the Secretary.

(g) *Permits* the Secretary to *revoke a license for cause* after notice and a hearing.

(h) *Requires the Secretary to coordinate* his activities in carrying out this Act with the appropriate state agencies.

(i) *Permits the Secretary to charge fees* for registering and licensing.

(b) Effective Date:

Sec. 4 and Sec. 5. Amend Sections 703 and 704 of the Federal Food, Drug and Cosmetic Act by expanding the inspection authority of federal food inspectors to cover such things as performance records and quality controls.

Sec. 6. Amends the Federal Food, Drug and Cosmetic Act by creating a new section.

Emergency health hazard authority

Sec. 708. (a) *Requires* the Secretary upon notification or reasonable belief that there is food in interstate commerce which is misbranded or adulterated to (1) *undertake an investigation* within 48 hours to determine if a potential public health hazard exists, (2) in the Secretary's discretion, *embargo* any food suspected of contamination pending the outcome of the investigation and (3) upon determination of a significant potential public health hazard, *make public the results.*

(b) *Permits* the Secretary when a significant potential public health hazard exists (1) *to order the recall* of any or all of the shipment which creates the hazard, (2) *to embargo any food* produced by such licensee including food not yet within the stream of interstate commerce, or (3) *to suspend the license* of the person responsible.

Sec. 7. *Creates new civil penalties* of up to $10,000 for each violation of the Federal Food Drug and Cosmetic Act and stiffens existing criminal penalties.

Sec. 8 and Sec. 9. Conform other parts of the Act to this new legislation.

[From the New York Times, Dec. 20, 1971]

FEDERAL FOOD INSPECTIONS ARE LAGGING

(By Boyce Rensberger)

The food contamination scares that have shaken the public in recent months are but the tip of a much bigger problem involving inadequate Government inspection of the products that Americans eat.

Authorities say that last summer's epi-

sodes of botulism in soups, mercury in swordfish and PCB chemicals in poultry were not rare exceptions of food contamination but merely spectacular examples of widespread and long-standing problems in Federal efforts to insure the wholesomeness of food on grocery shelves.

The impact of these latest incidents, coming in a day of heightened sensitivity to consumerism and public health hazards, is putting strong pressure now on the Government to upgrade its admittedly inadequate levels of food plant inspection, and on industry to use more sophisticated methods of quality control.

One glaring fact in the picture is that the United States Food and Drug Administration has only about 200 food inspectors for some 60,000 food processing and handling facilities that need inspection. Plants are inspected only once in six years on the average.

Another measure of the problem is that F.D.A.'s inspection force, though it is small, has little difficulty turning up hundreds of instances of unfit food each year.

Unlike the infrequent dramatic findings of botulin-contaminated food, the recalls and seizures of less dangerously tainted foods are everyday occurrences. Dozens of incidents such as the following recent cases are turned up each month by F.D.A. inspectors:

Some 3,982 cases of Beech-Nut baby food manufactured in Rochester were found to contain cockroach fragments. Federal agents supervised the destruction of all the product.

About $2,400 worth of Italian macaroni was confiscated when inspectors found it contaminated with "insects, insect fragments, human hair, paint and metal fragments and other foreign materials."

In Seattle inspectors seized an unspecified quantity of frozen shrimp because it had been prepared and packed under unsanitary conditions. Laboratory tests showed it to contain live staphylococci bacteria.

Fruit cake manufactured in Newark was found to have been prepared under unsanitary conditions. The cakes themselves contained "insect and rodent filth."

More than $3 million worth of coffee beans were found by inspectors in San Francisco to be contaminated with mouse droppings because the coffee had been transported and stored in a vessel infested with mice. The coffee is being "reconditioned" for sale.

MANY VIOLATIONS MISSED

These are among the things turned up by an inspection force that even the Government admits misses many violations of health and sanitation regulations.

Dr. Virgil Wodicka, director of F.D.A.'s Bureau of Foods, concedes that although there were 355 food recalls and 267 seizures through the courts last year, his inspectors turned up only a fraction of the existing violations.

Some observers believe the current state of Congressional and public opinion parallels that of the early sixties when a crackdown on the drug industry followed publicity over the thalidomide tragedy in which unborn babies were damaged by a tranquilizer taken by their mothers. Similarly, the observers suggest, last summer's food scares could give rise to tough new laws and regulatory practices affecting the food industry.

The need for improved methods of insuring the wholesomeness of food is disputed by few. Even many of the large manufacturers agree, if only because the lapses of their smaller competitors cast suspicion over the entire industry.

In the wake of the Bon Vivant and Campbell Soup Company botulism episodes, for example, the National Canners Association petitioned them to impose tough new standards on all canners. The proposed regulations would hit the smaller canners hardest.

FOOD POISONING CASES

Another indication of the magnitude of the food hazard problem is the count of reported food poisoning cases, ranging from the rare fatal botulism to the vastly more common cases of mild nausea and vomiting caused by Clostridium perfringens, a bacterial cousin of the microbe that causes botulism, Clostridium botulinum.

Although the number of reports received by the Federal Center for Disease Control hovers around 25,000 from year to year, public health experts say that because most cases are never reported, the true magnitude of food poisoning is far greater. Estimates range from two million to 10 million cases annually.

While many of the illnesses and deaths result from poor sanitation in homes and restaurants, an undetermined proportion must be attributed to commerically processed foods. The source of contamination is known in only half the reported cases. Of these, one-fifth, or about 2,500, are the fault of canners, meat packers and other food factories.

One important reason why most of the deficiencies in commercial processing are never found, Dr. Wodicka said, is that F.D.A.'s small inspection force must cover 30,000 food processing plants and another 30,000 facilities such as grain elevators and food warehouses. This means that, on the average, a food plant is inspected once every six years.

"Some plants we inspect more frequently, once a year maybe," Dr. Wodicka said. "This means that some plants are inspected less than once in six years. Some places haven't been inspected in 15 or 20 years. We really ought to get around more often."

A wholly different system is used by the Department of Agriculture in inspecting meat products. F.D.A.'s jurisdiction extends only to products containing less than 2 per cent meat.

With the authority of a different law, U.S.D.A.'s Meat and Poultry Inspection Program employs some 8,000 inspectors and stations one or more permanently in every slaughterhouse and meat processing plant.

ABOUT 99.7 PERCENT ARE EDIBLE

Of the 8,000 inspectors 1,500 are veterinarians who inspect animals for disease. In 1970 U.S.D.A. inspectors examined over 118 million cattle, sheep, goats, swine, horses and mules. Of these over 400,000 were condemned as unfit for use in food.

By far the most common reason for condemnation before slaughter was that the animal was already dead in its pen. After slaughter many diseases were found that warranted condemnation. However, over 14 million animals found to be diseased or injured were deemed by U.S.D.A. inspectors to be wholesome after the diseased parts were cut away. This included 2,000 cattle and 885,000 swine with tuberculosis and over 127,000 cattle with cancer.

Of the animals inspected by U.S.D.A., 99.7 per cent are considered edible—a figure that the inspection agency says is so high because of the high quality of American agriculture but which critics charge is high because many inspectors overlook defects, sometimes after accepting bribes from their slaughterhouse hosts.

The recent indictments of 40 Federal meat inspectors in Boston for accepting bribes to give meat grades higher than deserved, the critics charge, is only an example of a widespread practice.

Even the Federal Government itself, through the General Accounting Office of Congress, has reinforced the view that there is laxity in U.S.D.A.'s enforcement of the meat and poultry inspection laws.

In repeated investigations the G.A.O. has turned up numerous instances of filth and insanitary practices in plants already operating with U.S.D.A. approval.

In one study 44 of the 48 Middle Western packaging plants were found to contain animal carcasses contaminated with feces. Investigators said they had found flies, cockroaches and rats and that they had observed the use of dirty equipment. Meat was found contaminated with rust, plaster, paint and dirt.

CONTAMINATED POULTRY

Last month the G.A.O. reported on a survey of 68 poultry plants that account for one-fifth of the country's poultry processing. Gross contamination was observed in 35 plants.

Such facts, viewed against the background of recent food scares, suggest that food is less safe today than it was years ago. There is, in fact, no clear evidence that this is the case.

"For all we can tell," one F.D.A. insider remarked, "Americans probably have always been eating at least as much bad food but liking it better."

Indeed, many public health authorities agree that the vast majority of cases of food-borne disease are never recognized as such. Sudden cases of nausea, diarrhea, headache and fever are passed off as "24-hour flu" when, in fact, they may have been caused by bacteria in unclean but appetizing food.

There are even reasons to believe that in some areas food is safer today. This is because more food is manufactured with the aid of automated quality-control equipment than ever before and because, under a new Federal law, many of the inadequate meat inspection programs run by state governments have either been upgraded to meet Federal standards or have been taken over by Federal inspectors.

In one area, however, there appears to be increased reason to fear for safety—adulteration of food by chemical additives introduced either deliberately such as colorings or spoilage retardants or accidentally such as pesticides and industrial chemicals.

In an age that is increasingly dependent on the widespread and sometimes careless use of chemicals such as mercury and PCB (polychlorinated biphenyls) in agriculture and industry, it is becoming increasingly difficult to keep such substances out of the food supply.

NEW AGENCY PROPOSED

Because of the present philosophy that, in general, new chemicals are presumed safe until proved hazardous, many more new chemicals are likely to appear in food in considerable quantities before they are recognized as dangerous.

Although, as yet, few concrete steps have been taken to upgrade the F.D.A.'s and the U.S.D.A.'s inspection methods or to improve in-plant quality control, the discussion is increasing on a number of new and renewed proposals.

The most sweeping is a renewed call for the creation of a new independent food inspection agency, merging the F.D.A.'s Bureau of Foods and the U.S.D.A.'s Meat and Poultry Inspection Program.

Short of consolidating the two agencies, there are several proposals for upgrading the jobs they do separately. The one most widely agreed upon is a law requiring new food processing plants to meet minimum standards and to be inspected and registered before being allowed to go into business.

Currently there is no law preventing anyone who wants to from setting up his own food factory and turning out retail products without ever having to satisfy safety or quality requirements. If the product is offered for interstate shipment, it is up to the Government to find out about it and send out an inspector.

YEARS BEFORE INSPECTION

In fact, says F.D.A.'s Dr. Wodicka, it is common for a new food plant to be in operation for several years before the first inspector shows up.

"Unlike many of today's industries that grew out of the laboratory," Dr. Wodicka said, "the food processing business grew out of Grandma's kitchen. They just scale up everything and still operate just the way Grandma did. They don't really know what they're doing or why and they don't always know when they're doing it wrong."

Dr. Wodicka, who was a vice president for Hunt-Wesson Foods before joining F.D.A., said he would like to see a law prohibiting new food plants from going into operation until they could meet two requirements: install equipment deemed necessary to insure safe food, sterilizers, for example; and prove that they have "at least one man on the premises who knows what he's doing."

Other proposed new laws would:

Require every product to carry the name and address of the original manufacturer even if the label displays the brand of another distributor.

Require small food processors to carry insurance covering the costs of a recall.

Give Federal agencies the power to order recalls and the resources to carry them out.

Require a food processor to notify the appropriate regulatory agency when it discovers a problem with its product.

The proposed legislation has emanated principally in hearings held by Representative Paul G. Rogers, the Florida Democrat who heads the House Subcommittee on Public Health.

Several changes not requiring new laws are under way in the F.D.A. One is called "self-certification." It involves sending questionnaires to industries, asking them certain important facts about their equipment and procedures. From the written answers, the F.D.A. hopes to be able to determine whether a plant's products can be considered safe or not.

Another new strategy is to retrain many inspectors so that instead of inspecting the premises for dirt and insects and other obvious signs of contamination, the inspector will examine the concern's programs and equipment for preventing such problems.

The following excerpts are from the FDA papers of July through September of 1971. These lists reveal that while the public focuses its attention on spectacular incidents of food contamination, diligent food inspectors routinely uncover food containing filth and contaminants. However, one must not be misled by these seizure actions. They represent the discovery of only a small fraction of the total of unwholesome foods being produced:

JULY–AUGUST 1971

Seizure actions charging violation of the Federal Food, Drug, and Cosmetic Act and the Federal Hazardous Substances Act are published when they are reported by the FDA District Office.

A total of 76 actions to remove from the consumer market products charged to be violative were reported in May. These included 53 seizures of foods; 28 involved charges concerning poisonous and deleterious substances, 22 involved charges concerning contamination, and 3 involved charges concerning economic and labeling violations. Other seizures included 2 of food additives, 1 of vitamins and dietary food, 15 of drugs (including 6 of veterinary and medicated feed), 1 of devices, and 4 of hazardous substances.

Product, place and date seized	Manufacturer (M), packer (P), shipper (S), dealer (D)	Charges
Food/poisonous and deleterious substances:		
Bass, white, fresh/Detroit, Mich., May 14, 1971	Sandusky Fisheries, Inc./Sandusky, Ohio (S)	Contains excessive mercury.
Bonito/New Bedford, Mass., May 27, 1971	Woodfield Fish and Oyster Co./Galesville, Md. (P)	Do.
Celery, fresh/Buffalo, N.Y., Aug. 6, 1971	Fancee Farms/Sarasota, Fla. (grower, S)	Contains residues of parathion and toxaphene, pesticide chemicals in excess of tolerance.
Cottonseed, whole/Paramount, Calif., May 18, 1971	Western Consumers Feed Co./Paramount, Calif. (D)	Contains aflatoxin, a poisonous substance, which may render it injurious to health.
Calipatria, Calif., Feb. 9, 1971	Producers Cotton Oil Co./Calipatria, Calif. (D)	Do.
Eatwell Bonito chunks/Milwaukee, Wis., May 7, 1971	Star-Kist Foods, Inc./Terminal Island, Calif. (distributor, S)	Contain excessive mercury.
Egg noodles/Toledo, Ohio, Apr. 27, 1971	Viviano Macaroni Co./Carnegie, Pa. (M,S)	Contain Salmonella micro-organisms.
Marlin, frozen, black/Honolulu, Hawaii, May 11, 1971	Imported from Japan	Contains excessive mercury.
Meat and bone meal/Horsey, Va., May 26, 1971	Keystone Rendering Co., Inc./Philadelphia, Pa. (M,S)	Contains Salmonella micro-organisms.
Pepper, black, whole/S. San Francisco, Calif., Mar. 30, 1971	Imported from Brazil	Do.
Snapper fillets, red, frozen, Geisha brand/Milwaukee, Wis., Apr. 30, 1971.	Imported from Taiwan	Contain excessive mercury.
Swordfish/Los Angeles, Calif., Apr. 7, 1971	Caught in the waters of the Pacific Ocean, outside the territorial limits of the State of California (S unknown).	Do.
Los Angeles, Calif., Mar. 29, 1971	do	Do.
Chunks, unlabeled/San Pedro, Calif., Apr. 30, 1971	do	Do.
San Pedro, Calif., Apr. 29, 1971	do	Do.
San Diego, Calif., Apr. 14, 1971	do	Do.
San Diego, Calif., May 13,1971	do	Do.
San Diego, Calif., Apr. 14, 1971	do	Do.
San Diego, Calif., Apr. 14, 1971	do	Do.
Wilmington, Calif., Apr. 29, 1971	do	Do.
Frozen, whole/San Pedro, Calif., Apr. 30, 1971	do	Do.
Whole and chunks/Santa Barbara, Calif., May 4, 1971	do	Do.
Santa Barbara, Calif., May 7, 1971	do	Do.
Tampa, Fla., Mar. 17, 1971	Pocasset Food Sales, Inc./Cranston, R.I. (S)	Do.
Cranston, R.I., Mar. 2, 1971	Imported	Do.
Boston, Mass., May 4, 1971	do	Do.
Brooklyn, N.Y., May 11, 1971	do	Do.
Newport Beach, Calif., Mar. 31, 1971	Caught in the waters of the Pacific Ocean outside the territorial limits of the State of California (S unknown).	Do.
Contamination, spoilage, insanitary handling:		
Alaska peas, California pink beans Santurce, P.R., May 26, 1971	Caribe Warehouse Corp./Santurce, P.R. (D)	Held under insanity conditions; bird and rodent contaminated.
Beanland's Best pinto beans/San Francisco, Calif., May 3, 1971	R. J. Whitman Sales Co./San Francisco, Calif., (D)	Do.
Buttermilk powder/New Orleans, La., May 11 and 13, 1971	Joseph Jurisich Transfer & Storage, Inc./New Orleans, La., (D)	Do.
Cane sugar/Erie, Pa., May 26, 1971	Nickel Plate Mills, Inc./Erie, Pa., (D)	Do.
Cheddar cheese/Pocatello, Idaho, April 22, 1971	Hi-Land Dairyman's Association/Richmond, Utah (M,S) shipped from Murray, Utah.	Rodent contaminated; made from filthy milk.
Crabmeat, canned/Somerville, Mass., March 31, 1971	Imported from Japan, Nozaki Associates, Inc./New York, N.Y. (S)	Contains crab hairs (setae).
Flour/Liberal, Kans., April 14, 1971	Ideal Stores Co./Liberal, Kans. (D)	Held under insanitary conditions; rodent contaminated.
Hattiesburg, Miss., May 5, 1971	Shelby Wholesale Co./Hattiesburg, Miss. (D)	Do.
Garlic butterfly crisps/St. Paul, Minn., April 15, 1971	Admiral Merchants Motor Freight ,Inc./St. Paul, Minn. (D)	Held under insanitary conditions.
Ginger, split/Brooklyn, N.Y., May 28, 1971	Gel Spice, Inc./Brooklyn, N.Y. (D)	Partly moldy and decomposed.
Jelly bird eggs/Erie, Pa., Mar. 24, 1971	Farley Candy Co./Skokie, Ill. (M,S)	Contain wood chips.
Peaches, canned/Nashville, Tenn., Apr. 2, 1971	Cherokee Products Co./Haddock, Ga. (P,S)	Have a phenolic or disinfectant-like taste and odor.
Peanuts, Spanish/Beaverton, Oreg. Apr. 12, 1971	Earl Fruit Co./Di Giorgio, Calif. (S)	Rodent contaminated.
Pecans/New York, N.Y., Apr. 9, 1971	Nut Tree Pecan Co./Albany, Ga. (P,S)	Packed under insanitary conditions; E. coll.
Shelled/St. Louis, Mo., May 5, 1971	Dasher Pecan Co./Valdosta, Ga. (P,S)	Prepared and packed under insanitary conditions; E. coll.
Piqua, Ohio, Apr. 13, 1971	do	Do."
Grand Rapids, Mich., May 5, 1971	do	Do."
Pickles/Bronx, N.Y., Mar. 24, 1971	Merchants Food Distributing Coop./Bronx, N.Y. (D)	Held under insanitary conditions; contained decomposed pickles.

Product, place and date seized	Manufacturer (M), packer (P), shipper (S), dealer (D)	Charges
Contamination, spoilage, insanitary handling—Con.		
Rice/Santurce, P.R., May 26, 1971	Caribe Warehouse Corp./Santurce, P.R. (D)	Held under insanitary conditions; rodent contaminated.
Mobile, Ala., Apr. 20, 1971	Alabama State Docks/Mobile, Ala. (D)	Partly decomposed and moldy; fire damaged; coniatns glass particles.
Saimin (oriental type alimentary paste product), Chow Funn (wheat)/Los Angeles, Calif., Apr. 28, 1971.	Modern Macaroni Co., LTD/Honolulu, Hawaii (M)	Prepared and packed under insanitary conditions; insect and rodent contaminated.
Walnut pieces/Suffolk, Va., May 12, 1971	Continental Nut Co./Chico, Calif. (P,S)	Prepared and packed under insanitary conditions; insect contaminated.

SEPTEMBER 1971

Seizure actions charging violation of the Federal Food, Drug, and Cosmetic Act and the Federal Hazardous Substances Act are published when they are reported by the FDA District Office.

A total of 72 actions to remove from the consumer market products charged to be violative were reported in June/July. These included 31 seizures of foods: 4 involved charges concerning poisonous and deleterious substances, 15 involved charges concerning contamination, and 12 involved charges concerning economic and labeling violations. Other seizures included 4 of food additives, 1 of vitamins and dietary food, 22 of drugs (including 14 of veterinary and medicated feed), 1 of medical devices, 2 of prophylactics, and 11 of hazardous substances.

Product, place and date seized	Manufacturer (M), packer (P), shipper (S), dealer (D)	Charges
FOOD/POISONOUS AND DELETERIOUS SUBSTANCES		
Cottonseed, whole/Santa Fe Springs, Calif. Feb. 18, 1971	Parker Valley Gin Co/Parker, Ariz. (M, S)	Contains aflatoxin, a highly toxic contaminant for which there is no tolerance.
Iams Plus dog food/Chicago, Ill., May 19, 1971	Iam's Food Co./Dayton, Ohio (M, S)	Contains Salmonella micro-organisms.
Swordfish/Gloucester, Mass., Mar. 16, 1971	Danland Seafood Corp./New York, N.Y. (P)	Contains excessive mercury.
Williams Pear Brandy/Union, N.J., May 13, 1970	H C Konig/Steinhagen, Germany (S) Sutterer & Cie/ West Germany (M).	Contaminated with methanol.
CONTAMINATION, SPOILAGE, INSANITARY HANDLING		
Cocoa beans/Philadelphia, Pa., May 14, 1971	Tacony Industrial Storage Co./Philadelphia, Pa. (D)	Moldy, insect-damaged, and decomposed cocoa beans.
Eggs, whole, frozen/Roxbury, Mass., June 9, 1971	Easy Egg Co./Whitesboro, N.Y. (P, S)	Decomposed.
Field peas w/snaps/Nashville, Tenn., June 3, 1971	Miss America Foods, Inc./Cullman, Ala. (P, S)	Off flavor, similar to kerosene.
Filberts, shelled, peanuts, shelled, choclate-covered peanuts/Cambridge, Mass., May 26, 1971.	New England Confectionery Co./Cambridge, Mass. (D)	Rodent infested.
Flour, beans/Bedford Heights, Ohio, June 17, 1971	American Seaway Foods, Inc./Bedford Heights, Ohio (D)	Held under insanitary conditions; rodent contaminated.
Peanuts/Brooklyn, N.Y., June 25, 1971	Havmor Food Products/Brooklyn, N.Y. (D)	Do.
Peas, black-eyed, flour, peanuts/Shreveport, La., June 21, 1971	Simonton Grain Co., Inc./Shreveport, La. (D)	Do.
Pecan(s), shelled/Boston, Mass., May 26, 1971	Dasher Pecan Co./Valdosta, Ga. (S)	E. coli in finished product.
Pieces, shelled/South Bend, Ind., May 17, 1971	Dasher Pecan Co./Valdosta, Ga. (P, S)	Prepared and packed under insanitary conditions, E. coli.
Pistachio nuts/Terra Bella, Calif., July 13, 1971	Kerman Pistachio of California/Terra Bella, Calif. (D)	Held under insanitary conditions.
Potato flakes/Houston, Tex., Apr. 16, 1971	Houston Central Warehouse & Cold Storage/Houston, Tex. (D)	Do.
Potatoes, prepared, frozen/Kansas City, Kans., Mar. 30, 1971	Chef Reddy Foods, Inc./Othello, Wash (M, S)	Prepared and packed under insanitary conditions.
Salmon, pink, whole, frozen/Seattle, Wash., May 24, 1971	B. & B. Fisheries/Kodiak, Alaska (P, S)	Partly decomposed.
Turbinado sugar, Kleenraw sugar/Tulsa, Okla., May 25, 1971	Akin Distributors, Inc./Tulsa, Okal. (D)	Held under insanitary conditions; rodent contaminated.
Wheat, bulk/Morristown, S. Dak., June 30, 1971	Morristown Grain Co./Morristown, S. Dak. (D)	Held under insanitary conditions; rodent contaminated; and insect contaminated.

REPORT TO THE PEOPLE OF THE EIGHTH CONGRESSIONAL DISTRICT OF WISCONSIN—XXV

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

Mr. BYRNES of Wisconsin. Mr. Speaker, I am pleased to submit my 25th annual report to the people of the Eighth Congressional District of Wisconsin on my voting and attendance record in the House of Representatives.

The furnishing of this report continues a practice I began in 1947. The purpose of these reports is to collect in one place and in concise form information which is scattered through thousands of pages of the CONGRESSIONAL RECORD. I do not believe my constituents should be deprived, through the sheer difficulty of getting the facts, of knowing how I voted on the issues and I believe it is my responsibility to furnish such information to them in the form of a voting record.

The descriptions of the bills and amendments or motions in the report were prepared by the Congressional Research Service of the Library of Congress and are used for identification purposes only. No attempt is made to describe the legislation completely or to elaborate upon the issues involved. This word of caution is advisable in view of the fact that the descriptions used are often taken from the titles of the bills, which, unfortunately, do not always reflect the nature or true purpose of the legislation. Upon request, I will be pleased to furnish more complete information concerning any particular bill as well as a summary of the issues involved and the reasons for my vote.

The 25 consecutive reports I have issued show how I voted on 3,892 questions in the House of Representatives. Based on quorum calls and record votes, they also show an attendance record of 91.4 percent. In addition to the votes shown in this report, there were 151 quorum calls in the House which are omitted to conserve space. This accounts for the nonconsecutive number of rollcalls. I was absent for 17 quorum calls and I was present for 134 quorum calls.

VOTING RECORD OF JOHN W. BYRNES OF THE EIGHTH CONGRESSIONAL DISTRICT OF WISCONSIN

Roll-call No.	Date	Measure, question, and result	Vote
2	Jan. 21	Election of the Speaker of the House of Representatives (Albert, 250, Ford, 176).	Ford.
7	Jan. 22	H. Res. 5: amending the Rules of the House (1) to make the Select Committee on Small Business a permanent select committee; (2) to permit the Speaker to bring a bill to the floor if the Committee on Rules fails to grant it a rule within 21 days of its being reported by a legislative committee; (3) to provide that committees shall adopt rules which shall be binding on their subcommittees; (4) to provide that each Member of a committee shall have the opportunity to interrogate witnesses under the 5-minute rule; (5) to provide, in lieu of the requirement in the Legislative Reorganization Act of 1970 that the minority shall be alloted one-third of a committee's investigative funds, that the minority shall be given fair consideration in the appointment of committee staff; (6) to provide that the Resident Commissioner of Puerto Rico shall have the same powers and privileges and be elected to standing committees in the same manner as other Members of the House; and (7) to provide that the Delegate from the District of Columbia shall serve on the Committee on the District of Columbia and shall have the same powers and privileges and be elected to standing committees in the same manner as other Members of the House. Colmer motion to order the previous question. (Failed, 134 to 254).	Nay.

Roll-call No.	Date	Measure, question, and result	Vote
8	Jan. 22	H. Res. 5: Sisk motion to order the previous question on amendment to delete provisions for a modified 21-day rule. (Agreed to 213 to 174).	Nay.
9	Jan. 22	H. Res. 5: Agreeing to Sisk amendment. (Agreed to, 234 to 153).	Yea.
10	Jan. 22	H. Res. 5: On passage. (Passed, 226 to 156; "present" 1).	Yea.
13	Feb. 4	H. Res. 193: providing for election of Democratic Members to Standing Committees of the House. Mills motion to order the previous question. (Agreed to, 258 to 32; "present" 42).	Present.
14	Mar. 2	H. Res. 264: authorizing the Internal Security Committee to release to a Federal court certain House documents and information and the testimony or depositions of certain House employees. Agreeing to resolution. (Agreed to 292 to 63).	Yea.
16	Mar. 3	H.R. 4690: increasing the ceiling on the national debt to $430 billion from $395 billion. On passage. (Passed 228 to 162). [Note: see roll call 030].	Yea.
18	Mar. 10	H.R. 4246: extending through March 31, 1973, discretionary Presidential authority to impose a freeze on wages and prices and the existing ceiling on interest rates paid by lending institutions. On passage. (Passed, 382 to 19).	Yea.
19	Mar. 10	H.R. 5432: extending the interest equalization tax through March 31, 1973. On passage. (Passed, 393 to 5).	Yea.
20	Mar. 16	H.R. 4690: raising national debt limit to $430 billion and providing a 10-percent across-the-board increase in benefits to Social Security recipients; a $70.40 minimum monthly payment; a 5-percent increase in special benefits to those 72 and over not insured for regular benefits; an increase in the tax rate to 5.15 percent beginning in 1976; and an increase in the taxable wage base to $9,000 effective 1972. Agreeing to conference report. (Agreed to, 360 to 3; "present" 1).	Yea.
21	Mar. 16	H.J. Res. 465: appropriating $50,675,000 for unemployment compensation for federal workers and former servicemen. On passage. (Passed, 355 to 0).	Yea.
25	Mar. 18	H.J. Res. 468: Yates amendment deleting $134 million for the development of the supersonic transport from the fiscal 1971 Department of Transportation Appropriations Act. Reconsidering previous teller vote [see rollcall 031]. (Agreed to, 216 to 203; "present" 1).	Yea.
27	Mar. 23	S.J. Res. 7: amending the Constitution of the U.S. to extend the right to vote to citizens 18 years of age and older in federal, state and local elections. On passage. (Passed, 401 to 19; ⅔ vote required).	Yea.
28	Mar. 24	H. Res. 339: providing for consideration of H.R. 7, Rural Telephone Bank Act. Agreeing to resolution. (Agreed to, 366 to 26).	Yea.
9	Mar. 24	H.R. 7: establishing a Rural Telephone Bank of mixed ownership, with federal and private capital, and authorizing supplemental financing for rural telephone systems. On passage. (Passed, 269 to 127).	Yea.
30	Mar. 3	H.R. 4690: Patman amendment striking section giving the Treasury Department authority to issue $10 billion in Federal bonds without regard to the statutory interest ceiling of 4.25 percent. [Teller vote]. (Rejected, 181 to 212).	Nay.
31	Mar. 18	H.J. Res. 468: Yates amendment deleting $134 million for the development of the supersonic transport from the fiscal 1971 Department of Transportation Appropriations Act. [Teller vote]. (Agreed to, 217 to 204).	Yea.
32	Mar. 29	H. Res. 349: providing for consideration of S.J. Res. 55, Wage and Price Control Extension Act. Agreeing to resolution under suspension of the rules. (Agreed to, 324 to 6; ⅔ vote required).	Yea.
34	Mar. 29	S.J. Res. 55: Reuss amendment requiring the President to implement wage and price controls on a basis sufficiently broad to facilitate substantial cost-of-living stabilization, i.e., to prohibit the President from applying such controls to only one industry. [Teller vote]. (Rejected, 143 to 183).	NV.[1]
37	Mar. 31	H.R. 6531: Harrington amendment to Draft Extension Act repealing the President's authority to induct men into the armed forces effective July 1, 1971. [Teller vote]. (Rejected, 62 to 331).	Nay.
38	Mar. 31	H.R. 6531: Whalen amendment extending the draft for one year instead of two. [Teller vote]. (Rejected, 198 to 200).	Nay.
41	Apr. 1	H.R. 6531: Dennis amendment continuing two-year terms for conscientious objector alternate civilian service instead of three and deleting provisions requiring automatic induction of conscientious objectors doing unsatisfactory alternate service. [Teller vote]. (Rejected, 132 to 242).	NV.[1]
42	Apr. 1	H.R. 6531: Fraser amendment prohibiting involuntary assignment of American servicemen to Indochina after December 31, 1971, and the involuntary extension of duty of those serving in Indochina after that date. [Teller vote]. (Rejected, 122 to 260).	NV.[1]
43	Apr. 1	H.R. 6531: Gibbons amendment prohibiting use of draftees in any war unless declared by Congress or if an attack against the United States was imminent as announced by the President. [Teller vote]. (Rejected, 97 to 279).	NV.[1]
44	Apr. 1	H.R. 6531: Carney amendment extending the draft 18 months instead of 24 months. [Teller vote]. (Rejected, 170 to 200; "present" 1).	Nv.[1]
45	Apr. 1	H.R. 6531: On passage. (Passed, 293 to 99; "present" 2).	NV.[2]
48	Apr. 6	H. Res. 356: providing for consideration of H.R. 5981, authorizing Secretary of Agriculture to establish feed grain bases for certain sugar beet growers. Agreeing to resolution. (Agreed to, 182 to 177).	Nay.
50	Apr. 6	H.R. 5981: Findley motion to strike the enacting clause, thus killing the bill. [Teller vote]. (Agreed to, 193 to 115).	Yea.
52	Apr. 7	A.R. 7016: Hathaway amendment to the Office of Education Appropriations bill of $4.8 billion, fiscal 1972, adding $728.6 million for education programs. [Teller vote]. (Rejected, 187 to 191).	Nay.
53	Apr. 7	H.R. 7016: Conte amendment deleting section forbidding forced busing of school children. [Teller vote]. (Rejected, 149 to 206).	Nay.
54	Apr. 7	H.R. 7016: On passage. (Passed, 355 to 7).	Yea.
55	Apr. 19	H.R. 1535: permitting aliens who are over 50 years old and who have lived in the United States for a total of 20 years to become U.S. citizens even if they cannot demonstrate an understanding of the English language. On passage. (Passed, 192 to 84).	Nay.
58	Apr. 20	H.R. 4724: authorizing $507,650,000 in fiscal 1972 appropriations for maritime programs, including subsidies for construction of 22 merchant ships, On passage. (Passed, 360 to 11).	Yea.
66	Apr. 22	H.R. 5376: Devine motion recommitting to the Public Works Committee the Public Works Acceleration and Appalachian Regional Development Extensions (authorizing $5,490,300,000 through fiscal 1978) with instructions to report back deleting Title I provisions extending the Public Works Acceleration Act. (Failed, 128 to 262).	Yea.
67	Apr. 22	H.R. 5376: On passage. (Passed, 320 to 67).	Nay.
69	Apr. 27	H.R. 2598: Mikva motion recommitting the bill establishing by law a canine corps in the District of Columbia police department. (Failed, 76 to 303).	NV.[1]
70	Apr. 27	H.R. 6417: permitting the District of Columbia to buy back liquor licenses sold to merchants. On passage. (Failed, 178 to 200).	NV.[2]
72	Apr. 28	H.R. 5066: providing for a 10-percent increase in railroad retirement annuities. On passage. (Passed, 379 to 0).	Yea.
74	Apr. 29	H. Res. 274: Hays amendment, to committee amendment, increasing investigative funds for the House Internal Security Committee (HISC) for 1971 to $570,000 from $450,000. (Agreed to, 257 to 129).	Yea.
75	Apr. 29	H. Res. 274: Edwards motion recommitting the resolution to House Administration Committee with instructions to hold public hearings on the necessity for HISC funding. (Failed, 104 to 275).	Nay.
76	Apr. 29	H. Res. 274: Agreeing to resolution. (Agreed to, 300 to 75).	Yea.
78	May 3	H.R. 6283: extending for two years the President's authority to submit plans for reorganizing executive branch agencies. On passage. (Passed, 301 to 20).	NV.[2]
79	May 4	S. 531: authorizing the U.S. Postal Service to receive a fee of $2 for execution of an application for a passport. On passage. (Passed, 241 to 124).	Yea.
80	May 5	H. Res. 422: extending best wishes to former President Harry S. Truman on 87th Birthday. Agreeing to resolution. (Agreed to, 380 to 0).	Yea.
81	May 5	H. Res. 423: providing for consideration of H.R. 4604, raising the ceiling on Small Business Act (SBA) business loans to $3.1 billion from $2.2 billion, and continuing five SBA programs through fiscal 1972. Agreeing to resolution. (Agreed to, 381 to 0).	Yea.
82	May 5	H.R. 4604: On passage. (Passed, 383 to 0).	Yea.
84	May 6	H. Res. 412: authorizing additional foreign travel authority for four subcommittees of the Education and Labor Committee. Agreeing to resolution. (Rejected, 156 to 172).	Nay.
85	May 10	H.R. 5638: extending existing penalties for assaults on police officers to assaults on firemen, and providing criminal penalties for interfering with firemen in the performance of their duties. On passage. (Passed, 312 to 0).	Yea.
87	May 11	H.R. 8190: Giaimo amendment to Second Supplemental Appropriations Act, fiscal 1971, restoring $34,178,000 in fiscal 1971 funds for the District of Columbia's share of costs of metropolitan Washington rapid transit system. [Teller vote]. (Rejected, 170 to 219).	Nay.
89	May 12	H.R. 8190: Boland amendment providing that $85.3 million authorized for termination of the supersonic transport (SST) project be used for continued construction of two prototypes. [Teller vote]. (Agreed to, 201 to 195; "present" 2).	Nay.
90	May 12	H.R. 8190: Boland amendment (above). (Agreed to, 201 to 197; "present" 6).	Nay.
91	May 17	H.R. 7271: authorizing an increase to $4 million from $3.4 million in appropriations for U.S. Commission on Civil Rights. Passage under suspension of the rules. (Passed, 262 to 67; ⅔ vote required).	Yea.
92	May 17	H.R. 5257: authorizing the Secretary of Agriculture to transfer up to $50 million during fiscal 1971 and up to $100 million during fiscal 1972 in additional money for free and reduced-price school lunch programs for needy children. Passage under suspension of the rules. (Passed, 332 to 0; ⅔ vote required).	Yea.
93	May 17	H.R. 56: establishing an environmental data system. Passage under suspension of the rules. (Passed 304 to 18; ⅔ vote required).	NV.[2]
94	May 17	H.R. 5060: providing criminal penalties for shooting wildlife from aircraft. Passed under suspension of the rules. (Passed, 307 to 8; ⅔ vote required).	Yea.
95	May 17	H.R. 2587: establishing a National Advisory Committee on the Oceans and Atmosphere. Passed under suspension of the rules. (Passed, 293 to 10; ⅔ vote required).	NV.[2]
98	May 18	H. Res. 437: Madden motion to order the previous question on the rule for H.R. 3613, the Emergency Public Service Employment Act. (Failed, 182–210).	Nay.
99	May 18	H. Res. 437: Smith amendment to rule, making text of H.R. 8141 (the Administration's manpower revenue-sharing plan) in order as a substitute bill for the committee version of H.R. 3613. (Agreed to, 210 to 177).	Yea.
100	May 18	H. Res. 437: adoption of rule for consideration of H.R. 3613. (Agreed to, 349 to 34).	Yea.
102	May 18	S.J. Res. 100: providing for third reading of the resolution providing a 13.5 percent pay increase for signalmen and extending the period of negotiations for prohibiting a further rail strike until October 1, 1971. (Agreed to, 264 to 93).	Yea.
104	May 20	H.R. 8190: appropriating $7,028,195,973 in the Second Supplemental Appropriations Act, fiscal 1971. Agreeing to conference report. (Agreed to, 264 to 28).	Yea.
105	May 20	H.R. 8190: Mahon motion providing that the House agree to Senate amendment authorizing $155.8 million for termination of the supersonic transport project. (Failed, 118 to 156).	Yea.
106	May 24	H. Res. 415: authorizing trips, by committee members and staff members of the House Post Office and Civil Service Committee, to Europe and the Far East to conduct studies within the committee's jurisdiction. (Agreed to, 201 to 88).	Yea.
108	May 25	H. Res. 411: disapproving the President's proposed executive reorganization plan to merge the Peace Corps, VISTA and other volunteer organizations. Agreeing to resolution. (Failed, 131 to 242). [Veto resolution defeated, thus merger endorsed.]	Nay.
110	May 26	H. Res. 155: creating a select committee to investigate energy resources in the United States. Agreeing to resolution. (Failed, 128 to 218.)	Nay.

Footnotes at end of table.

VOTING RECORD OF JOHN W. BYRNES OF THE EIGHTH CONGRESSIONAL DISTRICT OF WISCONSIN—Continued

Roll-call No.	Date	Measure, question, and result	Vote
113	June 2	H.R. 3613: Esch amendment substituting H.R. 8141, the Administration's Manpower Revenue-Sharing Act. [Teller vote]. (Rejected, 182 to 204.)	Yea.
114	June 2	H.R. 3613: Esch motion recommitting the bill to the House Education and Labor Committee with instructions to report back the substitute bill, H.R. 8141. (Failed, 184 to 202; "present" 1.)	Yes.
115	June 2	H.R. 3613: On passage. (Passed, 245 to 141)	Nay.
116	June 3	H. Res. 452: providing for consideration of H.R. 7960, National Science Foundation Authorization Act, fiscal 1972. Agreeing to resolution. (Agreed to, 357 to 4.)	Yea.
117	June 3	H.R. 7109: authorizing $3,433,080,000 in appropriations for the National Aeronautics and Space Administration for fiscal 1972. On passage. (Passed, 303 to 64.)	Yea.
119	June 4	H.R. 8825: providing $449,899,605 in appropriations for Legislative Branch operations, not including Senate expenses, in fiscal 1972. On passage (Passed, 259 to 26.)	Yea.
120	June 7	H.R. 8011: extending authority for government procurement of articles produced by the blind to articles produced by other handicapped persons. Passage under suspension of the rules. (Passed, 309 to 0; ⅔ vote required.)	Yea.
121	June 7	H.R. 1161: removing certain restrictions against domestic wine producers to permit American producers to display wines at international trade fairs. Passage under suspension of rules. (Passed, 298 to 13; ⅔ vote required.)	Yea.
122	June 7	H.R. 7960: authorizing $622 million in appropriations for the National Science Foundation in fiscal 1972. On passage. (Passed, 319 to 8.)	Yea.
124	June 8	H. Res. 465: providing for consideration of H.R. 8293, extending the International Coffee Agreement Act of 1968 through September 30, 1973. Agreeing to resolution. (Agreed to, 336 to 41.)	Yea.
126	June 9	H.J. Res. 617: Gross motion recommitting the resolution (authorizing a contribution to certain inhabitants of the Pacific Trust who suffered damages from World War II; providing for the payment of noncombat claims prior to July 1, 1951; and establishing a Micronesian Claims Commission) to committee with instructions to add an amendment urging a $5 million cash payment from Japan in lieu of $5 million in goods and services. (Failed, 166 to 215.)	NV.[1]
127	June 9	H.J. Res. 617: On passage. (Passed, 225 to 158.)	NV.[1]
129	June 10	H. Res. 471: providing for the consideration of H.R. 8866, extending through December 1974, the Sugar Act, and modifying quotas for foreign and domestic sugar producers. Delaney motion ordering the previous question providing for closed rule for consideration of the bill. (Agreed to, 213 to 166.)	Yea.
130	June 10	H.R. 8866: On passage. (Passed, 229 to 128.)	Yea.
131	June 14	H.R. 8794: providing for payment of the costs of medical care for D.C. police and firemen and members of the U.S. Secret Service who were totally disabled in the course of duty. On passage. (Passed, 311 to.)	Yea.
134	June 15	S. 575: authorizing $5,661,500,000 for extending the Public Works Acceleration Act of 1962, the Public Works and Economic Development Act of 1965 and the Appalachian Regional Development Act of 1965. Agreeing to conference report. (Agreed to, 275 to 104.)	Nay.
137	June 16	H.R. 8687: Leggett amendment to Defense Procurement Authorization Act, fiscal 1972 (authorizing $21 billion for procurement and research of military weapons systems); limiting ABM funding to that needed for completion of sites at Grand Forks, North Dakota and Malstrom, Montana; and cutting funds by $102 million. [Teller vote.] (Rejected, 129 to 267.)	Nay.
138	June 16	H.R. 8687: Pike amendment striking $370.2 million for the B–1 long-range bomber. [Teller vote.] (Rejected, 97–307.)	Nay.
139	June 16	H.R. 8687: Stafford modification of Pike amendment (which reduced research and development [R&D] funds by $900 million, to level of appropriation in fiscal 1971) reducing R&D funds by $506,632,000. [Teller vote.] (Rejected, 135 to 258.)	Nay.
140	June 16	H.R. 8687: Aspin amendment limiting total procurement and R&D authorization to fiscal 1971 appropriated level. [Teller vote]. (Rejected, 118 to 278.)	Nay.
141	June 17	H.R. 8687: McCloskey motion adjouring on the grounds that more information needed on Indochina war. (Failed, 30 to 368).	Nay.
142	June 17	H.R. 7016: Flood motion tabling Hathaway motion instructing House conferees to accept Senate version of Office of Education Appropriations bill, fiscal 1972. (Agreed to, 228 to 182).	Yea.
143	June 17	H.R. 8687: Mink substitute for pending Nedzi-Whalen amendment (below) requiring complete cutoff of funds for military activities in Indochina after December 31, 1971. [Teller vote]. (Rejected, 81 to 327).	Nay.
144	June 17	H.R.8687: Nedzi-Whalen amendment barring funds provided in the bill for military activities in Indochina after December 31, 1971, giving the President the right to change the fund cutoff date if he could gain support of Congress. [Teller vote]. (Rejected, 158 to 255).	Nay.
145	June 17	H.R. 8687: Pepper amendment cutting off funds for military activity in Indochina after June 1, 1972, provided that all POW's had been released at least 60 days prior to that date. [Teller vote]. (Rejected, 147 to 237).	Nay.
146	June 17	H.R. 8687: On passage. (Passed, 331 to 58)	Yea
147	June 18	H. Res. 434: authorizing additional foreign travel for members of four subcommittees of the House Education and Labor Committee and attendance by two members of each party at the International Labor Organization Conference in Geneva, Switzerland. Agreeing to the resolution. (Agreed to, 183 to 119).	NV.[1]
148	June 18	H.R. 7736: extending for one year student loan and scholarship provisions of Titles VII and VIII of the Public Health Service Act. On passage. (Passed, 299 to 0).	NV.[1]
149	June 21	H.R. 5237: implementing a provision of the Convention of Paris for the Protection of Industrial Property, as revised at Stockholm, Sweden. On passage. (Passed, 340 to 8).	Yea.
150	June 21	S. 1538: providing additional funds for the American Bicentennial Commission. Passage under suspension of the rules. (Passed, (Passed, 336 to 24; 2/3 vote required).	Yea.
151	June 21	H.R. 3146: authorizing the Secretary of Agriculture to cooperate with states in the enforcement of laws and regulations within the National Forest System. Passage under suspension of the rules. (Passed, 361 to 2; 2/3 vote required).	Yea.
152	June 21	H. Res. 487: Young motion ending further debate on and barring amendments to the rule under which H.R. 1, increasing Social Security benefits and Medicare and Medicaid assistance programs, was considered. (Agreed to, 200 to 172).	Yea.
156	June 22	H.R. 1: Ullman motion to delete Title IV, the Family Assistance Plan provisions from H.R. 1. [Teller vote]. (Failed, 187 to 234).	Nay.
157	June 22	H.R. 1: On passage. (Passed, 288 to 132)	Yea.
159	June 23	H.R. 9270: Conte amendment to Agriculture Department Environment and Consumer Appropriations, fiscal 1972, setting a $20,000 limitation on subsidy payments for farm products except for sugar and wool. [Teller vote]. (Agreed to, 214 to 198).	Nay.
160	June 23	H.R. 9270: Reuss amendment prohibiting funding for any stream channelization project administered by the Secretary of Agriculture unless the project was under way before July 1, 1971. [Teller vote]. (Rejected, 129 to 278).	Nay.
161	June 23	H.R. 9270: Michel amendment barring food stamps to households which need assistance solely because a member is taking part in a labor strike. [Teller vote]. (Rejected, 172 to 225).	Yea.
163	June 24	H.R. 9272: Yates amendment to State, Justice, Commerce Appropriations of $3,684,183,000, fiscal 1972, adding $11,600,749 for dues owed the International Labor Organization. [Teller vote]. (Rejected, 147 to 227).	Nay.
164	June 24	H.R. 9272: Gonzalez amendment cutting $4,250,000 from Appropriations Committee recommendation for the Community Relations Service. [Teller vote]. (Rejected, 127 to 233).	Nay.
165	June 24	H.R. 9272: On passage. (Passed, 337 to 10)	Yea.
167	June 28	H.R. 6531: Hebert motion to Draft Extension Act to table Whalen motion instructing House conferees to accept Senate's Mansfield amendment declaring it U.S. policy to withdraw all troops from Indochina within 9 months of enactment. (Agreed to, 219 to 175).	Yea.
169	June 28	H.R. 9271: appropriating $4,487,676,190 for the Treasury-Postal Service Appropriations, fiscal 1972. On passage. (Passed, 380 to 6).	Yea.
171	June 29	H.R.9417: appropriating $2,350,145,035 in fiscal 1972 for activities of the Interior Department and related agencies. On passage. (Passed, 400 to 5).	Yea.
172	June 30	H. Res. 489: Hebert motion tabling Abzug resolution requesting the President to furnish the text of the Defense Department's secret Vietnam study, covering the years 1945–67, to the House. (Agreed to, 273 to 112)	Yea.
173	June 30	H.R. 7016: appropriating $5,146,311,000 for the Office of Education and related special agencies in fiscal 1972. Agreeing to conference report. (Agreed to, 376 to 15)	Yea.
174	June 30	H.R. 9382: Clawson amendment to Department of Housing and Urban development, NASA, VA and Independent Offices Appropriations of $18,115,203,000 in fiscal 1972, deleting entire $3 million in the bill for HUD counseling services. [Teller vote]. (Rejected, 164 to 217)	Yea.
175	July 1	S. 31: authorizing $2.25 billion to provide public service jobs for the unemployed at the state and local level. Agreeing to conference report. (Agreed to, 343–14)	Yea.
176	July 1	H.R. 8629: extending for three years health manpower training programs. On passage. (Passed, 343 to 3)	Yea.
177	July 1	H.R. 8630: continuing for three years programs to train nurses. On passage. (Passed, 324 to 0)	Yea.
178	July 7	H. Res. 492: Morgan motion tabling resolution of inquiry authored by Paul N. McCloskey directing the Secretary of State to give Congress documents on policy decisions governing U.S. military operations in Laos. (Agreed to, 261 to 118)	Yea
179	July 7	H.R. 8805: establishing definitions of obscene material for purposes of prohibiting delivery of such material to minors and others through the mail. On passage. (Passed, 356 to 25)	Yea.
182	July 8	H.R. 8181: Wylie amendment to Export Expansion Finance Act deleting language permitting the Export-Import Bank, to finance exports to countries that supply or aid countries in armed conflict with U.S. forces. [Teller vote]. (Agreed to, 207 to 153)	Yea.
183	July 8	H.R. 8181: Vanik amendment deleting language exempting Export-Import Bank and disbursements from the U.S. budget as well as the spending and lending limits which the budget imposed. [Teller vote]. (Rejected, 112 to 249)	Nay.
184	July 8	H.R. 9093: extending and expanding the Interior Department's water desalting program for five additional years, through June 30, 1977. On passage. (Passed, 325 to 0)	Yea.
185	July 12	H.R. 8407: authorizing the District of Columbia to enter into the Interstate Agreement on Educational Personnel. (On passage. (Passed, 325 to 4).	Yea.
187	July 13	H.R. 8699: providing an administrative assistant for the Chief Justice of the U.S. On passage. (Passed, 263 to 139).	Yea.
188	July 13	H. Res. 534: Keith motion recommitting resolution citing Dr. Frank Stanton and CBS for contempt of Congress for refusing to provide certain film edited from "The Selling of the Pentagon" to the Interstate and Foreign Commerce Investigations Subcommittee. (Agreed to, 226 to 181).	Nay.
190	July 14	H.R. 9667: Appropriating $2,733,369,997 for the Department of Transportation and related agencies for fiscal 1972. On passage. (Passed, 401 to 12).	Yea.
192	July 15	H.R. 9388: Skubitz amendment to the Atomic Energy Commission Authorization of $2,321,187,000, fiscal 1972, deleting $3.5 million for demonstration atomic waste repository project near Lyons, Kansas. [Teller vote]. (Rejected, 162 to 207).	Yea.
193	July 19	H.R. 9265: authorizing a drug treatment and rehabilitation program in the Veterans Administration. On passage. (Passed, 379 to 0).	Yea.
194	July 19	H.J. Res. 748: authorizing the Administrator of Veterans Affairs to provide assistance in the establishment of new state medical schools, and the improvement of existing VA-affiliated medical schools, and to develop cooperative agreements between VA and other institutions to train health-care personnel. On passage. (Passed, 371 to 2).	Yea.
195	July 19	S.J. Res. 111: extending for two years the existing authority for construction of the Mary McLeod Bethune Memorial in Washington, D.C. On passage. (Passed, 288 to 90).	Yea.
197	July 20	H. Res. 424: providing for consideration of H.J. Res. 3, establishing a Joint Committee on the Environment. Agreeing to resolution. (Agreed to 372 to 18).	Yea.

Footnotes at end of table.

Roll-call No.	Date	Measure question, and result	Vote
199	July 21	H. Res. 457: allowing expenditures from the contingency fund to be regulated by the House Administration Committee rather than being taken to the floor for separate votes. Agreeing to resolution. (Agreed to, 233 to 167).	Nay.
200	July 21	H.R. 4354: Schwengel motion recommitting the bill increasing bus-width limits on interstate highways to the Public Works Committee. (Failed, 178 to 213).	Nay.
202	July 22	Call of the House proceedings. Pucinski motion to dispense with further proceedings under the call of the House. (Agreed to, 371 to 5).	Yea.
203	July 22	H.R. 9844: authorizing $2,138,337,000 in appropriations for military construction and related activities in fiscal 1972. On passage. (Passed, 359 to 31).	Yea.
204	July 27	H.R. 9270: appropriating Agriculture Department-Environment and Consumer funds for fiscal 1972. Agreeing to conference report. (Agreed to, 230 to 162).	Nay.
205	July 27	H.R. 9272: Rooney motion tabling Edwards motion instructing House conferees on State, Justice, Commerce Appropriations for fiscal 1972 to accept Senate amendment barring use of Subversive Activities Control Board appropriation to carry out Executive Order 11605. (Agreed to, 246 to 141).	Yea.
207	July 27	H.R. 10061: Yates amendment to Labor-HEW appropriations of $20,461,146,000 for fiscal 1972, adding $200 million including $70 million for the National Institutes of Health; $10 million for Public Health Service hospitals; $30 million for communicable disease control; $50 million for Hill-Burton grants; $15 million for alcoholism programs; $5 million for lead-poisoning programs and $20 million for maternal and child-care grants. [Teller vote]. (Rejected, 169 to 215).	Nay.
208	July 27	H.R. 10061: Giaimo amendment adding $82.4 million for the Social and Rehabilitation Service for vocational rehabilitation programs. [Teller vote]. (Agreed to, 236 to 153).	Nay.
209	July 27	H.R. 10061: Burke amendment adding $64 million for Child Welfare Services. [Teller vote]. (Rejected, 185 to 201).	Nay.
210	July 27	H.R. 10061: On passage. (Passed, 372 to 25)	Yea.
212	July 28	H.R. 9092: Gross amendment to the Federal Pay Rate Adjustment bill, eliminating nonappropriated fund employees from coverage under the bill. [Teller vote]. (Rejected, 147 to 232).	Yea.
213	July 28	H.R. 9922: authorizing $3,992,000 through fiscal 1978 to extend the Public Works and Economic Development Act of 1965 and the Appalachian Regional Development Act of 1965. On passage. (Passed, 376 to 27).	Yea.
215	July 29	H.R. 9382: appropriating $18,339,738,000 in fiscal 1972 for Department of Housing and Urban Development, NASA, VA and Independent Offices. Agreeing to conference report. (Agreed to, 363 to 30).	Yea.
216	July 29	H.R. 9967: appropriating $8,156,105,000 for fiscal 1972 for the Department of Transportation and related agencies. Agreeing to conference report. (Agreed to, 393 to 15).	Yea.
217	July 29	H.R. 9667: McFall motion to agree to a Senate-passed amendment reported in technical disagreement by conferees paying aircraft companies $58.5 million for termination costs of the SST project. (Agreed to, 307 to 99).	Yea.
219	July 29	H.R. 10090: Mink amendment to the Public Works-AEC appropriations of $4,576,173,000, fiscal 1972, barring funds for the Project Cannikin nuclear test at Amchitka Island, Alaska. [Teller vote]. (Rejected, 108 to 275).	Nay.
220	July 29	H.R. 10090: Clark amendment deleting $100,000 for a restudy of the proposed Dickey-Lincoln School hydroelectric power project in eastern Maine. [Teller vote]. (Agreed to, 199 to 181).	Yea.
221	July 29	H.R. 10090: On passage. (Passed, 386 to 4)	Yea.
223	July 30	Procedural motion: Boggs motion to approve the the Journal. (Agreed to, 374 to 10).	Yea.
224	July 30	H. Con. Res. 384: Adjournment Resolution: Boggs resolution providing that Congress adjourn from the close of business August 6 to September 8, 1971. (Agreed to, 334 to 41).	Yea.
225	July 30	H. Res. 566: Colmer motion to order the previous question on the rule under which H.R. 8432, authorizing a federal guarantee on bank loans for failing major businesses, was considered. (Agreed to, 323 to 68).	Yea.
226	July 30	H.R. 8432: Colmer amendment limiting federal guarantee to 90 percent. [Teller vote]. (Rejected, 176 to 205).	Nay.
227	July 30	H.R. 8432: On passage. (Passed, 192 to 189)	Yea.
228	Aug. 2	H.R. 9272: appropriating $4,067,116,000 for State, Justice, Commerce Departments appropriations for fiscal 1972. Agreeing to conference report. (Agreed to, 337 to 35).	Yea.
229	Aug. 2	H. Res. 539: Collins motion discharging the Committee on Education and Labor from further consideration of resolution requiring the Secretary of Health, Education and Welfare to furnish the House with documents relating to school desegregation and busing. (Agreed to, 252 to 129).	Yea.
230	Aug. 2	H. Res. 539: Agreeing to resolution. (Agreed to, 351 to 36)	Yea.
231	Aug. 2	H.R. 3628: providing veterans preference to husbands of female veterans and making families of married female federal employees eligible for same benefits available to families of male federal employees. Passage under suspension of the rules. (Passed, 377 to 11, ⅔ vote required).	Nay.
232	Aug. 2	H. Con. Res. 370: declaring it the sense of Congress that all Public Health Service hospitals, clinics and research centers located in Lexington, Ky., and Fort Worth, Texas, remain open and within the Public Health Service through fiscal 1972. Agreeing to resolution under suspension of the rules. (Agreed to, 370 to 4; ⅔ vote required).	Nay.
233	Aug. 2	H.J. Res. 829: continuing in force at previous levels the appropriations for activities for which appropriations bills had not yet been passed. On passage. (Passed, 350 to 6).	NV.[3]
235	Aug. 3	H.R. 9910: authorizing appropriations of $3,444,350,000 in fiscal 1972 and $3,494,350,000 in fiscal 1973 for foreign aid. On passage. (Passed, 202 to 192).	Yea.
236	Aug. 4	H. Res. 578: waiving points of order against the conference report on the Draft Extension Act. Agreeing to resolution. (Agreed to, 250 to 150).	Yea.
237	Aug. 4	H.R. 6531: Whalen motion recommitting the conference report of the Draft Extension Act. (Failed, 131 to 273).	Nay.
238	Aug. 4	H.R. 6531: extending the draft for two years; expressing the sense of Congress calling for the withdrawal of U.S. troops from Indochina, but setting no specific deadline; increasing the pay of certain members of the armed forces; and extending the draft for two years. Agreeing to conference report. (Agreed to, 298 to 108).	Yea.
240	Aug. 4	H.J. Res. 833: Smith amendment to Emergency Supplemental Labor Appropriations Act, fiscal 1972, specifying that the formula for distributing funds shall be based solely on total unemployment in each state in proportion to total unemployment in the United States. [Teller vote]. (Rejected, 172 to 213).	Nay.
241	Aug. 4	H.J. Res. 833: Ford amendment prohibiting payment of funds to any officer or employee of a local government unit which was an eligible applicant for funds. [Teller vote]. (Rejected, 171 to 219).	Nay.
242	Aug. 4	H.R. Res. 833: On passage. (Passed, 321 to 76)	Nay.
246	Aug. 5	S. 581: Export Expansion Finance Act of 1971. Agreeing to conference report. (Agreed to, 219 to 140).	Yea.
247	Aug. 5	H.R. 10061: appropriating $20,804,622,000 for the Departments of Labor, Health, Education and Welfare and related agencies for fiscal 1972. Agreeing to conference report. (Agreed to, 280 to 56.)	NV.[3]
251	Sept. 9	HR 9727: establishing controls over the dumping of waste materials in the oceans and setting up a marine sanctuaries program in the Commerce Department. On passage. (Passed, 304 to 3.)	Yea.
252	Sept. 13	H. Res. 483: providing for consideration of H.R. 234, repealing Title II (Emergency Detention Act) of the Internal Security Act of 1950 and prohibiting the detention of U.S. citizens except through an act of Congress. Agreeing to resolution. (Agreed to, 345 to 1.)	Yea.
255	Sept. 14	H.R. 234: Ichord substitute for committee amendment (below) specifying that the repeal of the Emergency Detention Act shall not be construed as affecting the powers of the President under the Constitution and that no U.S. citizen shall be detained for suspicion of espionage or sabotage on account of race, color or ancestry. [Teller vote]. (Rejected, 124 to 272.)	Nay.
256	Sept. 14	H.R. 234: Committee amendment providing that "no citizen shall be imprisoned or detained by the United States except pursuant to an Act of Congress." [Teller vote]. (Agreed to, 290 to 111.)	NV.
257	Sept. 14	H.R. 234: On passage. (Passed, 356 to 49)	Yea.
261	Sept. 16	H.R. 1746: Erlenborn amendment in the nature of a substitute bill providing authority for the Equal Employment Opportunity Commission to bring suit against recalcitrant discriminatory employees in federal court. [Teller vote]. (Agreed to, 200 to 195.)	Yea.
262	Sept. 16	H.R. 1746: Reconsidering Erlenborn Amendment. (Agreed to, 202 to 197.)	Yea.
263	Sept. 16	H.R. 1746: Ashbrook motion recommitting the bill. (Failed, 130 to 270.)	Nay.
264	Sept. 16	H.R. 1746: On passage. (Passed, 285 to 106)	Yea.
265	Sept. 22	H.R. 10090: appropriating $4,706,625,000 for fiscal 1972 for public works projects, the Army Corps of Engineers and the Atomic Energy Commission, including a Senate-passed amendment prohibiting the Project Cannikin underground nuclear test in Alaska without the President's personal approval. Agreeing to conference report. (Agreed to, 377 to 9).	Yea.
267	Sept. 23	H.R. 9166: Gross amendment cutting the overall authorizations for the Peace Corps for fiscal 1972 by $27 million, to $50,200,000 from $77,200,000. [Teller vote]. (Rejected, 113 to 232).	Nay.
271	Sept. 30	H.R. 10351: Perkins amendment to the Brademas amendment (below) to OEO extension bill, reducing to 10,000 from 100,000 the minimum population requirement for permitting a community to receive federal funds for child development programs. [Teller vote]. (Agreed to, 226 to 158).	Nay.
272	Sept. 30	H.R. 10351: Erlenborn amendment to Brademas amendment calling for coordination of fees for the child development program with the fees charged in other federal government day-care programs and establishing an annual family income of $4,320 as the maximum for entitling disadvantaged children to free educational, nutritional, and health services. [Teller vote]. (Rejected 187 to 189).	Yea.
273	Sept. 30	H.R. 10351: Brademas amendment establishing a comprehensive child development program to provide educational, nutritional, and health services free of charge for disadvantaged children from families with an annual income of $6,960 or less and setting charges on a graduated scale for children from families with higher annual incomes. [Teller vote]. (Agreed to, 203 to 181).	Nay.
274	Sept. 30	H.R. 10351: Cordova substitute amendment to Steiger amendment providing Puerto Rico, Guam, the Virgin Islands and other trust territories with office of Economic Opportunity (OEO) allotments under the same formula established for the 50 states. [Teller vote]. (Agreed to, 202 to 161).	Nay.
275	Sept. 30	H.R. 10351: Devine amendment calling for deletion of Title X creating a nonprofit independent National Legal Services Corporation to take over the OEO's Legal Services program. [Teller vote]. (Rejected, 152 to 210).	Nay.
276	Sept. 30	H.R. 10351: Reconsidering Brademas amendment (see roll 273). (Agreed to, 186 to 183).	Nay.
277	Sept. 30	H.R. 10351: Erlenborn motion recommitting the bill to the Education and Labor Committee with instructions to report it back with amendment coordinating the fees levied in the child-care section of the bill with fees charged in other federal government day-care programs and establishing an annual family income of $4,320 as the maximum level entitling disadvantaged children to free educational, nutritional, and health services. (Agreed to, 191 to 180).	Yea.
278	Sept. 30	H.R. 10351: On passage. (Passed, 251 to 115)	Nay.
281	Oct. 4	H. Res. 596: Udall procedural motion that the Committee of the Whole rise, thus postponing further action on the resolution rescinding the postponement until July 1, 1972, of scheduled salary increases for federal employees and requiring instead that an estimated 5.5 percent federal pay raise go into effect January 1, 1972. [Teller vote]. (Failed, 175 to 198).	NV.[1]
282	Oct. 4	H. Res. 596: Agreeing to resolution. (Rejected, 174 to 207)	NV.[1]
283	Oct. 4	H. Con. Res. 374: calling for humane treatment of Americans held prisoner of war by North Vietnam and its allies and endorsing efforts to win their release. Agreeing to resolution. (Agreed to, 370 to 0).	NV.[3]
284	Oct. 4	H.R. 9961: providing temporary insurance for member accounts of certain federal credit unions. Passage under suspension of the rules. (Failed, 197 to 122; ⅔ vote required).	NV.[1]
285	Oct. 4	H.R. 8083: providing for new career training programs and early retirement benefits for air traffic controllers. On passage. (Passed, 24 to 0).	NV.[3]

VOTING RECORD OF JOHN W. BYRNES OF THE EIGHTH CONGRESSIONAL DISTRICT OF WISCONSIN—Continued

Roll-call No.	Date	Measure, question, and result	Vote
287	Oct. 4	H.R. 8866: extending the Sugar Act through December 31, 1974 and adjusting production quotas for foreign and domestic producers. Agreeing to conference report. (Agreed to, 194 to 91).	NV.[3]
289	Oct. 6	H.J. Res. 915: appropriating $270,500,000 for operations of the Department of Labor and for federal unemployment benefits in fiscal 1972. On passage. (Passed, 394 to 9).	Yea.
290	Oct. 6	H.J. Res. 916: continuing through November 15, 1971, appropriations for government departments and agencies whose fiscal 1972 appropriations had not yet been enacted into law. On passage. (Passed, 387 to 12).	Yea.
292	Oct. 12	H.J. Res. 208: Judiciary Committee amendment specifying that the proposed constitutional amendment guaranteeing equal rights for men and women applies both to citizens and non-citizens. [Teller vote]. (Failed, 104 to 254).	Yea.
293	Oct. 12	H.J. Res 208: Judiciary Committee amendment specifying that the proposed constitutional amendment not nullifying federal laws exempting women from the draft, or federal or state laws promoting and protecting the health or safety of women. [Teller vote]. (Failed, 87 to 265).	Yea.
294	Oct. 12	H.J. Res. 208: On passage. (Passed, 354 to 24)	Nay.
298	Oct. 14	H.R. 10835: Fuqua substitute amendment for Moorhead amendment, to bill establishing an independent Consumer Protection Agency and a White House Office of Consumer Affairs, restricting the agency's authority to intervene on behalf of consumers in the proceedings of other federal agencies in or court suits. [Teller vote]. (Rejected, 149 to 240).	Yea.
299	Oct. 14	H.R. 10835: Moorhead amendment redefining the agency's authority to intervene on behalf of consumers in proceedings of other federal agencies and providing the agency additional authority to act when other federal agencies refuse to investigate consumer complaints. [Teller vote]. (Rejected, 160 to 218).	Nay.
300	Oct. 14	H.R. 10835: On passage. (Passed, 345 to 44)	Yea.
302	Oct. 18	H.R. 9212: extending benefits to orphans whose fathers die of pneumoconiosis (black lung disease). Passage under suspension of the rules. (Failed, 227 to 124; ⅔ vote required).	NV.[1]
303	Oct. 18	H.J. Res. 923: expressing the federal government's intention to insure that every school child receive a free or reduced-price lunch as required by the National School Lunch Act. Passage under suspension of the rules. (Passed, 354 to 0; ⅔ vote required).	NV.[2]
304	Oct. 18	H.R. 10458: redefining the powers of the Secretary of Agriculture to cooperate with countries in the Western Hemisphere to prevent or retard communicable diseases of animals where the Secretary deems such action necessary to protect livestock, poultry and related industries in the United States. Passage under suspension of the rules. (Passed, 342 to 0; ⅔ vote required).	NV.[2]
305	Oct. 18	H.R. 8140: promoting the safety of ports, harbors, waterfront areas and navigable waters of the United States. Passage under suspension of the rules. (Passed, 335 to 1; ⅔ vote required).	NV.[2]
307	Oct. 19	H.R. 8687: Hébert motion to order the previous question (ending further debate and blocking the possibility of amending the motion to instruct conferees to accept the language of the Senate-passed Mansfield troop withdrawal amendment) on the Arends motion to instruct conferees not to accept any non-germane Senate-passed amendments to the Defense Procurement Authorization Act of 1971. (Agreed to, 215 to 193).	Yea.
308	Oct. 19	H.R. 8687: Arends motion instructing conferees not to accept any non-germane Senate-passed amendments in the House-Senate conference (if rejected, House conferees would be free to negotiate without any instructions). (Failed, 192 to 216).	Yea.
311	Oct. 20	H.R. 9844: authorizing $1,986,323,000 in appropriations for military construction projects during fiscal 1972. Agreeing to conference report. (Agreed to, 370 to 26).	Yea.
312	Oct. 20	H.R. 10367: Udall amendment to Alaskan Natives' Land Claims Act (granting Alaskan natives $925 million and 40 million acres of land to settle longstanding land claims) setting aside 125 million acres for possible inclusion, in national park systems and establishing a federal-state planning commission to review land selection by the state and natives. [Teller vote]. (Rejected, 177 to 217).	Yea.
313	Oct. 20	H.R. 10367: On passage. (Passed, 344 to 63)	Yea.
316	Oct. 21	H.R. 10670: creating a Survivor Benefit Plan to allow career military personnel opportunity to leave a portion of their retired pay to their survivors. On passage. (Passed, 372 to 0).	Yea.
318	Oct. 21	H. Res. 624: Madden motion to order the previous question on the rule under which H.R. 8787, providing for representation in Congress by non-voting delegates to the House from Guam and the Virgin Islands, was considered. (Agreed to, 280 to 62).	Yea.
321	Oct. 27	H.R. 11418: making appropriations of $2,012,446,000 for military construction in the United States and abroad, including funds for the Safeguard ABM systems. On passage. (Passed, 354 to 32).	Yea.
322	Oct. 27	H. Res. 661: adopting rule for consideration of H.R. 7248, extending programs of federal aid to higher education through fiscal 1976. Adopting rule. (Agreed to, 371 to 7).	Yea.
326	Oct. 28	H.R. 7248: Quie-Fraser amendment to Higher Education Act of 1971, substituting a national basic grant program for the extension of the existing state-administered educational opportunity grant program included in the committee-reported version. [Teller vote]. (Failed, 117 to 257).	Yea.
327	Oct. 28	H.R. 7248: Fraser amendment revising the formula for funds paid to states under educational opportunity grant program to insure that each state receive an amount proportionate to the number of eligible students it contained relative to the nationwide total of eligible students. [Teller vote]. (Rejected, 108 to 220).	Yea.
329	Nov. 1	H.R. 2266: authorizing $1.5 billion in federal aid for desegregating school districts. Passage under suspension of the rules. (Failed, 135 to 222; ⅔ vote required.)	Yea.
330	Nov. 1	H.R. 9961: extending for three years the period in which certain federally chartered credit unions could qualify for insurance. Passage under suspension of the rules. (Passed, 349 to 0; ⅔ vote required.)	Yea.
331	Nov. 1	H.R. 8389: providing LEAA funds for treatment programs for drug addicts confined to or on parole from state or local correctional facilities. Passage under suspension of the rules. (Passed, 350 to 2; ⅔ vote required.)	Yea.
332	Nov. 1	H.R. 9180: providing for temporary assignment of U.S. magistrates from one federal judicial district to another during emergency situations. Passage under suspension of the rules. (Passed, 344 to 10; ⅔ vote required.)	Yea.
333	Nov. 1	H.R. 9323: amending the definition of treatment in the Narcotic Addict Rehabilitation Act of 1966 to allow use of methadone in federal narcotics treatment programs. Passage under suspension of the rules. (Passed, 354 to 0; ⅔ vote required.)	Yea.
335	Nov. 1	H.R. 7854: increasing to $300 million total authorizations under the Small Reclamation Projects Act of 1956. Passage under suspension of the rules. (Passed, 346 to 7; ⅔ vote required.)	Yea.
336	Nov. 1	H.R. 11232: expanding the authority of the farmer-owned cooperative lending system to make loans to farmers and other rural residents. Passage under suspension of the rules. (Passed, 331 to 19; ⅔ vote required.)	Yea.
338	Nov. 1	Motion to adjourn: Andrews motion that the House adjourn. (Failed, 51 to 255).	Nay.
341	Nov. 2	Motion to adjourn: Hays motion that the House adjourn. (Failed, 8 to 285).	Nay.
342	Nov. 3	H.R. 2: Sebelius amendment deleting from the bill establishing a Uniformed Services University of Health Sciences to overcome a shortage of career-oriented military personnel in the health professiona, a provision requiring that the Uniformed Services University of Health Sciences be located within 25 miles of the District of Columbia. [Teller vote]. (Rejected, 148 to 215).	Yea.
343	Nov. 3	H. R.2: On passage. (Passed, 351 to 31)	Nay.
344	Nov. 3	H.R. 7248: Erlenborn amendment to strike out Title VIII of the Higher Education Act of 1971 authorizing general aid for institutions of higher education. [Teller vote]. (Rejected, 84 to 310).	Yea.
345	Nov. 3	H.R. 7248: Hawkins substitute for Quie amendment providing that no college or university shall reduce its operating funds from non-federal sources in anticipation of receiving federal funds. [Teller vote]. (Agreed to, 210 to 182).	Nay.
346	Nov. 3	H.R. 7248: Quie amendment terminating authorization for general institutional aid should the Supreme Court hold that it was unconstitutional for church-related institutions to receive such federal aid. [Teller vote]. (Rejected, 119 to 264).	Nay.
347	Nov. 3	H.R. 7248: White substitute for Brooks amendment deleting language in the bill establishing an Interns for Political Leadership program. [Teller vote]. (Agreed to, 229 to 149).	Yea.
349	Nov. 4	H.R. 7248: Erlenborn amendment exempting—from the sex discrimination ban on education programs receiving federal funds—the undergraduate admissions policies of all institutions. [Teller vote]. (Agreed to, 194 to 189).	Yea.
350	Nov. 4	H.R. 7248: Matsunaga amendment extending the benefits of land grant college status to the College of the Virgin Islands and the University of Guam. [Teller vote]. (Agreed to, 219 to 158).	Nay.
351	Nov. 4	H.R. 7248: Brademas amendment restoring in modified form, language previously deleted from the bill on a point of order, creating a National Institute of Education. [Teller vote]. (Agreed to, 210 to 153).	Yea.
352	Nov. 4	H.R. 7248: Gross amendment deleting language authorizing grants for the development of ethnic heritage studies. [Teller vote]. (Agreed to, 200 to 159).	Yea.
353	Nov. 4	H.R. 7248: Pickle substitute—for language in the bill authorizing federal development and enforcement of youth camp safety standards—authorizing a study by the Department of HEW of youth camp safety. [Teller vote]. (Agreed to, 184 to 166).	Yea.
354	Nov. 4	H.R. 7248: Broomfield amendment postponing effectiveness of any federal court order requiring busing for racial, sex, religious or socio-economic balance until all appeals—or the time for all appeals—had been exhausted. [Teller vote]. (Agreed to, 235 to 125).	Yea.
355	Nov. 4	H.R. 7248: Green amendment to Ashbrook amendment barring any federal employee or agency from forcing states to expend funds for the forced busing of school students. [Teller vote]. (Agreed to, 231 to 126).	Yea.
356	Nov. 4	H.R. 7248: Esch amendment to Ashbrook amendment (below) exempting—from ban on use of federal funds for busing—districts carrying out a court-ordered desegration plan. [Teller vote]. (Rejected, 146 to 216).	Nay.
357	Nov. 4	H.R. 7248 Ashbrook amendment—as modified by Green amendment (above)—barring the use of federal funds for busing students or teachers to overcome racial imbalance or to buy buses for such purpose. [Teller vote]. (Agreed to, 233 to 124).	Yea.
358	Nov. 4	H.R. 7248; Ford substitute for Pucinski amendment (below) authorizing federal study of the needs of desegregating school districts. [Teller vote]. (Rejected, 92 to 269).	Nay.
359	Nov. 4	H.R. 7248: Pucinski amendment adding to the bill the Emergency School Aid Act of 1971 (H.R. 2266) authorizing $1.5 billion in aid for desegregating school districts. [Teller vote]. (Agreed to, 211 to 159).	Yea.
360	Nov. 4	H.R. 7248: Erlenborn amendment exempting, from the ban on sex discrimination, the undergraduate admissions policies of all institutions of higher education. [Teller vote]. Agreed to, 186 to 181).	Yea.
361	Nov. 4	H.R. 7248: On passage, (Passed, 332 to 38)	Nay.
363	Nov. 5	H.R. 8293: extending until September 30, 1973, the President's authority to carry out the provisions of the International Coffee Agreement of 1968. On passage. (Passed, 201 to 99).	Yea.
365	Nov. 8	H.J. Res. 191: Wylie motion to discharge the Judiciary Committee from further consideration of the resolution proposing an Amendment to the Constitution providing that it is constitutionally permissible for persons in public buildings to participate in voluntary prayer. (Agreed to, 242 to 156).	Yea.
366	Nov. 8	H.J. Res. 191: On passage. (Failed, 240 to 162; ⅔ vote required)	Yea.
369	Nov. 9	H.R. 10729: Dow amendment to the Kyl substitute amendment to the Dow amendment in the nature of a substitute to the Pesticide Act, which would strike out the provisions specifying that the Environmental Protection Agency administrator could not make lack of essentiality a criterion for denying registration of any pesticide. [Teller vote]. (Rejected, 152 to 221).	Nay.
370	Nov. 9	H.R. 10729: Dow amendment to the Kyl substitute amendment to the Dow amendment in the nature of a substitute allowing any adversely affected person, not only the manufacturer, to institute a court suit against the EPA over registration of a pesticide. [Teller vote]. (Rejected, 167 to 209).	Nay.

Footnotes at end of table.

Roll-call No.	Date	Measure, question, and result	Vote
371	Nov. 9	H.R. 10729: Eckhardt amendment to the Kyl substitute amendment to the Dow amendment in the nature of a substitute specifying that no manufacturer whose registration has been revoked may be reimbursed for production of pesticides if the manufacturer knew or should have known of the product's adverse effects on the environment. [Teller vote]. (Rejected, 168 to 203)	Nay.
372	Nov. 9	H.R. 10729: On passage. (Passed, 288 to 91)	Yea.
375	Nov. 10	H.R. 9212: Byrnes amendment deleting provision exempting black lung beneficiaries from law requiring social security disability benefits to be partially reduced when other disability benefits are received. [Teller vote]. (Rejected, 158 to 224).	Yea.
376	Nov. 10	H.R. 9212: Byrnes amendment deleting provision exempting black lung beneficiaries from law requiring social security disability benefits to be partially reduced when other disability benefits are received. [Teller vote]. (Rejected, 158 to 224).	Yea.
377	Nov. 10	H.R. 9212: extending disability benefits to orphans of families in which the father dies of black lung disease and in which the mother also was deceased. On passage. (Passed, 312 to 78).	Nay.
378	Nov. 10	H.J. Res. 946: Seiberling amendment prohibiting further expenditure of funds by the Department of Defense in fiscal 1972 under the provisions of H.J. Res. 946, Continuing Appropriations Act, fiscal 1972. [Teller vote]. (Rejected, 10 to 356).	Nay.
379	Nov. 10	H. Res. 696: agreeing to the non-germane language contained in the conference version of H.R. 8687, Defense Procurement Authorization Act, fiscal 1972, which had the effect of forcing the United States to violate a United Nations' embargo against Rhodesia by requiring the President to import Rhodesian chromium ore if such ore was being imported from any communist nation. [Teller vote]. Agreeing to resolution. (Agreed to, 251 to 100).	NV.[3]
380	Nov. 11	H. Res. 698: providing for consideration of H.R. 11341, the District of Columbia Revenue Act setting the annual federal payment beginning with fiscal 1972 at $170 million. Agreeing to resolution. (Agreed to, 359 to 8).	Yea.
382	Nov. 11	H.R. 11341: Gross amendment reducing the committee-recommended annual federal payment to the District of Columbia by $44 million, to $126 million. [Teller vote]. (Rejected, 79 to 263).	Nay.
383	Nov. 11	H.R. 11341: Scherle amendment reducing the federal payment to the District by $19 million to $151 million. [Teller vote]. (Rejected, 119 to 210).	Nay.
384	Nov. 11	H.R. 11341: Jacobs amendment providing coverage for area truck drivers under the D.C. Minimum Wage Act, and authorizing overtime pay for work over 40 hours a week, or providing ICC certification. [Teller vote]. (Rejected, 139 to 179).	Nay.
385	Nov. 11	H.R. 11341: On passage. (Passed, 248 to 50)	Yea.
386	Nov. 15	H.R. 11302: expanding the National Cancer Institute of the National Institutes of Health to permit an intensified and coordinated cancer research program. Passage under suspension of the rules. (Passed, 350 to 5; ⅔ vote required).	Yea.
387	Nov. 15	H.R. 11350: increasing the limit of U.S. dues for membership in the International Criminal Police Organization. Passage under suspension of the rules. (Passed, 346 to 0; ⅔ vote required).	Yea.
388	Nov. 15	S.J. Res. 132: extending the duration of existing copyright protection law until December 31, 1972. Passage under suspension of the rules. (Passed, 302 to 49; ⅔ vote required).	Yea.
389	Nov. 15	H.R. 11651: altering the provisions of existing law relating to the payment of military disability and death pensions. Passage under suspension of the rules. (Passed, 351 to 0; ⅔ vote required)	Yea.
390	Nov. 15	H.R. 11562: altering the provisions of existing law relating to the payment of military dependency and indemnity compensations. Passage under suspension of the rules. (Passed, 350 to 0; ⅔ vote required)	Yea.
391	Nov. 15	H.R. 11080: permitting taxpayers who were compensated for property acquired for Redwood National Park to obtain a waiver of capital gain for federal income tax purposes where such money was reinvested in pre-existing businesses. Passage under suspension of the rules. (Failed, 148 to 203; ⅔ vote required)	Yea.
395	Nov. 16	H.R. 11731: Bingham amendment to the Defense Appropriations Act appropriating $71,048,013,000 for fiscal 1972, deleting $801,600,000 for the purchase of F-14 aircraft during fiscal 1972. [Teller vote]. (Rejected, 76 to 311)	Nay.
398	Nov. 17	H.R. 11731: Yates amendment limiting to 60 days funding for any additional active duty personnel called up by the President in an emergency without the approval of Congress. [Teller vote]. (Rejected, 183 to 210)	Nay.
399	Nov. 17	H.R. 11731: Boland amendment setting a July 1, 1972, cutoff date for funds used in support of U.S. troops and military operations in or over South Vietnam, North Vietnam, Laos, or Cambodia, and calling for a withdrawal of all U.S. military forces by a specified date, subject to the release of all American POW's and an accounting of all Americans missing in action. [Teller vote]. (Rejected, 163 to 238).	Nay.
400	Nov. 17	H.R. 11731: Riegle amendment limiting the net defense expenditures to 95 percent of the funds budgeted for fiscal 1972—resulting in a cut of approximately $3.8 billion. [Teller vote]. (Rejected, 74 to 307).	Nay.
401	Nov. 17	H.R. 11731: Aspin amendment reducing total appropriations to fiscal 1971 level—resulting in a reduction of about $1.5 billion. [Teller vote]. (Rejected, 114 to 278).	Nay.
402	Nov. 17	H.R. 11731: On passage. (Passed, 343 to 51)	Yea.
406	Nov. 18	H. Res. 710: amending S. 2819 and S. 2820, separate foreign military and economic aid bills passed by the Senate, by substituting for each the provisions of H.R. 9910, House-passed foreign aid authorizations, and requesting conference with the Senate. Agreeing to resolution. (Agreed to, 269 to 115).	Yea.
407	Nov. 18	H. Res. 711: waiving a House rule requiring a three-day period between the filing of the conference report and a vote on acceptance, thereby allowing immediate consideration of the conference report on H.J. Res. 946, authorizing continuing appropriations for November 16 to December 8, 1971 for certain federal agencies. Agreeing to resolution. (Agreed to, 367 to 15).	Yea.
408	Nov. 18	H.J. Res. 946: agreeing to conference report. (Agreed to, 344 to 26).	Yea.
409	Nov. 19	H. Res. 699: providing for consideration of S. 18, authorizing fiscal 1972 and 1973 appropriations for Radio Free Europe and Radio Liberty. Agreeing to resolution. (Agreed to, 290 to 3).	Yea.
410	Nov. 19	S. 18: On passage. (Passed, 271 to 12)	Yea.
412	Nov. 29	H.R. 11060: Springer amendment to Federal Election Campaign Practices Act, deleting provisions of the MacDonald amendment establishing regulations for charges made by broadcasters and newspapers for political advertising and provisions requiring newspapers to give equal access to advertising space to political candidates for the same office. [Teller vote/]. (Rejected, 145 to 219).	Yea.
413	Nov. 29	H.R. 11060: Pickle amendment to the MacDonald amendment requiring broadcasting stations to charge the same rates for political advertising time as for comparable commercial advertising time. [Teller vote]. (Agreed to, 219 to 150).	Nay.
414	Nov. 29	H.R. 11060: Frey amendment to the MacDonald amendment repealing for all candidates for federal office the "equal time" provision of the Communications Act of 1934. [Teller vote]. (Rejected, 95 to 277).	Yea.
416	Nov. 30	H.R. 11060: Hansen amendment to Harvey amendment in the nature of a substitute bill defining the role which unions and corporations might take in political campaigns, vote drives and voter registration activities. [Teller vote]. (Agreed to, 233 to 147).	Nay.
417	Nov. 30	H.R. 11060: Danielson amendment to Harvey amendment in the nature of a substitute bill eliminating provision in the bill requiring that copies of reports of campaign contributions and expenditures be sent ot the clerks of the federal district courts of the districts and states in which each election was held. [Teller vote]. (Agreed to, 229 to 155).	Nay.
418	Nov. 30	H.R. 11060: On passage. (Passed, 372 to 23)	Yea.
422	Dec. 1	H.R. 11589: authorizing the sale of certain passenger vessels to foreign nations. On passage. (Passed, 253 to 139).	Nay.
424	Dec. 2	H.R. 11932: Natcher motion to the D.C. Appropriations Act, fiscal 1972, that the House consider the bill in the Committee of the Whole. (Agreed to, 379 to 0).	Yea.
426	Dec. 2	H.R. 11932: Giaimo amendment adding $72.5 million for the District of Columbia's share of construction costs of a rapid transit system. [Teller vote]. (Agreed to, 196 to 183)	Nay.
427	Dec. 2	H.R. 11932: Scherle amendment halting funding of the transit system until the transit authority complied with a provision of the National Environmental Policy Act of 1969 requiring submission of an environmental impact statement. [Teller vote]. (Rejected, 163 to 205)	Nay.
428	Dec. 2	H.R. 11932: Natcher request for a separate rollcall vote on the adopted Giaimo amendment adding $72.5 million for the District's share of construction funds for the metropolitan transit system. (Agreed to, 195 to 174)	Nay.
429	Dec. 2	H. Res. 719: providing for consideration of H.R. 11955, appropriating $786,282,654 in supplemental funds for certain federal agencies, for fiscal 1972 Agreeing to resolution. (Agreed to, 308 to 29)	Yea
430	Dec. 2	H.R. 11955: On passage. [Teller vote]. (Passed, 271 to 20)	NV.[3]
431	Dec. 6	H.R. 9526: authorizing the loan of certain submarines and destroyers currently operated by the U.S. Navy to Spain, Turkey, Greece, Korea and Italy. Passage under suspension of the rules. (Passed, 260 to 116; ⅔ vote required)	Yea
432	Dec. 6	H.R. 11624: authorizing $5 million in additional funds to conduct the international transportation exposition to be held at Dulles International Airport in 1972. Passage under suspension of the rules. (Failed, 202 to 173; ⅔ vote required)	Nay.
433	Dec. 6	H.R. 45: creating an institute for research and training in the area of juvenile justice. Passage under suspension of the rules. (Failed, 240 to 135; ⅔ vote required)	Yea.
434	Dec. 6	S.J. Res. 176: extending the authority of the Secretary of HUD to set maximum interest rates on FHA mortgage insurance programs and modifying provisions of the National Flood Insurance Act of 1968. Passage under suspension of the rules. [Teller vote]. (Passed, 357 to 4; ⅔ vote required)	Yea.
435	Dec. 6	H.R. 11809: providing that Post Office property would continue to be maintained as Government property in impact areas. Passage under suspension of the rules. (Passed, 259 to 112; 2/3 vote required).	Nay.
436	Dec. 6	H.R. 10420: establishing permit program to regulate the killing of marine animals. Passage under suspension of the rules. [Teller vote]. (Failed, 199 to 150; 2/3 vote required).	Yea.
438	Dec. 7	S. 2007: extending the Office of Economic Opportunity for two years, authorizing $6.3 billion for OEO, establishing a comprehensive child development program and creating a National Legal Services Corporation. Agreeing to conference report. (Agreed to, 211 to 187).	Nay.
440	Dec. 8	H.R. 12067: Fraser amendment to the Foreign Aid Appropriations Act of $3,003,461,000, fiscal 1972, increasing to $91 million from $41 million appropriations for contributions to international organizations providing $50 million of that amount for the U.S. contribution to the United Nations Development Fund. [Teller vote]. (Rejected, 119 to 268).	Nay.
441	Dec. 8	H.R. 12067: On passage. (Passed, 214 to 179)	Yea.
443	Dec. 8	H. Res. 728: Anderson motion to order the previous question on the rule under which H.R. 1163, providing for strategic grain reserves, was considered, thereby ending debate on a proposed amendment to limit individual farm subsidy payments to $20,000. (Agreed to, 204 to 164).	Yea.
444	Dec. 8	H.R. 1163: Price amendment providing that, where practicable, grain would be stored in producer-owned facilities rather than in government-owned facilities. [Teller vote]. (Rejected, 147 to 179).	Nay.
445	Dec. 8	H.R. 1163: Quie amendment to the Melcher amendment (raising price supports for feed grain and wheat by 25 percent) eliminating wheat from the list of commodities. [Teller vote]. (Rejected, 128 to 222).	Yea.
446	Dec. 8	H.R. 1163: Price amendment requiring that reserve commodities be sold at prices equal to 100 percent of parity, rather than at 120 percent of the average prices over the previous five-year period as provided by the committee's bill. [Teller vote]. (Rejected, 145 to 201).	Yea.
447	Dec. 8	H.R. 1163: Jacobs amendment authorizing the Secretary of Agriculture to store grain free of charge in the homes of hungry Americans. [Teller vote]. (Rejected, 17 to 271.)	Nay.
448	Dec. 8	H.R. 1163: On passage. (Passed, 182 to 170)	Nay.

VOTING RECORD OF JOHN W. BYRNES OF THE EIGHTH CONGRESSIONAL DISTRICT OF WISCONSIN—Continued

Roll-call No.	Date	Measure, question, and result	Vote
450	Dec. 9	H.R. 10947: reducing federal individual and business taxes to stimulate the economy and establishing a federal presidential election campaign fund effective in 1973. Agreeing to conference report. (Agreed to, 321 to 75.)	Yea.
451	Dec. 9	H. Res. 729: providing for consideration of conference reports the same day as reported for the remainder of the session, notwithstanding the provisions of Clause 2, rule XXVIII, which requires a three-working-day interval prior to floor consideration of conference reports. (Agreed to, 342 to 48.)	Yea.
453	Dec. 9	H.R. 11955: providing supplemental appropriations of $3,406,385,371 for various federal departments and agencies for fiscal 1972. Agreeing to conference report. (Agreed to, 301 to 73.)	Yea.
455	Dec. 10	H.R. 11309: Stephens amendment to Economic Stabilization Act Extension, limiting mandatory payment of pay raises scheduled under pre-freeze contracts and laws to those in compensation for which prices or taxes had been raised, appropriations made, funds otherwise raised or productivity increased. [Teller vote]. (Agreed to, 209 to 151.)	Yea.
456	Dec. 10	H.R. 11309: Badillo amendment requiring disclosure of all information submitted in justification of wage or price increases, except trade secrets. [Teller vote]. (Rejected, 73 to 275.)	Nay.
457	Dec. 10	H.R. 11309: Landgrebe amendment subjecting to stabilization controls contributions to tax-exempt retirement plans which were unreasonably inconsistent with wage and price guidelines. [Teller vote]. (Rejected, 170 to 184.)	Yea.
458	Dec. 10	H.R. 11309: On passage. (Passed, 326 to 33)	Yea.
459	Dec. 10	H.R. 11341: setting the federal payment to the District of Columbia at $173 million for fiscal 1972 and $178 million for fiscal 1973. Agreeing to conference report. (Agreed to, 242 to 93.)	Yea.
461	Dec. 13	H.R. 11628: authorizing grants and loan guarantees for construction or modernization of private hospitals and other medical facilities in the District of Columbia. On passage. (Failed, 160 to 200.)	Nay.
465	Dec. 14	H.R. 10367: providing Alaskan natives with $962.5 million and 40 million acres of land to settle land claims. Agreeing to conference report. (Agreed to, 307 to 60)	Yea.
466	Dec. 15	H.R. 11731: appropriating $70,518,463,000 for Department of Defense spending during fiscal 1972. Agreeing to conference report. (Agreed to, 293 to 39)	Yea.
467	Dec. 15	H.R. 11932: appropriating $932,512,700, fiscal 1972, for the District of Columbia. Agreeing to conference report. (Agreed to, 260 to 79)	NV.[2]
469	Dec. 15	H.R. 6065: providing for additional temporary extended unemployment compensation for 13 weeks in states with 6.5 percent unemployment rate. Agreeing to conference report. (Agreed to, 194 to 149)	Nay.
470	Dec. 15	H. J. Res. 1005: providing funding for the period from December 9, 1971 to February 22, 1972, at an annual rate of $2,760,927,000, for foreign aid and related international programs and continuing funding for other federal departments and agencies whose regular fiscal 1972 appropriations had not yet been approved by Congress. On passage. (Passed, 235 to 86)	Yea.
472	Dec. 16	S. 2819: Morgan motion tabling Ryan motion instructing House conferees to accept the Mansfield amendment which set a policy of withdrawal of U.S. forces from Indochina within six months. (Agreed to, 130 to 101)	Yea.

[1] Absent, if present, would have voted "Nay".

[2] Absent, if present, would have voted "Yea".

AN EXPLANATION OF TERMS

Of necessity, the report contains parliamentary terms with which the reader may not be familiar. An explanation of some of these terms may, therefore, be helpful:

A. A *quorum call* consists of a calling of the roll of Members to determine whether or not a quorum—a majority of Members—is present. No business may be conducted when it is found that a quorum is not present.

B. *Recommittal:* Generally, on all important bills, a motion to recommit the bill to a committee, with or without instructions, is voted upon by the House before it votes upon passage of the bill. If such a motion is adopted, it means that the bill will be changed, delayed, or even killed. However, when a motion to recommit is accompanied by instructions, the vote generally indicates whether the Member is in favor of or opposed to the change in the legislation proposed by the instructions and does not necessarily indicate his position on the bill as a whole. A motion to recommit with instructions, if adopted, does not kill the bill.

C. *Rule:* Important bills, after approval of the committee concerned, go to the House Committee on Rules where a rule, in the form of a House resolution (H. Res.) is granted covering the time allowed for debate, consideration of amendments, and other parliamentary questions.

D. *Conference Report:* Representatives from both Houses of Congress meet in conference to work out differences existing in the legislation as passed by the two bodies. Upon conclusion of their conference, a report is submitted to each House setting forth the agreements reached. Each House then must act by way of adopting or rejecting the conference report in whole or in part.

E. *Previous question:* A motion which, if adopted, shuts off further debate on the question before the House and prevents further amendments to such proposition.

F. *Laying on the table:* A motion to lay a bill on the table, if adopted, kills the bill.

G. The type of bill can be determined by the letters which precede its number. All bills that originate in the House are designated by an "H," those that originate in the Senate by an "S." There are four main types:

(1) *H.R.* (*S.*) designates a bill which, when passed by both Houses in identical form and signed by the President, becomes law.

(2) *H.J. Res.* (*S.J. Res.*) designates a joint resolution which must pass both Houses and be signed by the President before becoming law. It is generally used for continuing the life of an existing law, or in submitting to the States a constitutional amendment, in which case it does not require the signature of the President but must be passed by a two-thirds majority of both Houses.

(3) *H. Con. Res.* (*S. Con. Res.*) designates a concurrent resolution. To become effective it must be passed by both the House and Senate but does not require the President's signature. It is used to take joint action which is purely within the jurisdiction of Congress. Many emergency laws carry the provision that they may be terminated by concurrent resolution, thus eliminating the possibility of a Presidential veto.

(4) *H. Res.* (*S. Res.*) designates a simple resolution of either body. It does not require approval by the other body nor the signature of the President. It is used to deal with matters that concern one House only, such as changing rules, creating special committees, and so forth.

Recorded teller vote occurs when requested by one-fifth of a quorum. As Members file past appointed "tellers" their names and votes are recorded.

Rollcall vote occurs when requested by one-fifth of those present. Members indicate their votes by responding "Aye" or "No" when their names are called in alphabetical order.

OUR NUCLEAR NAVY

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

Mr. PRICE of Illinois. Mr. Speaker, on January 8, 1972, I had the honor and privilege of attending the keel laying of the nuclear submarine *Los Angeles*. This submarine marks the beginning of a new class of high-speed and extremely efficient vessels. My colleague CHET HOLIFIELD, former chairman of the Joint Committee on Atomic Energy and at present chairman of the Government Operations Committee, made the keynote speech at this important event. His remarks were profound and I believe should be read not only by us in Congress but by the American people.

Congressman HOLIFIELD pointed out that less than 10 years ago the United States was the dominant military power of the world. At that time our Nation faced the Cuban missile crisis. Because of our superior military capability, Soviet ships carrying nuclear missiles to Cuba turned around and subsequently they withdrew their nuclear missiles from Cuba—90 miles from our shore.

The disturbing facts which Congressman HOLIFIELD developed in his speech were that the United States is no longer in a position of military superiority, vis-a-vis the Soviet Union. He pointed out that the Soviet Union is now building eight to 10 ballistic missile submarines a year. We are building none. The Soviets have at least 65 tactical firing submarines. We have none.

The Soviets are continuing to build three times as many nuclear submarines a year as we and, perhaps most startling, Congressman HOLIFIELD pointed out that by 1980 the Soviet Union, at current construction rates, will have half again as many nuclear submarines as the United States. Congressman HOLIFIELD was critical of the role of the Department of Defense in the development of nuclear submarines and surface ships. He said:

> This tremendous Soviet effort did not happen overnight. We were warned we would lose our lead in nuclear submarines, first by Admiral Rickover and then by a growing chorus of others. Yet in the Defense Department these warnings fell on deaf ears. They produced studies and studies of studies—but final approval to proceed with the Los Angeles Class was delayed and delayed. It is incomprehensible but true that while the Congress was holding hearings in 1968 on the need for advanced submarines, including the Los Angeles Class, the Department of Defense was planning to *terminate all future submarine construction.*

For the future Congressman HOLIFIELD stressed the importance of developing an undersea, long-range missile system—ULMS. He also pointed out, in regard to the arms race, that in a recent speech Admiral Rickover warned us:

There has not been an arms race; the Soviets have been running at full speed all by themselves.

Congressman HOLIFIELD stated that he supported the Strategic Arms Limitation Talks now in progress.

In regard to the vitally important issue of arms control, he said:

I support the SALT talks and I believe that it is only through meaningful negotiations that we can hope eventually to avert international blackmail from a superior military power.

In discussing nuclear submarines, Mr. HOLIFIELD did not neglect nuclear powered surface ships. In this regard he said:

The Defense Department has been even more myopic in their treatment of nuclear power for surface warships than they have been in their treatment of new classes of submarines.

Congressman HOLIFIELD concluded his speech by quoting from President Nixon's 1968 campaign when President Nixon said:

The word has spread throughout the Department of Defense—and reports in a number of publications—that the United States is in great danger of becoming "second best" on the seas, particularly in submarine power.

I say that second best isn't good enough. Most assuredly not when the defense of the United States is at stake....

My administration will ... restore the goal of a Navy second to none.

Congressman HOLIFIELD urged the administration, the Defense Department, and all of us to not forget this promise.

I commend the speech to all Americans who are interested in a strong defense to preserve the freedom that has been part of America for almost 200 years. I include the remarks of Congressman CHET HOLIFIELD at the keel laying of the *Los Angeles* in Newport News, Va., on January 8, 1972, in the RECORD at this point.

I also include remarks by Admiral Zumwalt and Vice Admiral Rickover at the keel laying of the *Los Angeles* as well as telegrams from Senator PASTORE, chairman of the Joint Committee on Atomic Energy; Melvin Laird, Secretary of Defense; and Admiral Moorer, Chairman of the Joint Chiefs of Staff, in the RECORD at this point:

REMARKS BY CONGRESSMAN HOLIFIELD

Less than ten years ago the United States, the dominant military power in the world, faced a direct confrontation with the Soviet Union in the Cuban missile crisis. In the face of our superior military capability at that time, the Soviets had no choice but to accept our edict. Their ships carrying nuclear missiles to Cuba turned around, and they withdrew their nuclear missiles from Cuba—90 miles from our shore.

We displayed our military superiority then and the Soviets backed down. Americans changed in the past ten years—We no longer have that same military superiority.

In the past decade the Soviets have embarked on a military expansion program such as the world has never seen in peacetime. Already the predominant land power, they will soon become the world's strongest naval power.

They removed their nuclear missiles from Cuba. But they now have far more powerful, accurate and longer range nuclear missiles. They are in their submarines hidden in the ocean depths off both our coasts. Sometime next year the number of Soviet new Yankee Class ballistic missile submarines will exceed our force of aging 41 ballistic missile submarines—built in the sixties. There is no indication as to when they plan to slow down or stop their current rate of construction. They are now building 8 to 12 ballistic missile submarines a year. We are building none.

The Soviets have at least 65 tactical missile firing submarines. More than half of these are nuclear powered—and they are continuing to build more of these nuclear powered—at a rapid rate. We have none. These ships give the Soviets an excellent weapon with which to attack our surface naval forces.

The Soviet submarine force now has more nuclear powered submarines of all types than does the United States. In addition, they have about six times as many diesel submarines as we have. Further, they are continuing to build three times as many nuclear submarines a year as we. By 1980 they will, at current construction rates, have half again as many nuclear submarines as the United States.

New design Soviet surface warships armed with weapons designed to attack our naval fleets are appearing in increasing numbers in the oceans of the world.

The Soviets each year graduate more than ten times as many naval architects and marine engineers as does the United States. The result of this investment is now evident in their modern merchant marine and rapidly growing Navy. For the first time in history the Soviet naval strength is being felt throughout the world.

The pendulum of military power is rapidly swinging in favor of the Soviets. I am not talking about *parity*—I am talking about the *disparity* between the military buildup going on in the Soviet Union compared to the erosion of military power going on in the United States.

America's greatness as a world power depends largely on the credibility of our maritime strength. Our national security is based to a great extent on our strength at sea. As Admiral Thomas H. Moorer, the Chairman of the Joint Chiefs of Staff, recently testified to the Joint Committee on Atomic Energy:

"United States security requires that we possess the capability of controlling crucial sea lines of communication to our friends and allies; of projecting United States power ashore when this is needed in support of United States vital interests; and of providing a ready, meaningful, and controllable United States presence anywhere on the seas as national policy dictates."

We are, in effect, an island surrounded by the world's two largest oceans. If we lose our ability to use the seas, we shall lose our ability to defend ourselves.

President Kennedy, when the Cuban missile crisis was still fresh in his mind, said:

"If there is any lesson of the twentieth century, and especially of the last few years, it is that in spite of the advances in space and air ... this country must still move easily and safely across the seas of the world."

So what we are doing today is an important step to help insure our future national security. The keel laying for the LOS ANGELES commemorates the beginning of construction of our most advanced class of nuclear powered attack submarines. Submarines of this class will have higher speeds than their predecessors as well as the most modern sensors and weapon systems. They are urgently needed to improve our ability to counter the rapidly expanding Soviet submarine force.

The keel laying today marks the beginning of this new class on the building ways. However, the submarine *Los Angeles* and her sister ships have already had a long and difficult history. Efforts to develop this new design started more than seven years ago. The design was studied, re-studied and re-studied within the Department of Defense until finally Congress had to take the initiative to get the *Los Angeles* class built. It did so by providing funds in the 1969 shipbuilding program for procurement of long lead items—I might add—over the objections of the Defense Department.

A review of the history of nuclear submarines brings out some startling developments. We built the world's first nuclear powered submarine and for years we led, not only in numbers of nuclear powered submarines but also in their design and quality. We were the first to send a fleet of nuclear powered ballistic missile firing submarines to sea.

The sad fact is that today we have lost this position of preeminence. We have put out only one new design submarine in the last 10 years, but the Soviets in 1968 and 1969 put to sea more new submarine types than have ever been put to sea in all of naval history during a comparable period.

This tremendous Soviet effort did not happen overnight. We were warned we would lose our lead in nuclear submarines, first by Admiral Rickover and then by a growing chorus of others. Yet in the Defense Department these warnings fell on deaf ears. They produced studies and studies of studies—but final approval to proceed with the *Los Angeles* Class was delayed and delayed. It is incomprehensible but true that while the Congress was holding hearings in 1968 on the need for advanced submarines, including the *Los Angeles* Class, the Department of Defense was planning to *terminate all future submarine construction.*

I am proud of the role played by the Congressional Joint Committee on Atomic Energy and the House and Senate Armed Services Committees in getting the *Los Angeles* Class approved. In 1968 the Joint Committee held special hearings which brought into focus the need for building more nuclear submarines with improved capabilities. Hearings by the Joint Committee and other Congressional Committees, including a special investigation by the Senate Armed Services Committee chaired by Senator Stennis, focused attention on the entire nuclear submarine situation. The testimony showed that our submarine program was being delayed while system analysts and planners sought to justify *not* building improved submarines. I shudder to think of what might have happened if Congress had not forced the issue.

At this point I want to pay a special tribute to one of South Carolina's greatest statesmen, Honorable L. Mendel Rivers, the late chairman of the House Armed Services Committee, a great friend of the United States Navy and a dedicated American.

On December 1, 1970, many of us were present on this platform when Mrs. Rivers dedicated the keel of the *South Carolina* and her husband delivered a great and stirring address in support of the nuclear Navy.

The elected representatives of the people are carrying on in this tradition. Let this message go forth: the United States Congress will not accept further delays in building more nuclear submarines of the Los Angeles Class.

But this is not nearly enough. In future years our Navy will be forced to go more and more underwater to maintain a credible deterrent. Testimony to Congress of knowledgeable senior officials emphasized that if we are to be able to counter the total Soviet naval threat, our submarines must have both improved weapons and advanced propulsion plants.

One advanced submarine we must continue work on warrants special mention—I refer to the tactical missile launching submarine. The need for this type of submarine was the subject of Joint Committee hearings

last year. In the 1950's our Navy was ahead of the Soviets in the development of such submarines. But in 1958 the Department of Defense directed the Navy to terminate further development of the cruise missile and proceed only with the Polaris Fleet Ballistic Missile program. Unfortunately, the Soviets had greater foresight and proceeded with full scale development of both strategic ballistic missile *and* tactical cruise missile submarines. of several designs while the United States has *none*.

Such missiles provide submarines with an enormous increase in capability. As the Soviets realized over ten years ago, submarines armed with such missiles need never approach within range of the antisubmarine warfare capability of surface ships. Using their inherent covertness, high speed submarines armed with cruise missiles can more readily attack enemy surface warships and merchant ships.

Military experts have testified to Congress that we must pick up the threads of the past and proceed to develop a high performance submarine capable of firing tactical cruise missiles. Admiral Zumwalt, the Chief of Naval Operations, recently testified to the Joint Committee:

"I consider it a very important weapon system and one that we must have in the future to meet the growing Soviet naval threat."

Secretary of Defense Laird has also said "this program indeed is important to the capabilities of the future Navy." The Joint Committee fully agrees with this assessment. We trust the Defense Department will quickly move ahead with this project.

I might add, the Atomic Energy Commission continues, as it always has, to support our efforts in developing nuclear propulsion for the Navy.

Another submarine design in the preliminary stages is for the Undersea Long Range Missile System, or ULMS. The ULMS submarines will carry strategic ballistic missiles of a longer range than the current Polaris and Poseidon missiles. The longer range missile will give the ULMS submarine considerably more ocean area for operation within range of potential targets than our current submarines have. The additional ocean area, coupled with advanced silencing techniques, will make these submarines extremely difficult to detect. Thus, the ULMS submarines will be able to keep our sea based strategic deterent *secure* for decades to come. With any increased vulnerability of our land based strategic deterrent, the ULMS submarines will also give us the capability to move more of our strategic weapons to sea, should that prove necessary.

The United States has not moved ahead as rapidly as we could with the ULMS submarine because of the Strategic Arms Limitation Talks now in progress. I support the SALT talks and I believe that it is only through meaningful negotiations that we can hope eventually to avert international blackmail from a superior military power.

There are those who denounce a spiraling arms race. But considering the rapid rate at which the Soviets are expanding their fleet of new missile submarines, the time has come when we must move ahead with ULMS submarines. We must replace our aging submarines. While we are holding back on the ULMS submarine waiting for some favorable result from the SALT talks, the Soviets are giong "full speed" with their submarine building program—and they are building improved missiles for them to carry. They have already tested a new submarine launched missile with a range about twice as great as the 1300 mile range of their Yankee Class missile now targeted on our cities.

Notwithstanding our present arms production, I fear the adage may be true that "The race goes to the swift." In a recent speech Admiral Rickover warned us: "There has not been an arms race; the Soviets have been running at full speed all by themselves."

I strongly urge that the ULMS program go forward now. It is only from a position of strength that we can deter aggression or negotiate a limitation on arms which will not endanger our national security.

Ships of two other key elements in our nuclear Navy of the future are under construction here at Newport News—the nuclear powered aircraft carriers *Nimitz* and *Dwight D. Eisenhower* and the nuclear-powered guided-missile frigates *California* and *South Carolina*.

These ships were also born in controversy. The Defense Department has been even more myopic in their treatment of nuclear power for surface warships than they have been in their treatment of new classes of submarines.

Many of you will remember the fight Congress had with the Defense Department to provide nuclear propulsion for aircraft carriers. Even after conceding on this point in 1967, the Defense Department still refused to provide nuclear propulsion in missile ships to *escort* the carriers. Congress had to again take the initiative to provide the nuclear-powered frigates *California* and *South Carolina* instead of non-nuclear guided-missile ships requested by the Department of Defense. Finally the Department of Defense agreed to a continuing program of nuclear frigate construction. Congress appropriated funds to get started on five frigates of a new design to follow the *South Carolina*.

We in Congress thought the Defense Department had finally awakened to the value of all-nuclear carrier task forces.

But, alas, as in the past, it was not to be. The fog closed in again, and in May 1971, the Defense Department announced it would not proceed with construction of the fourth and fifth nucelar escort ships for which machinery was already being built. The Defense Department has unilaterally reversed its prior commitment to Congress. It has now shelved all plans for future nuclear frigate construction.

With the completion of the last three nuclear powered *escorts*, we will only have enough for two of the three nuclear carriers we are now building. The nuclear carrier *Eisenhower* will have *none*. Although Congress authorized and appropriated funds for the nuclear escorts, the Budgeteers denied the use of the funds and manufacturing capability has been lost.

Admirals Moorer, Zumwalt, and Rickover have all testified to Congress that the all-nuclear task force has far greater capability to penetrate and counter the projected Soviet naval threat than any other surface force we know how to build.

President Nixon in his 1968 campaign criticized the "euphoric defense planners" for their "departmental dragging of feet" concerning the nuclear submarine, frigate and carrier programs. He pledged that he would do something about it. He said:

"Americans must come to grips with two critical facts: First, the Soviet Union is making a very impressive bid to become the world's number one sea power; second, the United States has not been doing what it should to keep them from overtaking us."

I continue to quote President Nixon:

"The word has spread throughout the Department of Defense—and reports in a number of publications—that the United States is in great danger of becoming 'second best' on the seas, particularly in submarine power.

"I say that the second best isn't good enough. Most assuredly not when the defense of the United States is at stake . . .

"My administration will . . . restore the goal of a Navy second to none."

Today, more than ever, the United States needs to do everything possible to attain the goal of a Navy second to none. Without a strong Navy, America will not have a credible defense. There is no easy or cheap way to provide ourselves with sufficient arms to be able to counter the Soviet military expansion. However, the price we must pay to achieve this capability is small compared to the price we will pay if we fail to do so. The graveyards of history are mute testimony to the fate of nations that proved incapable of defending their national interests.

Can it be possible that we the people, and the leaders of our country, have lost the will to compete? Are we unwilling to make the sacrifices necessary to protect and defend the principles of liberty for a free people?

I fervently hope that our time of greatness is not passing.

I pray that we will continue to prove worthy of our role in history as defenders of liberty and freedom.

I do not believe that we are ready to take a place in the international cemetery, with all the nations of the past, who lost sight of the principles upon which their societies were based and failed to assure the defense of those principles.

TEXT REMARKS BY ADMIRAL ZUMWALT, INTRODUCING PRINCIPAL SPEAKER, KEEL LAYING OF USS "LOS ANGELES," NEWPORT NEWS, VA.

It is an honor for me to introduce today's principal speaker to this distinguished company.

Congressman Holifield has long been a vigorous supporter of our Navy's nuclear ship propulsion program, and his presence here today to memorialize the first official step in the construction of what will become the nuclear powered attack submarine USS *Los Angeles* is most fitting.

Congressman Holifield's career in the Congress has spanned nearly three decades—and it also parallels my own span of service in the Navy.

Through those decades, we have each witnessed the great events of modern history—I from my perspective in uniform and he from his vantage point of a member of the U.S. House of Representatives.

In those years, our nation has found itself compelled to maintain its military strength and power at a level far above that of the years before 1940—and at no time in those years has it been easy to decide between the need for continued military preparedness and the competing demands of our growing society.

It is to his everlasting credit that today's speaker has consistently found the wisdom and the courage to so influence and participate in those decisions that our nation today remains a free, democratic society—still able to act in defense of its own interests and to choose its own forms of government and sets of values—free to continue its historic pursuit of the goal of individual freedom set for us nearly two centuries ago.

I would like to tell you more about what sort of a man he is. He is a self-made man who had to start from scratch. By dint of hard work starting with a small tailor shop he became a prominent member of the business community in his home town. In Congress he has worked his way up to become one of its leading members. His life exemplifies the vast opportunities in the United States for those who work hard and devote themselves to their job.

Throughout the early years when things were difficult, he showed the energy and tenacity that were later to characterize his public service. Having himself known hardships he has a keen insight into the problems of poverty and has supported much legislation to help the underprivileged, to give them a hand up the ladder of life.

He is a prodigious worker.

A man of intense convictions, he is always open-minded.

He knows what his goals are at all times, and he has the ability, the experience, the determination, the strength of character combined with high resolve and patriotism, to perform his duties in the best interest, as he honestly conceives it, of this nation.

To me his greatest characteristic is his courage to lead—an essential quality for any man who is in a position where leadership is the primary requisite. He is never afraid to use his abilities and energies to reach the goals he feels will benefit our country.

His long career has been marked by ceaseless devotion to a strong defense for the United States.

He believes that weakness invites war and disaster; that strength promotes peace; that might does not make right, but it is likewise true that without the support of might there would be no right.

Sometimes he is tough. One has to be and ought to be when dealing with important matters and the defense of this great nation. But he is always fair.

His standards of integrity and honor, professional conduct and competence, are of immense importance to the well-being of our country in an age when the values on which the continuance of civilization and organized human society depend are being questioned. He is an idealist and pragmatist, a complex of courage and expediency, intolerant of pettiness and sham.

Congressman Holifield is a man not just of California or Los Angeles but of the world and of his epoch.

In these past three decades, that world has undergone tremendous change with technological and social forces influencing the development of our nation at an exponentially increasing rate—and those changes in technology have almost totally re-cast the dimensions of modern warfare for all of our armed services.

For the Navy, the provision of reliable, efficient and effective nuclear propulsion to our submarines has provided a quantum increase in capability without which we would today be second-best in our ability to perform our central mission of sea control—the extension of that capability to our surface forces is now well underway and will continue in the years ahead.

Congressman Holifield has been one of the prime movers in obtaining that capability for swift mobility of naval forces—a capability now grown even more essential as our nation faces a growing challenge at sea with fewer ships and aircraft.

It is with a deep sense of personal honor and privilege that I present to you a senior member, many-time chairman, and plank-owner of the Joint Atomic Energy Committee and Present Chairman of the Government Operations Committee, the Honorable Chet Holifield of California.

INTRODUCTION OF MRS. CHET HOLIFIELD AND MRS. ROBERT H. FELDMAN BY VICE ADM. H. G. RICKOVER, U.S. NAVY

I have known the Holifield family for more than 20 years. I have had the privilege of visiting them at their homes in Washington and Los Angeles. They have four daughters and 15 grandchildren. On one of my visits, the daughters and many of the grandchildren were present. To witness the rapport and love in the Holifield family was one of the most touching and delightful experiences I have ever had; one I shall never forget.

Vernice Cameer Holifield—everybody calls her Cam—who has played the major part in raising this fine family was born in Senath, Missouri, and moved with her family to Montebello on the outskirts of Los Angeles. She attended the Montebello public schools and the University of Southern California.

After their marriage in 1922, Mrs. Holifield assisted for several years in the management of their men's retail clothing business in Norwalk, California. Following Mr. Holifield's election to Congress in 1942, the family moved to Washington and there they have spent most of their time during his 29 years in Congress.

For ten years Mrs. Holifield has served on the Board and has been active in fund raising for the Friendship Settlement House in Washington. She is active in the Women's National Democratic Club and in the Congressional Club. She has been Chairman of the First Lady's Breakfast sponsored by Congressional wives and for many years she has been a member of the Board of the California State Society.

Besides all this, Mrs. Holifield works in her husband's office as his receptionist and office assistant. She is popular on Capitol Hill and with the Congressman's constituents for her ready smile, cheerfulness, and willingness to help. The Holifields will celebrate their 50th Wedding Anniversary in September.

Betty Feldmann, the Matron of Honor, is the second of the Holifield children. She attended Montebello High School, then went to Bucknell University graduating in 1946 with a degree in Political Science. After working a short time in her father's office, she received a scholarship to the National Institute of Public Affairs. It was there she met her husband, Robert H. Feldmann, now a Foreign Service Officer with the State Department. The Feldmanns have five sons.

It is a great personal pleasure for me to introduce to you Cam Holifield who will authenticate the keel of the *Los Angeles* and Betty Feldmann who will assist her in this important event. Chet Holifield will authenticate his quotation engraved on the keel plaque.

TELEGRAM

Mr. L. C. AKERMAN,
President, Newport News Shipbuilding and Drydock Co., Newport News, Va.:

I regret that I cannot be present to join you in commemorating the laying of the keel for the nuclear submarine *Los Angeles*. Initiating construction of this new design, high-speed underseas craft is another significant milestone in the development of our nuclear submarine fleet. The Joint Committee on Atomic Energy shares with you the satisfaction in knowing that this event marks a major decision to assure that this key line of defense and deterrent will remain preeminent.

Our Committee could not be better represented than by Chet Holifield without whom there would have been no Nuclear Navy. My congratulations to both of you. God speed you on this important endeavor.

JOHN O. PASTORE,
Chairman, Joint Committee on Atomic Energy.

TELEGRAM FROM SECRETARY OF DEFENSE TO BE PASSED TO CONGRESSMAN HOLIFIELD

You are gathered here today to witness another important step reflecting our determination to proceed with modernization of the United States Navy. We are embarked on an intensive nuclear submarine construction program, the type of program that I advocated in Congress and continue to support as Secretary of Defense. We are also moving forward with active research and development efforts to provide necessary capabilities for a strong Navy of the future even as you gather here today to commemorate the keel-laying of the USS *Los Angeles* (SSN-688).

This ship's higher speeds and advanced anti-submarine warfare capabilities will reflect the technology of her designers; her construction will reflect the skills and dedication of her builders; her spirit will be that of the people of the great city whose name she bears; and, her heart will come from the officers and men of her crew. The mission of the USS *Los Angeles* will come from the people of our fifty states. That mission is the preservation of peace through adequate strength to deter war.

My best wishes to you all.

MELVIN R. LAIRD.

TELEGRAM FROM CHAIRMAN, JOINT CHIEFS OF STAFF

Mr. L. C. ACKERMAN,
President, Newport News Shipbuilding and Drydock Co., Newport News, Va.:

Regretfully, I am unable to be among those who today are present for the laying of the keel of USS *Los Angeles* (SSN 688). *Los Angeles* and the underseas men-of-war that follow deserve our special attention, in that these most modern of attack submarines will add significantly to the capabilities of our great Navy and further strengthen the security and well-being of our fellow Americans. In addition to the increased speed *Los Angeles* will enjoy, American science, technology and industry have teamed together in adding further improvements in this submarine's sensors, central computer complex, acoustical countermeasures and navigation system.

I know that all of you present join me in wishing that these achievements and efforts will bear the optimum reward of deterring war and ensuring a lasting peace.

Adm. T. H. MOORER, USN,
Chairman, Joint Chiefs of Staff.

EXECUTIVE PROTECTION SERVICE DESPERATELY NEEDED IN NEW YORK CITY

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

Mr. KOCH. Mr. Speaker, I have introduced a bill, H.R. 839, which would require the Executive Protection Service to guard the foreign missions and consulates throughout the country. In New York City there are, in addition to the United Nations headquarters, over 200 consulates, most of which are in my congressional district.

The cost to New York City of having the local police protect these consulates exceeds $2 million per year, but the cost cannot be measured in dollars alone. With street crime a constantly growing menace for my constituents, it is incomprehensible to them and to me why local police officers should be taken off their patrols and assigned to guarding foreign missions. The true cost of such an unfair policy was revealed by a tragic incident that occurred during the congressional recess.

On the evening of January 6, 1972, Peter Detmold was stabbed to death in the lobby of his building, on East 48th Street. Peter's murder has been a profound shock to the community in which he lived, Turtle Bay, for Peter was no ordinary citizen. He was one of the most active and able community leaders. My office worked closely with him on many local issues, and, in fact, several weeks ago, Peter called my office to say he was organizing a letterwriting campaign within the Turtle Bay community in support of H.R. 839.

As of this date the police have made no statements indicating they have any clues in this case. Of course, I cannot say that Peter's brutal death could have been avoided if the local police were relieved of their consulate duty, but it must be woefully said that Peter's death is symptomatic of the growing violence in New York City streets, and in light of this fact, there is urgent reason for every available New York City police officer to be patrolling the streets of Manhattan's East Side.

Turtle Bay will be a lonelier place with Peter's death. New Yorkers cannot afford more losses of such a tragic, senseless sort. H.R. 839 is one small step that could be taken against such an occurrence in the future.

Mr. Speaker, I urge prompt and favorable action on this bill and am placing in the RECORD the editorial support for H.R. 839 of WOR–TV and WNBC radio.

CITY POLICE AND CONSULATES, E–113

Despite a rising crime rate and insufficient number of police, New York City has been particularly hard hit by the demands on its police force to protect foreign missions.

In the 19th Precinct on the East Side of Manhattan, where most of the consulates are located, few policemen are left to patrol the streets and crime has risen sharply. Parents have complained about assaults on children. Many business men and apartment houses have had to hire their own guards.

The New York Police Force has to guard many of the two hundred consulates in the City. This costs approximately two million dollars a year. Now, with the admission of the People's Republic of China into the United Nations, additional New York City policemen have had to be pulled off the streets, to provide protection for the delegation members. So this delegation will cost our City's taxpayers an additional half a million dollars a year.

In view of the new strains placed on the New York City Police Force with the admission of China to the U.N., Representative Edward Koch has introduced a new bill to Congress. This bill would give the Federal Executive Protection Service the permanent responsibility for guarding foreign missions in this country. The Executive Protection Service was established last year as an arm of the Secret Service, to guard missions just in the Washington metropolitan area.

We agree with Congressman Koch's position that the responsibility for guarding the missions is a Federal problem, not a City responsibility. We urge that the House Public Works Committee hold immediate hearings on his bill.

THIS IS AN EXPRESSION OF EDITORIAL OPINION BROADCAST ON SATURDAY, JANUARY 8, AND SUNDAY, JANUARY 9, 1972, BY PERRY B. BASCOM, GENERAL MANAGER

New York City police currently are asked to guard and protect 200 foreign Consulates, and this costs the New York City taxpayer two million dollars a year.

With the arrival of the Red Chinese delegation to the United Nations, another 500 thousand dollars is needed. Regularly, a New York City policeman is stationed in front of the Soviet Airlines offices in an effort to prevent bombings. The street where the Russian Embassy is located is virtually a closed street, with police cars at either end, pedestrians checked, and auto traffic prohibited.

All of these precautions are necessary, but the management of WNBC feels that the New York City taxpayer shouldn't have to pay the bill for it.

Congressman Edward Koch, in whose district the 19th Police Precinct is located, maintains that so many Consulates are located in that precinct that the average citizen isn't getting adequate police protection. The officers are guarding diplomats.

Congressman Koch has introduced a bill which would have the Executive Protection Service, a branch of the Secret Service, take up the job of guarding diplomats, their missions and their businesses.

We can only agree with Congressman Koch and call on all area lawmakers to support this measure. The responsibility of guarding foreigners and their Consulates is a federal problem, not a city responsibility, and certainly should not be paid for by city taxes.

PRISONERS OF THE PRESIDENT'S VIETNAM POLICY

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

Mr. KOCH. Mr. Speaker, during the congressional recess the President resumed the heavy bombing in North Vietnam. Protest was muted because the Congress was in recess and could not respond as a body. But, the meaning of this sudden resumption of the bombing is clear: the Vietnamization program is in trouble; it has not worked and it will not work; it is a program designed to protect only the Thieu regime; and it is not worth the blood of any more young Americans.

In pursuit of "Vietnamization" the President ordered an invasion of Cambodia in May of 1970. Today we see the folly of that action which resulted in a needless loss of lives, a ravaging of the country, and a situation in Cambodia now just as perilous for the Lon Nol regime as it was at the time of the invasion.

Yet despite this earlier failure of aggressive action in the name of Vietnamization the President seems intent on ignoring the lessons of history. The bombing itself was an unsuccessful tactic even when there were half a million American soldiers in Vietnam. How can the President believe such bombing will protect the approximately 150,000 soldiers we have there today; the best and only way to protect the lives of those men is to bring them home.

These most recent bombing strikes represent a devastating intensification of the war and no mumbo-jumbo about "limited duration protective reaction strikes" can mask this fact. The true result of this bankrupt policy is not only the futile loss of more lives, but the capture of more of our pilots as well. And Mr. Nixon's bombing not only swells the number of U.S. prisoners but jeopardizes whatever hope we have for their speedy release.

On a television interview during the first week in January the President said the fate of American prisoners of war was the one circumstance obstructing a total withdrawal of U.S. soldiers from Vietnam. But the President's words of concern for the prisoners of war are belied by his actions.

The President's refusal to set a date for withdrawal conditioned on the return of prisoners makes it clear that his putative plan for terminating the war envisions no real end to American involvement, and clings not only to some vague desire for victory, but to the autocratic Thieu regime as well. All Americans are prisoners of this policy.

The way out of South Vietnam does not lead through Cambodia, Laos, or North Vietnam, and it becomes increasingly clear that President Nixon is not the man who will lead our forces out. In the absense of his leadership, it is imperative that the Congress act as soon as possible to set a date for the withdrawal of all our troops, conditioned only on the release of our prisoners of war.

MORE ON MUHAMMAD ALI AND THE IRS

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

Mr. KOCH. Mr. Speaker, on December 17, I placed in the CONGRESSIONAL RECORD some correspondence I have had on the matter of Muhammad Ali's running fight with the Internal Revenue Service over the time when his taxes are collected. During the recess, I received a reply to a letter I wrote to the Internal Revenue Service on December 16 asking that they respond to some of the assertions made by Muhammad Ali's lawyer, Chauncey Eskridge, in his letter to me of November 16.

I would now like to insert in the CONGRESSIONAL RECORD the response I have received from the Internal Revenue Service written by Stanley Skriloff, Acting Director of the Collection Division. Mr. Skriloff's letter provides a remarkably candid expression of the IRS' attitude toward this case.

In my letter of December 16, I asked whether the Internal Revenue Service's requirements of an individual are tempered by his taxpaying record or dictated simply by what profession he is in. Mr. Skriloff's response suggests that a man's profession is the compelling, if not single, factor affecting the Internal Revenue Service's treatment of an individual.

Mr. Skriloff said:

While the Service has no intent to place itself in a moralistic position, the blunt, well-known fact of the matter is that that profession has fallen into a state of disrepute because of infiltration by any number of unsavory characters of all descriptions. In this environment, no matter how upright and outstanding the individual, there is always the potential that he will be ill-advised and, ultimately, pass the peak of his earning power leaving a trail of unpaid debts, including taxes, behind him.

The Internal Revenue Service has not refuted Mr. Eskridge's statement that Muhammad Ali has "paid all of his taxes regularly and on time." And yet, despite Mr. Ali's tax record, the Internal Revenue Service's disposition toward this taxpayer seems in no way to be affected; and instead, the Service treats him as though he were "an unsavory character."

U.S. TREASURY DEPARTMENT,
INTERNAL REVENUE SERVICE,
Washington, D.C., January 5, 1972.

HON. EDWARD I. KOCH,
House of Representatives,
Washington, D.C.

DEAR MR. KOCH: Thank you for the opportunity which you have given us, with your letter of December 16, 1971, to comment further on the matter of Muhammad Ali vis-a-vis the Internal Revenue Service. All too frequently we are not given such an opportunity, and thereby our position in a particular matter is often misunderstood or misinterpreted.

First of all, since the spectre continues to rear its ugly head, we would like, once again, to attempt to lay to rest the implicit charges of racism as well as the explicit charges of discrimination contained in Mr. Chauncey Eskridge's letter to you. One of the most basic principles to which we make every attempt to adhere is the even-handed application of internal revenue laws to all citizens, be they black, yellow, red, white, or any com-

bination thereof. However, even-handed not only means that we will not discriminate against; it also means that we will not give preferential treatment to any particular individual, no matter "how squeaky the wheel."

As to whether or not Mr. Player, Mr. Sinatra and the fight promoter were required to enter into an arrangement similar to that required of Mr. Ali, we can only comment that, if Mr. Eskridge states they were not so required, he must have obtained such information from Mr. Player, Mr. Sinatra and the fight promoter, since, as we pointed out in our earlier letter to you, the Internal Revenue Service could not make such information available unless it was otherwise of public record or the individual involved chose to disclose, or authorize disclosure of, the fact.

If we might, for the time being, stay with Mr. Eskridge's letter, we would go on to the statements which he has made on page 2, and particularly in the first paragraph. Contrary to what Mr. Eskridge's understanding appears to be insofar as "an immediate jeopardy assessment and seizure" is concerned, our representatives are under specific instructions to assess any liability, whether it be jeopardy or otherwise, in an amount as closely approximating the ultimate tax as possible, without regard to the amount of available assets. In other words, while Mr. Ali's (or anyone else's) purse might be held up, it would be for only so long a period as was necessary to make a determination of the tax due as a result of the event and to assure that the interests of the Government were fully protected in the collection of such tax. After these matters had been properly resolved, any possible hold on the taxpayer's assets would be immediately removed.

We must confess that we are somewhat confused by the references to an "arrangement" with Mr. Ali in 1967. In that same paragraph of Mr. Eskridge's letter referred to above, he states: "Since 1964, it has been demanded by the Commissioner that Ali pay his estimated tax the *day after each bout* . . ."; and, again, ". . . the taxpayer had agreed to this procedure since 1964 . . ." However, included in item 5 of Mr. Ali's Complaint in Equity, a copy of which was furnished to you, is the statement: "Plaintiff had this arrangement in 1967 and he struck a well in Texas, on which he pays income taxes." According to the records in our files, the District Director for the Manhattan District reported, on June 27, 1967, that, as of that date, Mr. Ali had already paid more than the tax computed on his estimated taxable income for 1967. Thus, we are at a loss as to what the "arrangement" was unless, possibly, there is some confusion concerning the fact that the $100,000 mentioned was after payment of taxes, rather than part of the tax itself. If such is the case, we see no reason why Mr. Ali could not have proceeded along the same lines with the proceeds of his subsequent bouts.

We have commented earlier on Mr. Eskridge's charges of discrimination and what he refers to as the "Muhammad Ali Unconscientious Rule." We are sure you realize the disadvantage under which we are forced to operate in this regard when we are unable to provide a factual rebuttal because of the disclosure statutes. We would unequivocally state, however, that, given the same or a similar set of circumstances, the Service has proceeded in precisely the same manner as in the case of Mr. Ali. In addition, and as but one further example, the Service has a number of ongoing programs concerned with the protection of the revenue in instances of Irish sweepstake or other lottery winnings, large racetrack winnings, and the like. These, perforce, are non-discriminatory since the Service normally cannot determine either the race or the background of the taxpayer until an initial contact is made with him.

The question as to why such a great amount of emphasis appears to be placed on the boxing profession is a very sensitive one. While the Service has no intent to place itself in a moralistic position, the blunt, well-known fact of the matter is that that profession has fallen into a state of disrepute because of infiltration by any number of unsavory characters of all descriptions. In this environment, no matter how upright and outstanding the individual, there is always the potential that he will be ill-advised and, ultimately, pass the peak of his earning power leaving a trail of unpaid debts, including taxes, behind him. Perhaps we need look back no farther than Joe Louis to see the circumstances which concern the Service regarding income taxes.

Two final points upon which we might comment are contained in the last page of your letter and deal with the delegation given to District Directors to determine the application of Section 6851 of the Code and with Mr. Ali's desires to invest in oil exploration. In the first instance, it is a practical impossibility, as well as, we believe, an undesirable alternative for the National Office to interject itself into administrative determinations made by our field officials. Our District Directors have been assigned the responsibility for the administration of the internal revenue laws in specific geographical areas. With that responsibility, of course, must go delegated authority. To usurp that authority would almost require that we eliminate responsibility and we would ultimately find ourselves dictating all decisions from Washington which might, or might not, be consonant with the circumstances in specific cases. Our best experience over the years has shown us that the closer to the situation the decision-making process is, the more equitable it is apt to be.

On the question of Mr. Ali's investment in oil exploration, we agree that that possibility has no relevancy to the determination in the case, and, so far as we are aware, it did not, in fact, affect the actions which were taken. As we have attempted to state, the only concern which the Service has is to assure that the interests of the Government are adequately protected so far as collection of *the tax* is concerned—any disposition which Mr. Ali wishes to make of the remainder of his income, *after taxes*, is of no concern to us.

We trust that these comments will be of some assistance in explaining our stance in the matter. If we may be of any further assistance, please do not hesitate to call upon us.

Sincerely yours,
(Signed) STANLEY SKRILOFF,
Acting Director, Collection Division.

REPORT OF THE WOMEN'S ACTION PROGRAM

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

Mr. KOCH. Mr. Speaker, the announcement last Friday of the report by the Department of HEW's Women's Action Program was met with considerable interest.

The report is the result of a study by the Women's Action Program of the concerns of women who work in the Department of HEW and the issues of broad concern to women in society for which that Department has program authority.

Secretary of HEW Elliot Richardson is to be commended for founding this program. Sex discrimination exists in the Department of HEW, as it does in all Government agencies. The Women's Action Program has become an important catalyst for the correction of these inequities.

Because of the interest in this report and because I feel it is essential that the Congress address itself not only to the problems of sex discrimination in public and private employment, but also to the institutions and practices in our society that perpetuate sex discrimination, I am placing in the CONGRESSIONAL RECORD the preface to the report written by the program's director, Xandra Kayden, and a summary of the report provided by the Women's Action Program. While I would urge our colleagues to read the report in its entirety, I believe that the preface and summary provide a helpful outline of the findings and recommendations of the program:

PREFACE

(By Xandra Kayden)

There is discrimination against women. It exists throughout America and it exists in the Department of Health, Education, and Welfare (HEW). Discrimination on the basis of sex has existed in varying forms and at various times throughout recorded history. Custom becomes discriminatory when people begin to feel it is inequitable; when ascribed roles do not seem to fit the needs of individuals or society.

We believe the traditional roles of women and men are changing. We believe that an urban technological society no longer requires different classes of people to perform different functions. We think it is against the best interest of the nation to continue to ignore the potential and real contribution of half its population. Discrimination means not having a choice. It means decisions about individuals are made not on the basis of their abilities or performance, but on the basis of their sex, race, national origin or socio-economic status. A world that does not discriminate on the basis of sex would enable women and men to seek any life-style at any time in their lives. It would mean that women and men would be free to perform what we now think of as traditionally female and male roles without fear of stigma and it would mean that women would find identities for themselves to reflect their individuality, not their sexually prescribed roles.

It is the policy of HEW that there is no job in the Department that cannot be performed by a woman. It is the responsibility of the Department to assure that equality of opportunity is extended to everyone, regardless of race, sex, age, religion, or national origin. Our concern is for all women and for eliminating all patterns of sex discrimination.

The following report of the first six months of the Women's Action Program considers the problems of women in HEW and the impact of HEW programs on women in our society. This report includes recommendations to improve opportunities for women throughout the Department, and it defines important issues related to the mission of HEW and the needs of women in the society.

The issues presented in this report are by no means definitive. We assume that as we learn more about the nature of sex discrimination, we will learn more about the institutions and practices in the society that perpetuate it; and, as we learn, we expect to be able to modify the impact of the Department on those institutions and practices.

The Women's Action Program has been an experiment in advocacy. We learned about discrimination on a day-to-day basis by working with women in HEW, and we applied our knowledge to the practices of the De-

partment. By linking the self-interest of employees to the work they do, we believe we have developed a unique and exciting method for increasing the responsiveness of institutions to people.

Our work with employees highlights the complex impact of attitudes on work habits and decision-making, and we have begun to address the attitudes of both women and men toward working women.

We have developed recommendations for particular programs to meet the needs of women, but more importantly, we have tried to understand the process of day-to-day activities in the Department to develop mechanisms for assuring that women become more valued and more significant participants in that process.

Whatever success the Women's Action Program has had, and will continue to have, is largely due to the concern and commitment of many people—men as well as women—within the Department and outside. The publicity about the Program has reflected the feelings of many people that HEW was indeed responding to the problems of women and providing leadership among those who have the responsibility and opportunity to assure equality.

Those of us on the staff felt our responsibility very heavily. We were changed as people because of our interaction with each other and with women throughout the Department. We were struck by the sense of helplessness felt by people at all levels to bring about change in an institution as large as this one. And we were very conscious of the great need for communication between management and employees.

By working with women in groups we were able to overcome some of the lack of understanding about how the system actually works and changes. Many were afraid of the risks to themselves—the risk of being labeled a "troublemaker," of being isolated, or fired. Others were afraid of changing ideas about the roles of women and men. The frustration and hostility of many women carried them beyond fear so that they are ready and eager to participate. We were able to help individuals see themselves and their problems in relation to each other and the practices of the institutions of our society. By working with white, black, and ethnic minority women we were better able to understand our common problems and our differences—but we have a long way to go before women of different backgrounds can fully trust each other, and perhaps an even greater distance before women and men can respect and trust each other in a working environment. We have become sensitive to the dual problem of minority women—being women, and also being either black, or members of national-origin minority groups.

Throughout, the role of the Women's Action Program has been, and should continue to be, that of advocacy. The program should not have administrative responsibilities but rather should act in cooperation with other offices in the Office of the Secretary and with each of the HEW agencies and regions to press for policies and actions regarding women. The responsibility for making changes in HEW rests with those who are charged with decision-making responsibility in the Department.

It has been our experience that change requires both optimism and tremendous persistence. It will not come easily, but it will come. We believe we are setting a climate for change. We believe we are raising the expectations of women inside and outside HEW about their role in the Department and in the society. It will be the responsibility of all of us to help fulfill those expectations.

SUMMARY OF REPORT OF THE WOMEN'S ACTION PROGRAM

The Women's Action Program was founded in February, 1971 in response to the changing roles and expectations of women in America. The Program was designed to improve the status of women who work in the Department of Health, Education and Welfare (HEW), and to evaluate the impact of HEW programs on women in society in order to better respond to the needs of women. The Program is premised on the assumption that HEW cannot effectively implement new directions in policy for women unless and until it recognizes the nature of sex discrimination in its own ranks. For that reason, this Report of the Women's Action Program is divided into two major parts: the first part deals with concerns of women who work in the Department, and the second addresses nine issues of broad concern to women in society relative to which HEW has a program authority. A third part of the Report sets forth the continuing organization of HEW's Women's Program which has been approved by the Secretary.

To date, the most active and effective efforts to combat sex discrimination have come from the Department's Contract Compliance Division of the Office for Civil Rights. During the past two years over three hundred complaints of sex discrimination in employment on university and college campuses have been filed with this Office. Investigations of these complaints and the subsequent development of affirmative action plans for the employment of women are making significant inroads in the battle against discrimination. The Report calls for more legislation including prohibition of sex discrimination in college and university admissions and a request for Secretarial support for passage of the equal rights amendment, to broaden the authority for HEW's Office for Civil Rights to combat all forms of sex discrimination by the institutions to which HEW provides contract or grant support.

RECOMMENDATIONS ON THE STATUS OF WOMEN IN HEW

The Women's Action Program worked with groups of women throughout the Department to better understand their problems. The Report divides its recommendations into those affecting women in the lower (GS 1–7), middle (GS 8–12), and upper (GS 13–18) grades of federal service. This division, though somewhat arbitrary, reflects the different nature of occupations in those grades and the attitudes and practices affecting women in those occupations.

Grades 1–7

Women comprise over 80 percent of those employed in grades 1–7, largely in clerical and technical occupations. The recommendations focus on training opportunities, counseling, and job restructuring to provide career ladders to bridge occupations.

Grades 8–12

The proportion of women in grades 8–12 ranges from 71 percent in GS–8, to 25 percent in GS–12. The grades comprise the higher secretarial and administrative positions, and the entry and middle levels for professionals; few women rise above these grades. The recommendations focus on attitudes toward women in management and supervisory positions, greater participation in job training for the senior positions, and personnel practices affecting women in these grades, including job classification structures.

Grades 13–18

Women hold fewer than 15 percent of the positions in grades 13–18 in HEW. The main focus of affirmative action plans developed in response to a Presidential directive in April of 1971, was to increase the representation of women at this level. The plans provide for numerical goals and focus on the day-to-day processes of recruiting, selection, appointment and promotion to assure consideration of women for all job openings at HEW in these grades.

The other recommendations in the first part of the report are directed toward areas of needs of employees at all grade levels of both sexes: child care, child-bearing and child-rearing leave policies, part-time employment and flexible scheduling, and maternity coverage in health insurance plans. Though the recommendations may be of greater immediate benefit to women in all grades, they are intended to improve certain characteristics of employment in HEW for all employees and, thereby, to increase the productivity of the Department in serving the nation.

THE IMPACT OF HEW PROGRAMS ON WOMEN IN SOCIETY

The second part of the Report analyzes nine issues of concern to women in the areas of health, education and welfare. This part of the Report is intended as much to be a guide to HEW programs for women interested in its activities, as it is a guide to those in the Department charged with decision-making responsibility. Discussion of each issue is followed by a description of current programs in the Department that relate to the issue, recommendations for change in program practices and policy, and related topics for research.

Women and Mental Health

There are a number of conflicting pressures on women to perform roles that may or may not be suitable for them as individuals. Whatever mechanisms women develop to adjust to their lives, their lot is further complicated by expectations of others—including physicians—about them. Symptoms of distress are often characterized as "just being a woman," and treated without regard to underlying problems and concepts of self. Mental illness is one manifestation of this problem; others include over-use of psychotropic drugs by women who constitute 67 percent of all users; alcoholism among women, who are conservatively estimated to represent 25 percent of all alcoholics and appear to be largely by-passed by treatment centers and researchers; and social-psychological problems including fear of physical attack and unsympathetic social responses to victims of such attacks. Recommendations focus on areas of needed research.

Sex-Typing in the Health Professions

The health professions in the United States have strong patterns of sex-typing which work to the disadvantage of women in particular and are burdensome to society in general. The sharp demarcation of roles results in a costly inefficiency that can no longer be tolerated. HEW can play a catalytic role in changing this pattern and de-sex-typing all health professions through its contribution to the support of health education institutions and the Report makes recommendations toward that end.

Family Planning

There is a need for safer and more effective methods of contraception for both men and women, but the potential for population control will depend in large measure on the decision of individuals to use those devices. As long as motherhood is the most creative role society offers women, family sizes may not be substantially reduced. Along with greater opportunity for women in the labor force, the Department is urged to review current family planning and population research policies.

Discrimination Against Women in Higher Education

The overt discrimination against women in admissions to undergraduate and graduate institutions has been documented many times. The report also cites the special needs of women for continuing education programs and the discrimination against women in employment by institutions of higher education. These women are perceived to be particularly

important as models for younger women of alternative roles that can be attained. Recommendations urge the development of legislation against sex-discrimination in education, changes in Office of Education student aid policies, and related research in the areas of adult learning and teacher-counselor attitudes toward sex roles.

Discrimination Against Women in Vocational Education and Job Training

Vocational education and job training programs perpetuate sex-typing of women in jobs that are traditionally lower in status and earnings than those men are trained for in these programs. Women are also discriminated against within programs where legislation and guidelines include preferences for which family member will be eligible for available services. HEW is urged to seek changes in legislation, to eliminate discrimination in the guidelines of its own programs, and to work with the Department of Labor in programs operated jointly by both Departments. Research recommendations call for more data on the nature and effect of sex-role typing in these programs.

Domestic Workers

Private household work is a major field of employment for women. It is characterized by low wages, poor working conditions, few fringe benefits and minimal opportunity for advancement. Domestic workers are rarely covered by the protective legislation afforded other workers and many—for a number of reasons—generally do not participate in the Social Security system, despite their eligibility. Recommendations urge HEW to work with other Departments to expand social security participation through better communication of its benefits, and suggest tax deductions for employers to induce them to pay their share of the Social Security tax. Because HEW's programs are not directed toward the problems of domestic workers, the Department is urged to analyze their problems and needs to develop program recommendations for a more direct response.

Older Women

Men die at earlier ages than women in America and women are often left alone with the complex problems of aging, complicated by realistic fears of a changing world beset with differing values, economic pressures, and violence. It is a time of great uncertainty for many and the cumulative effect of negative social attitudes about women comes to fruition in an almost acceptable disregard for the older woman. The Report focuses on the special problems of widowhood, income and social services, employment, leisure time and continuing education, legal services, and consumer protection. Recommendations include working with other Federal agencies to more fully assess the special needs of older women that can be met by HEW, the expansion of education and career opportunities, and attention to problems of communication and mobility in the provision of social services.

Women and Social Security

Women today play a multiplicity of roles during their lives: they are single workers, wives and mothers outside the labor force, part-time workers, and very often divorced, widowed, or married working women with and without children. It is likely that the pattern of work and then marriage and child-rearing will no longer be keeping women out of the labor force most of their lives. There has been a growing public concern about the impact of the Social Security system on women, and the Report urges the Social Security Administration to intensify its research efforts into the changing work and life patterns of women and their implications for Social Security. Consideration is also asked for the extension of Social Security benefit coverage to uncompensated homemaking services for dependent children or disabled adults in recognition of the contribution women, or men, who perform such functions make to a household, and the economic hardships which their death or disability can cause a family. This recognition of the years taken out of the labor force for child-rearing would eliminate the accumulation of zero years of income which seriously affects the amount of benefits to which homemakers might become entitled should they later return to the labor force. Another recommendation seeks the extension of survivor benefits to husbands and widowers of working wives.

Child Care

Good child-care facilities are seen as important for the child, the parents, and the society. Because the majority responsibility for child-rearing is usually assumed by women even when they are working, either their jobs outside the home suffer from unexpected disruptions or their children suffer from makeshift arrangements that may not meet their needs. According to the Department of Labor, more women will be working more of their lives, regardless of the state of the economy or the state of unemployment, so the answer to this dilemma will not be a return to the home for American women. Recommendations include the need for planning expansion of community child care centers, the development of concepts of individuality in young children that do not limit social characteristics to one sex or the other, and the development in cooperation with the Department of Labor of part-time and flexible-hour training programs and job assignments for women in employment training programs.

The Report concludes with a statement of the future functions and organization of the Department's women's program, which includes the Women's Action Program, an advocacy office concerned with the policies and practices of all HEW programs, and the HEW Federal Women's Program, charged with responsibility for meeting the needs of women employed in the Department of Health, Education, and Welfare.

MARTIN LUTHER KING, JR., DAY

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

Mr. RYAN. Mr. Speaker, Saturday, January 15, marked the birthdate of the late Rev. Dr. Martin Luther King, Jr. I believe that it would be most appropriate that this day be permanently set aside as a national holiday to pay tribute to this great leader. And I have joined in sponsoring legislation to achieve this by congressional action.

Martin Luther King, Jr., was a man of all races; a leader who fought for dignity and an equal chance for both black and white; a critic who never doubted that American society could be redeemed.

The inspirational leadership he provided to the civil rights movement in both the South and the North helped make possible the enactment of the landmark Civil Rights Acts of 1964 and 1968, and the Voting Rights Act of 1965. The Poor People's Campaign, his final great effort, eloquently demonstrated the plight of millions of Americans who, without a voice and without much hope, suffer from pervasive poverty and who lack a share in our country's abundance.

As we who survived Martin Luther King stand and face the uncertain future, we must be sustained by his enduring legacy—the striving for justice, compassion, and human dignity.

Surely there can be no question of the magnitude of Dr. King's contribution to this country. The goals and aspirations which he championed are goals for which every American must continue to struggle until the dream he had of one America at peace becomes a visible and substantive reality.

The permanent celebration of Martin Luther King, Jr.'s birthday as an official holiday would honor a great American and remind future generations of his great contribution and the need to carry on his work.

J. EDGAR HOOVER SPEAKS OUT

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

Mr. GROSS. Mr. Speaker, the January 1972 issue of Nation's Business carries an excellent article by one of the great Americans of our time, FBI Director J. Edgar Hoover.

So that as many of his fellow countrymen as possible may have an opportunity to read the article, I include it for insertion in the RECORD at this point.

J. EDGAR HOOVER SPEAKS OUT

Almost 48 years ago, a hard-working young Justice Department lawyer was called into the office of then Attorney General Harlan Fiske Stone and told: "I want you to take over as acting director of the Bureau of Investigation."

J. Edgar Hoover reflected for a moment. A Justice Department employee since 1917, he had been assistant director of the Bureau for three years, agonizing all the time as it became increasingly a product of the political spoils system.

"I'll take the job, Mr. Stone," he replied, "on certain conditions":

The Bureau must be divorced from politics. Appointments and promotions must be based on merit, and the Bureau must be responsible to the Attorney General only.

"I wouldn't give it to you under any other conditions," the Attorney General said. "That's all. Good day."

In the years since then, John Edward Hoover has seldom been out of the public eye as he has molded the Federal Bureau of Investigation into a model law enforcement agency and kept it that way. (The word "federal" was added to the Bureau's title in 1935. The word "acting" was dropped from Mr. Hoover's own title a few months after his appointment.)

"FBI" became an abbreviation that commanded the respect and cooperation of citizens.

"G-Man" became a nickname feared by criminals and subversives.

Mr. Hoover set a rigid standard of personal behavior for himself and for the people of the FBI. To attain a goal of excellence, he believes there is one essential: integrity of self and deed. With absolutely no compromise.

A lifelong bachelor whose work is his first love, he does find time for other interests, too. In the evenings at his two-story house in a pleasant Northwest Washington neighborhood (a housekeeper oversees the establishment), he relaxes in front of the television set and in the company of his two cairn terriers. ("Naturally, they're spoiled. They boss me around.")

He loves gardening and is proud of his roses. And now that he's put down artificial turf in his spacious back yard, "I can forget about seeding grass every year. This stuff is wonderful."

His favorite sport is horse racing. A big

reason is that "you can relax completely. I love to watch the horses run." The Ex-Agent Association recently gave him a statue of a stallion—"the first I've ever owned, though I've supported many of them."

He was also a fan of the Washington Senators before the franchise was moved to Texas last fall, and frequently went to games with Richard Nixon when he was Vice President. (Mr. Nixon "knew all the players by name and everything about them—batting, fielding, everything.")

His favorite vacation spot is La Jolla, Calif., and if he were an agent in the field, that's where he'd most like to be assigned. His second choice would be Butte, Mont.

"I've been accused of using Butte as a kind of Siberia for agents that displease me," he says with a chuckle. "When that allegation was made, I checked up and found we actually had 144 requests from agents to be assigned there. You know why? It's close to Glacier National Park, and some of the best hunting and fishing in the world is around there."

Mr. Hoover, 77 this New Year's Day, has been warmly lauded for his performance as director of the FBI. An inner corridor leading to his office is lined with plaques and citations from scores of organizations and with mementoes from notables he has known.

In recent years, he also has been the target of criticism, a fact he accepts as inevitable in light of the position he holds.

In this interview with editors Jack Wooldridge and Wilbur Martin and Nation's Business, Mr. Hoover talks over many of the highlights of his career, taking note of achievements for which he has won praise as well as matters for which he's been criticized, and discussing other subjects ranging from Presidents and Attorneys General he has known to crooks he has known.

YOU HAVE SERVED UNDER EIGHT PRESIDENTS. WERE YOU CLOSER TO SOME THAN OTHERS?

President Coolidge I only knew officially. I became very, very close personal friends with Herbert Hoover, but really this was after he left office. He was chairman of the board of the Boys' Clubs of America and I was a board member. I got to know him quite well.

I didn't know until he told me years after he left office that he was responsible for my being named director of the FBI. As a young lawyer in the Justice Department, I had worked with the Senate Foreign Relations Committee on an investigation of whether we should restore recognition to Russia. I had come to the attention of Mr. Hoover, who was then Secretary of Commerce.

Attorney General Stone mentioned to him that he was looking for someone to put in charge of the Bureau and Mr. Hoover recommended me.

I always felt President Hoover was terribly wronged. Everyone blamed him alone for the Depression. He was a very shy man, you know, very human. We used to walk down the street in New York City after he had been President and no one recognized him. I thought, "How terrible, to be forgotten."

I was so pleased that in his later years he was recognized for the great man that he was.

I was very close to Franklin Delano Roosevelt, personally and officially. We often had lunch in his office in the Oval Room of the White House. During his Presidency and afterwards, at Gettysburg, I was close with Gen. Eisenhower. He was a great man and a great President.

I lived across the street from Lyndon Johnson for 19 years. We were very close friends and this friendship continued during his Presidency and to this day. I hear from him regularly.

When he was in the Senate, and we were neighbors, he had a little dog he called Little Beagle Johnson. Every few days he would come over in the evening and say, "Edgar, Little Beagle Johnson's gone again. Let's go find him."

And we would go off looking all over the neighborhood.

When he was President, two of LBJ's beagles died. One swallowed a stone and the other one was run over by a Secret Service car.

I got a little beagle from a kennel in Atlanta and gave it to him. One day, I was visiting at the White House and he said, "Let's go look at the dogs." We were walking along when all of a sudden he hollered, in his big, Texas voice right in my ear, "Edgar, where are you?"

Well, I was right beside him and I didn't know what he meant. "I'm here, Mr. President," I said.

"Oh, I don't mean you," he answered. "I mean the dog, the beagle. I call him Edgar."

I had a letter from President Johnson just a few weeks ago and he told me Edgar was doing just fine on the ranch in Texas.

Of course, I have been friends with President Nixon for a long time. I first met him on the Alger Hiss case. A lot of hatred for President Nixon stems from this case, from some of the liberals and pseudoliberals who've never gotten over this case. I think much of the hatred for me stems from this case, too.

[Mr. Nixon, then a Congressman, played an active role in the case, in which Hiss, a former State Department official accused of having passed on secrets to the communists, was convicted of perjury.]

President Nixon has changed materially. He's much more extroverted today than when I first met him. That's good. I think he's doing an excellent job as President, despite the brickbats he gets thrown at him from some of the media. He never loses his cool. He's done an excellent job on economic matters and I think his coming trips to China and Moscow will turn out well. He knows how to negotiate with people without giving up principles.

YOU HAVE ALSO SERVED UNDER 16 ATTORNEYS GENERAL AND ONCE TERMED RAMSEY CLARK THE LEAST EFFECTIVE. WHO WAS THE BEST?

Oh, that's hard to say. There are a half dozen that stand out, those I was very close to.

There was Harlan Fiske Stone [who served under President Coolidge]. He appointed me and we were very close. After he became Chief Justice of the Supreme Court he often would stop by. He'd say, "Edgar, I've come by to get an account of your stewardship." He considered me the steward of the FBI.

Then there was John G. Sargent [who also served under President Coolidge]. He was a big man, 6 feet 6 or 7, and wore a size 15 shoe. His feet always hurt and sometimes when I went home with him to lunch, he'd take his shoes off. He was like the mountains of Vermont—solid, very solid.

Herbert Brownell [under President Eisenhower] is a great lawyer, a great administrator. And Bill Rogers [William P. Rogers, now Secretary of State]. We were very close. When he was Attorney General and President Nixon was Vice President, we would frequently spend the Christmas holidays in Miami Beach together.

Frank Murphy [who served under President Roosevelt] was a very close personal friend. I don't know why. In the beginning, we were so opposite philosophically. Murphy was very shy and stiff in public. But in private he was the life of the party. After he was named to the Supreme Court, I would go up and we would walk from the Court to the Washington Hotel, where he lived.

Of course, there's John Mitchell, the present Attorney General. He is a very able man, a very down-to-earth individual, very unlike those Herblock cartoons in *The Washington Post*.

And I'm completely fascinated by his wife. Martha is a wonderful person. She speaks her mind. She has integrity and thought. I like that.

I was very close to the wives of some of the other Attorneys General. Mrs. Homer Cummings [her husband served under President Roosevelt], Mrs. Brownell, Mrs. Rogers.

WHAT, IN YOUR MIND, HAS MADE YOU SUCCESSFUL IN YOUR ADMINISTRATION OF THE FBI?

Principally, instilling in every FBI employee the absolute need for excellence in performance.

A law enforcement agency is only as good as the support it receives from the public. Over the long run, the public cannot be fooled. Only demonstrated performance produces the respect and cooperation necessary to achieve the results FBI responsibilities demand—and which the public has every right to expect.

This attention to a goal of excellence requires its sacrifices. It means long, often grueling hours of work on the part of our special agents. It means they must maintain personal conduct standards that raise no question as to our capacity to discharge FBI duties with skill and integrity, strict impartiality in conducting investigations, and self-discipline to withstand the frequent taunts and abusive manners of those who would impede the performance of our lawful obligations.

Some of my critics have charged me with being a harsh and autocratic administrator, but they fail to recognize the trust that must be generated from the proper discharge of FBI responsibilities. This fact leaves little room for error. An enforcement agency, by the very nature of its duties, is an easy and natural target for criticism.

YOU SPOKE OF CRITICS. IN RECENT YEARS, THE MOST PERSISTENT CRITICISM CONCERNING YOU, MR. HOOVER, HAS BEEN THAT YOU SHOULD RETIRE AND HAND OVER THE REINS OF THE FBI TO A YOUNGER MAN. WHAT IS YOUR REACTION TO THIS?

I don't consider my age a valid factor in assessing my ability to continue as director of the FBI—any more than it was when, at the youthful age of 29, I was appointed to this position. I was criticized then as "the Boy Scout." Now, I'm called "that senile old man."

My appointment to head the FBI was based on performance and I believe that same standard should apply to any evaluations of my fitness to continue in this post.

Years are only a guide to a person's age and have little meaning when attempting to equate them with ability, vigor and demonstrated performance.

This is what I believe many young people are talking about today when, in spite of their youth, they demand a more active role in our society commensurate with the many obligations they are required to shoulder. And they are right.

Many of our great artists and composers did their best work in their 80s. They were judged on performance, not age. Other leaders, too.

Look at Bernard Baruch; he was brilliant in his 90s—and Herbert Hoover and Douglas MacArthur in their 80s.

That is my policy. I judge a man on the quality of his performance. So long as I am blessed with good health and enthusiasm for my work, I would hope that I may be judged in this same manner.

HOW MUCH HAS THE FBI GROWN SINCE YOU ASSUMED ITS LEADERSHIP?

When Attorney General Stone appointed me on May 10, 1924, to head what was simply called the Bureau of Investigation, the Bureau had 441 special agents.

Compared with today, the Bureau's jurisdiction was quite limited. Through the years Congressional enactments, Presidential directives and orders of the Attorney General have substantially increased our jurisdiction to some 185 federal investigative matters.

We have 59 field offices located throughout the U.S. and Puerto Rico. In addition to these major offices, there are hundreds of resident agencies or suboffices. All told, the Bureau now has approximately 19,000 employees, and over 8,000 of these are special agents.

I might say here that the average agent works overtime 2½ hours every day, but gets paid only for one hour and 49 minutes, the legal limit. I think the amount of overtime is grossly excessive, but it's necessary because of the vastly expanded duties given the Bureau.

HAS THE NATURE OF YOUR OWN WORK CHANGED AS THE BUREAU HAS GROWN?

In the early days, I could get out and visit the field offices every year, personally see the agents in action, and spot those with potential, those who did more—or less—than their duty.

I can't do that now. I have to stay here.

I spend a lot of time in preparation for testimony before Congressional committees, and in testifying.

But the FBI inspection division reports to me on what you might call "the blood pressure of the service." It makes inspections of every field office—not to get somebody, but to find the soft spots, if any. We can't afford these.

Another difference is that in the early days, I could get out on cases. I wish I could do that now, but somebody has to run things here. I still sweat the hard cases out, though, here at headquarters.

The plane hijackings, for example.

WHAT WERE SOME OF THE CASES YOU WENT ON?

Some were publicized, some were not. There was one involving John Henry Seadlund, in the '30s. He was wanted for the kidnapping and murder of Charles S. Ross [a wealthy St. Paul, Minn., businessman]. Seadlund was arrested at the Santa Anita race track in California and I flew out there to get his confession.

In the FBI, we have never countenanced any rough stuff, never any "third degree." I believe psychology plays a large part in dealing with criminals. Psychology and integrity, even with criminals. This case makes that point.

I talked all day to Seadlund and I hadn't had any sleep. Or food. I asked him if he wanted something to eat.

"What do you want to know for?" Seadlund snapped at me. "You won't get it for me." I asked him pretty bluntly, "What do you want to eat?"

He said, "Steak, potatoes, and pie à la mode." I told an agent, "Just double that order."

The next day Seadlund asked to see me. He told me, "Well, you kept your word and got me my steak. Now get your steno and I'll tell you what you want to know." I got a full confession.

So psychology and integrity are tremendously important. FBI agents were warning suspects of their constitutional rights long before it was required by law.

We had to take Seadlund to St. Paul. When we left Los Angeles it was 78 degrees and when we got to St. Paul it was zero. We had to hide out from the press in the woods for two or three days, looking for the bodies of Ross and Seadlund's partner, whom he had also killed.

I asked one of the agents to get me some warm clothing. He brought me a suit of red woolen underwear. He could have at least gotten white, but it was a gag and it was appreciated.

WEREN'T YOU ALSO PERSONALLY IN ON THE ALVIN KARPIS AFFAIR?

Of course, there was Karpis. He was part of the Ma Barker gang, and kept sending me postcards from all over the country, saying he was going to kill me like Ma Barker and her son [Fred] were killed in a gun battle in Florida. I passed the word that whenever we spotted him, I wanted to make the capture personally.

Well, we tracked him to New Orleans [in April, 1936] and I flew down there.

We try to make an arrest at dawn, or some other time when there aren't many people on the street. But we had to do this one at 5 in the afternoon. Karpis had been holed up in an apartment on Jeff Davis Parkway and it was the rush hour and there were people everywhere.

Karpis and a companion suddenly walked out of the house and got into a car. I ran up on one side and grabbed him. Another agent went to the other side and grabbed the other fellow.

I said, "Bring the handcuffs," but everybody had forgotten to bring handcuffs. So an agent who had grown up on a cattle ranch said, "I can tie him up so he can't move." And he did, tying his hands behind him with a necktie.

When we got into the car, Karpis called me by name. I asked him how he knew who I was and he said, "Oh, I saw your picture in the paper in Miami." I'd had my picture taken when I caught that sailfish on the wall over there, the only one I've ever caught. Karpis said that my luck was better than his, that he'd been trying to catch one for three years.

On the way downtown, the agent driving the car got lost.

Karpis spoke up, wanting to know where we were going. I asked him why he cared and he said, "Well, if it's to the post office building, I can tell you how to get there. I was planning to rob it." So he directed us.

The agent who was driving heard from me later.

YOU HAVE ALWAYS SHOWN PARTICULAR INTEREST IN KIDNAPING CASES, HAVEN'T YOU?

Yes. Every case is important, but kidnapings strike me as being extremely vicious crimes against society. Often they involve young children or other family members. I don't think there is anything worse than the kidnaping of a child and the agony of the family. I look with a great deal of personal satisfaction on our accomplishments in these cases.

We first got the name "G-man" on a kidnaping, the Urschel case.

[Oklahoma oilman Charles F. Urschel, kidnaped in 1933 by the George "Machine Gun" Kelly gang. Caught in a house in Memphis, Tenn., Kelly cringed and cried, "Don't shoot, G-men, don't shoot, G-men!"]

The federal kidnaping statute passed in 1932 after the Lindbergh baby kidnaping, as well as a series of other special "crime bills" in the early '30s, greatly expanded our responsibilities in that field.

DO YOU HAVE ANY ADVICE ON HOW TO KEEP IN GOOD HEALTH?

I try to stay in good health by avoiding excesses. Moderation in everything you do is a good rule. I take a physical every year and the last one showed I was in better shape than when I took the first one, in 1938. I had to lose a little weight after that one.

All of our agents must be in top physical condition. They can be a little underweight, but they can't be overweight. When I put that rule in, some men groaned a little. But the wives all think it is great.

I exercise every morning on an exercycle.

I try to get enough sleep each night, but not too much.

In the evening I relax and watch television. I usually have a highball, maybe two. But never more than two. Jack Daniels black label—on the rocks, with a dash of soda. I never drink martinis. Martinis are poison. Nobody can drink four and be sober.

I never take work home with me Monday through Friday. But I take a lot of work home with me on the weekend when I have time to think.

Of course, I watch my diet. Again, you have to do everything in moderation.

I have two little cairn terriers. One is 17, blind and deaf, and the other is four. She's a little hussy, bosses the older one around. At breakfast, they get my bacon and eggs. I get the fruit juice and black coffee.

I always have the same thing for lunch: grapefruit, cottage cheese and black coffee. And usually I eat at the same place [the Mayflower Hotel].

I like to relax at lunch. One of the things that irritates me is for people to come up and ask, "You don't know me, do you?" I always say, "If you were ever in Alcatraz, I know you. We'd have a record on you."

My dinner at home is always moderate. I'd love to have a piece of chocolate cream pie. But I don't. Moderation in what you do, integrity in what you do. I believe in that absolutely.

HORSE RACING IS YOUR FAVORITE SPORT. HAVE YOU SEEN ANY OF THE GREAT WINNERS?

Yes. I saw Whirlaway, for example.

As a matter of fact, I was at Aqueduct and asked a friend with me to get a ticket on him. He came back with a ticket on the wrong horse, Tola Rose I think it was, a 20–1 shot. Whirlaway was something like 2–5. And Tola Rose won. I told him I should let him pick the horses every time.

One fellow I wouldn't let ever pick a horse is George Allen [a friend of Presidents Roosevelt, Truman and Eisenhower]. He always bets three horses in the same race—to win.

President Eisenhower used to give George $5 to bet for him every now and then. I told President Eisenhower, "I'd never let George bet for me. He's the worst at picking horses I ever saw."

George said that if I'd told that to anybody else but the President, he'd have sued for slander. We're very good friends.

WHAT ARE YOUR 10 MOST IMPORTANT ACCOMPLISHMENTS AS DIRECTOR OF THE FBI?

It's difficult to pick out any specific number of accomplishments. Certainly among the most important was cleaning up the Bureau, cleaning out the political hacks. This was the mandate given to me by Attorney General Stone when he appointed me. Also, winning the support the FBI has consistently received over the years from the law-abiding and concerned public.

Without these, it is doubtful the FBI could have realized many other accomplishments. I am particularly proud that FBI performance during my tenure has merited the public's support.

Other accomplishments which were important in the development of the FBI include the nationwide centralization of criminal fingerprint records in the FBI Identification Division in 1924; establishment in 1932 of the FBI Laboratory; and establishment in 1935 of the FBI National Academy, which provided a university-level advanced training program for select law enforcement officers throughout the nation.

Also, the capture of the Nazi saboteurs landed on our shores by submarine during World War II; the convictions of top communist leaders following the war; the successful investigations into the Rosenberg and Col. Rudolf Ivanovich Abel spy cases in the 1950s; the convictions resulting from our investigations of the murders of a number of civil rights workers during the 1960s; and the beginning of the FBI National Crime Information Center.

There are many more, of course, but these stand out in my mind.

WHAT ABOUT YOUR OWN POLITICS?

You know, when I took over with the mandate to clean out the political hacks and straighten out the Bureau and did, I was accused of being a Democrat because the Republicans were in office. Then I was accused of being a Republican when the Democrats took over.

I grew up in and live in the District of Columbia. I have never voted in my life. I

don't like labels and I am not political. My feeling about politics is that both parties should nominate for all offices the very best qualified man—unfortunately, that isn't always the case—and that the people should vote for the man whom they believe is the best qualified.

YOU HAVE BEEN QUOTED AS SAYING THE FBI'S NATIONAL CRIME INFORMATION CENTER IS A REAL BREAKTHROUGH IN FIGHTING CRIME. WHY SO?

The NCIC provides what was long urgently needed, a comprehensive and swiftly efficient informational exchange system of national scope.

This computerized index of documented crime data is now tied to all states and Canada by a vast telecommunications network. The total number of NCIC active records concerning stolen property and persons wanted for crimes has climbed to over three million, with daily transactions sometimes well over 75,000.

I'll give you an example of why I think this gives our nation's law enforcement community an essential tool to meet the challenge of crime.

Recently, two state troopers in New York State stopped a car. They radioed for a check on it and within two minutes—two minutes—they knew that the car had been stolen and that its two occupants were wanted for murder in California.

SOME HAVE CHARGED THAT FEDERAL COMPUTER SYSTEMS ARE LEADING TO A HUGE NATIONAL DATA BANK THAT COULD STRIP THE INDIVIDUAL OF HIS PRIVACY. COULD YOU COMMENT?

As far as the FBI is concerned, those fears are groundless.

The National Crime Information Center is the principal FBI computer system and it contains only documented data concerning criminals and stolen property. Its information is available only to authorized law enforcement agencies and the system was designed to prevent any abuse or misuse of its data.

Any allegations that this could lead to a "big brother is looking at you" operation are completely false.

THE FBI HAS BEEN ACCUSED OF ENGAGING IN UNAUTHORIZD WIRETAPING. WHAT ARE THE FACTS?

The facts are that the FBI has not used wiretaps without the authority of the Attorney General, and then only to a limited extent in cases involving our nation's security.

Also, under the Omnibus Crime Control and Safe Streets Act of 1968, federal judges may authorize the FBI to use electronic surveillance techniques in some cases involving organized crime. The Attorney General has to approve each instance, and a written affidavit establishing probable cause for action must be presented to the judge.

Assertions that FBI wiretapping is widespread are absurd. If the FBI engaged in wiretapping to just a fraction of what its critics suggest, it would have no time for anything else.

These critics who accuse the FBI of this practice can never produce any proof.

Congressman Boggs [Rep. Hale Boggs (D.-La.), majority leader in the House] made a wild statement that his telephone had been tapped. That charge was simply not true. No telephone of any Congressman has ever been tapped since I became Bureau director in 1924. He was put in the position of having to "put up or shut up" on that charge and he shut up.

ANOTHER ACCUSATION AGAINST THE FBI IS THAT OF SNOOPING ON CAMPUSES

Completely false. I believe this is only a scare tactic to inflame the academic community against the FBI.

Yes, the FBI does conduct investigations on college campuses—or anywhere else in the nation. But only if there is a violation within its investigative jurisdiction.

If, for example, an ROTC building has been destroyed by a fire or explosion, we will investigate to see if there is evidence of sabotage or destruction of government property. Many campuses have government research or other government facilities. If government property is damaged or stolen, the FBI investigates.

We do not snoop on campuses, or in any way treat the campus different from any other area of society. The FBI has the highest respect for academic freedom.

AMERICAN BUSINESS IS MAKING GREAT USE OF COMPUTER TECHNOLOGY, PARTICULARLY IN RECORDS MANAGEMENT. WHAT STEPS HAS THE FBI TAKEN ALONG THIS LINE?

One of the first actions I took upon becoming director was the establishment of a centralized national file of arrest records on fingerprints. This led to formation of the FBI Identification Bureau in 1924, the year of my appointment.

From 800,000 fingerprint records, this has now grown to nearly 200 million, including many civilian and military fingerprints that are kept separately from those filed as a result of arrests. I have always felt strongly that fingerprints for identification purposes are a protection for the public. I remember I personally took the fingerprints of John D. Rockefeller Jr. and his family in 1924 to encourage the public to take advantage of this protection, and to show there was no stigma in having your fingerprints recorded. Nelson was a little boy then.

As far back as 1934, the FBI installed a punch card system of searching fingerprints. However, because of the rising volume of fingerprint records this proved inadequate and, by necessity, the Identification Division had to return to manual searching. Presently, development contracts are nearing completion to computerize fingerprint files and to electronically read, classify and retrieve—within seconds.

In 1954, we had in operation the first automated payroll system in the federal government.

WHAT ARE SOME OF THE MAJOR PROBLEMS THE FBI HAS RUN INTO IN COMBATING ORGANIZED CRIME, ESPECIALLY IN THE FIELD OF LEGITIMATE BUSINESS?

There is no question the two most serious problem areas are the complexity and size of the investigations themselves, and the general apathy of citizens directly or indirectly affected.

On one series of gambling raids we used over 200 FBI agents. In another series, we had to call upon over 400 agents. In one major hoodlum international bankruptcy case alone, we had investigations being conducted by 31 offices in 28 states, ranging from New York to California and from Minnesota to Alabama.

Many hoolums, unfortunately, have acquired a facade of semi-respectability in their communities. People find it hard to believe that these so-called "businessmen" can possibly be involved in illegal activities.

Even more disturbing, from a law enforcement view, is the seeming indifference of otherwise responsible citizens to the acknowledged existence of specific phases of organized crime in their communities.

What they are overlooking, of course, is that hoodlum-connected major thefts increase their insurance rates, that labor racketeering increases consumer costs, that gambling and narcotics corrupt youth, and that bribery of civic and police officials undermines good government and deprives the public of the protection to which it is entitled.

IS THERE A LAW WHICH PARTICULARLY HELPS THE FBI TO FIGHT INFILTRATION OF BUSINESS BY CRIMINALS?

Under the Organized Crime Control Act of 1970, which the President signed into law in October, 1970, Title IX bans the investment of underworld funds in legitimate business ventures. This provides for severe criminal penalties, as well as forfeitures.

SUCCESSFUL BUSINESSMEN PLACE GREAT EMPHASIS UPON PERSONNEL TRAINING. WHAT IS THE FBI DOING IN THIS AREA?

I certainly agree with the importance of personnel training, and effective personnel training has been a keystone of FBI operations since I became director. In fact, the FBI pioneered advanced law enforcement training with the establishment of the National Academy in 1935.

In addition to the Academy, the FBI has some 1,500 specially trained special agent police instructors who go out where requested and give a wide variety of training. For example, this FBI Field Police Training Program just this past year conducted more than 9,000 training schools, attended by more than 300,000 people. And this involved over 83,000 hours of classroom instruction by Bureau personnel.

The new facility for our Academy at Quantico, Va., when we move in later this year, will enable us to increase the number of officers to be trained from 200 to 2,000 annually. It will also provide specialized courses for 1,000 others. These will be management courses, and I'm quite proud that we will be able to do this. I believe it will certainly strengthen local law enforcement.

DO YOU THINK THE UNITED STATES SHOULD HAVE A NATIONAL POLICE FORCE?

I am vigorously opposed to a national police force, or any trend toward one. I want to make one point clear, and it is one that critics of the FBI seem to want to overlook.

The FBI does not decide what it will investigate. It is given responsibilities by Congress, by the President, by the Attorney General. It is charged by law to carry out certain functions. And we will do that.

I might also say that I opposed our being given some of these responsibilities. For instance, we are charged with investigating an illegal gambling case if it involves five or more persons, remains in business 30 days, or has a daily $2,000 gross. I believe this is a function of local law enforcement.

THE FBI HAS A RELATIVELY SMALL NUMBER OF NEGRO SPECIAL AGENTS. WHAT IS ITS POLICY WITH RESPECT TO EMPLOYING MEMBERS OF MINORITIES?

The FBI is unequivocally dedicated to the principles of equal employment opportunity. I insist that all appointments and other personnel actions be based on merit and fitness.

Let me say that nothing would please me more than to have a greater number of special agents from minority groups. We have a very real need for them, and they would be a most welcome asset. We will continue to make every effort to attract those qualified.

But I have not, and will not, relax the high standards which the FBI has traditionally demanded of special agents without favor or exception.

Attorney General [Robert F.] Kennedy became very angry with me over this.

I would not yield.

The standards for a special agent of the FBI are stringent. Applicants must be of outstanding appearance and outstanding character, and have the required education in law, accounting, languages or sciences, or three years of executive, professional or investigative experience.

We demand of FBI employees a standard of morality which can be approved by the majority of the American people. Some say we are too strict, but I submit to public judgment that discipline is an absolute necessity. An undisciplined law enforcement agency is a menace to society.

We do have exacting standards in the FBI and we apologize to no one for them. We have no intention of arbitrarily compromising these standards to accommodate kooks, misfits or slobs.

As I have said publicly, disregard for law and order is encouraged by hatemongers, extremists and others who say that revolution against society is justified and necessary.

A NUMBER OF TERRORIST OR REVOLUTIONARY GROUPS SEEM TO HAVE SPRUNG UP IN RECENT YEARS. WOULD YOU COMMENT?

Terrorist-extremist sentiment is on the rise in the nation today, especially in the so-called New Left. The Students for a Democratic Society was formed in 1962 and by 1967 this group had developed a revolutionary, violent posture, urging destruction of our democratic institutions. In 1969, it was torn by factionalism and its extremist wing became the Weatherman.

The Weatherman, which went underground in 1970, believes in violence. Its adherents have collected explosives and set up bomb factories. They have carried out acts of violence not only against police facilities, but against military and government buildings and even private buildings which happen to house the offices of companies these extremists don't like.

Small terror groups, operating from underground, represent a great danger. Unfortunately, the Weatherman type of extremist mentality seems to have spread to some other young people and even some adults.

You have black nationalist terror organizations such as the Black Panther Party. The Panthers are hoodlum-type revolutionaries, and their true nature must be exposed.

Currently the Panther Party is doing everything possible to show a "humanitarian face"—to show that it is interested, for example, in the welfare of children through its so-called Breakfast for Children program.

This is a public relations gimmick. Part of the reason for this feigned emphasis on humanitarianism is to encourage contributions from wealthy white liberals, who have given thousands of dollars to the Panthers.

WHAT IS THE FBI'S ROLE CONCERNING PROTESTS, SUCH AS THOSE AGAINST THE VIET NAM WAR?

In America, we have freedom of expression. Individuals have a right on their own to oppose the war or say anything else they desire about Viet Nam.

There are a number of antiwar groups and they have the right to voice their viewpoints. The FBI does not in any way attempt to stifle groups or individuals who speak out against the Viet Nam War. Charges that we do are completely false.

The FBI becomes concerned only when members of these or any other groups violate laws within its investigative jurisdiction. Or when the activities of the groups become violent or terroristic and pose a threat to the internal security of the country.

YOU MENTIONED WHAT YOU CONSIDER YOUR MOST IMPORTANT ACCOMPLISHMENTS AS FBI DIRECTOR. WHAT WOULD YOU CONSIDER THE MOST IMPORTANT CASES THE FBI HAS INVESTIGATED?

I like to think that all of our investigations are important. But in terms of their impact on FBI operations or the events of the time, a few stand out.

The successful investigation of the kidnaping of Charles Lindbergh's son in 1932 led to the passage that same year of the federal kidnaping statute, giving the FBI added jurisdiction over this despicable crime.

John Dillinger had become a full-blown American folk hero by the time our agents were forced to shoot while moving in to arrest him in Chicago during 1934. I saw an ad the other day that they were making another movie about Dillinger. I suppose this one will make him a hero again. I can't understand this. The worst movie ever made was that one about Bonnie and Clyde. They were nothing but a couple of bum criminals, the worst kind.

Just a few months prior to the Japanese bombing of Pearl Harbor in 1941, FBI agents arrested 33 members of the network of the German spy, Frederick Duquesne. This case, together with the FBI capture of the Nazi saboteurs landed secretly in this country, I am sure, stopped serious enemy attempts to sabotage our war effort. Those Nazi saboteurs were tried in Classroom No. 1 of this building [the Justice Department building].

In 1949 our investigations resulted in the conviction of 11 top leaders of the Communist Party, U.S.A. We were only a few years removed from working with the world's leading communist power, the Soviet Union, as an ally. It was hard for some to realize the conspiratorial nature of the Communist Party in those circumstances.

The trial in which the leaders were convicted galvanized public opinion to the fact the communists were attempting to subvert our democratic form of government. The Rosenberg atom bomb spy case the following year left little doubt of these motives.

The six-year-long FBI investigation of the 1950 robbery of Brink's, Inc., at Boston demonstrated the virtue of investigative persistence and hard work.

The FBI investigation of the assassination of President Kennedy at Dallas resulted in the interviewing of approximately 25,000 persons and the submission of more than 2,000 reports to the Warren Commission.

As a result of the assassination and the investigation, Congress passed legislation, approved by the President, providing for federal criminal penalties in instances involving Presidential assassination, kidnapping and assault. The FBI was charged to investigate such violations, which were previously the responsibility of the local jurisdiction in which the crime occurred.

The FBI investigation of the murder of three civil rights workers in Mississippi in 1964, as well as investigations of other similar instances of violence and brutality, helped to hasten the passage of broader civil rights legislation.

MR. HOOVER, IS THERE ONE CROOK YOU REMEMBER MOST VIVIDLY?

Gaston B. Means. I think he was the worst crook I ever knew. I fired him from the Bureau the first thing when I took over and he became mixed up in all sorts of things. He was a scoundrel.

Evalyn Walsh McLean [the wealthy Washington socialite] knew he was a crook, but she thought because he was, he could help in the Lindbergh kidnaping. She gave him $100,000 to try to get the baby back, and would have given him more. She was going to pawn her jewels, but I stopped that.

We never did find the money Means got from Mrs. McLean and which he said he had buried. We had divers searching the Potomac. When he was convicted and in the hospital at Leavenworth, I flew out there and saw him.

"Why did you lie to our own men about where the money is?" I asked him.

He put his hand over his heart and said, "Oh, Edgar. That wounds me."

He was a complete scoundrel. But he was the type some people liked—a sort of lovable scoundrel.

A HEADQUARTERS BUILDING FOR THE FBI IS BEING CONSTRUCTED ACROSS THE STREET. WHEN WILL IT BE COMPLETED?

There are some who maintain that the only reason I am staying on as director of the FBI is to be present at the dedication of this new building. I say this is absolute nonsense. In a recent speech, I facetiously noted that at the rate it is going up, none of us will be around by the time it is completed.

Hopefully, it will be ready for occupancy in 1974. We have shared space with the Department of Justice since 1934 and during that period our staff and that of the Department have multiplied many times. It's been necessary to relocate many phases of our operations in seven other sites in the capital.

This new headquarters will bring everything under one roof and vastly improve our administration and efficiency.

WOULD YOU TAKE A LOOK AHEAD AT THE FBI'S ROLE IN THE YEARS TO COME?

I would hope the FBI's role in the future will be identical with its role in the past and at the present. That is, being a servant of the people.

The FBI's success has been built on one vital base—the confidence of the people. If we knock on a citizen's door, he does not have to talk to us or give our special agents information. This is a decision he must make. We can solve cases only if citizens furnish information.

We want to maintain the confidence and support of citizens in all walks of life, in all areas of the country. If we don't, we simply cannot do the job for which we are responsible.

I want the FBI's work in the future to continue to merit the approval of the people. This means, on our part, top quality investigations. Efficient, loyal and responsible personnel. A willingness to work hard.

ONE LAST QUESTION, MR. HOOVER, YOU'VE SPENT YOUR LIFE FIGHTING CRIME. HAVE YOU, AS A PERSON, EVER BEEN VICTIMIZED?

Yes. Once by a fellow who came door-to-door. I bought a load of fertilizer from him for my roses. The stuff turned out to be black sawdust.

And then, once by the fellow they called "The Birdman of Alcatraz." He had two cells—one in which he lived, and another where he kept his birds.

My mother was alive then and she always liked to keep a few birds, so I bought a canary from him. Only it turned out to be just a sparrow, dyed yellow.

So I've been conned at least twice in my life. I guess that proves I'm human.

LEAVE OF ABSENCE

By unanimous consent, leaves of absence were granted as follows:

To Mr. CORMAN, for Tuesday, January 18 through Friday, January 21, on account of official business.

To Mr. GRIFFIN (at the request of Mr. BOGGS), for the week of January 18, on account of death in family.

To Mr. BARING (at the request of Mr. HANLEY), for Wednesday, January 19 and balance of week, 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:

Mr. ST GERMAIN, for 30 minutes on February 2, 1972.

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

Mr. HALPERN, for 5 minutes, today.

Mr. MILLER of Ohio, for 5 minutes, today.

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

Mr. GONZALEZ, for 10 minutes, today.

Mr. BURKE of Massachusetts, for 10 minutes, today.

Mr. HOLIFIELD, for 15 minutes, today.

Mr. ROSTENKOWSKI, for 5 minutes, today.

Mr. ROONEY of Pennsylvania, for 5 minutes, today.

EXTENSION OF REMARKS

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

Mr. DULSKI and to include extraneous matter in three instances.

Mr. TIERNAN to extend his remarks following those of Mr. ST GERMAIN, today.

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

Mr. MCKINNEY.

Mr. MATHIAS of California.

Mr. HALPERN in two instances.

Mr. SPRINGER in three instances.

Mr. COUGHLIN.

Mr. TALCOTT.

Mr. WYMAN in two instances.

Mr. SCHMITZ in three instances.

Mr. STEIGER of Wisconsin in two instances.

Mr. FREY in three instances.

Mr. SANDMAN.

Mr. KEATING.

Mr. WYDLER.

Mr. SMITH of New York.

Mr. KUYKENDALL in three instances.

Mr. RHODES in five instances.

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

Mr. SHIPLEY in two instances.

Mr. STOKES in five instances.

Mr. GONZALEZ in three instances.

Mr. ANNUNZIO in three instances.

Mr. VANIK in three instances.

Mr. SCHEUER in three instances.

Mr. HARRINGTON in four instances.

Mr. HAMILTON in six instances.

Mr. TEAGUE of Texas in six instances.

Mr. BOLLING.

Mr. MAZZOLI in three instances.

Mr. HELSTOSKI in 10 instances.

Mr. DINGELL.

Mr. ST GERMAIN in two instances.

Mr. MATHIS of Georgia.

Mr. BLATNIK in two instances.

Mr. RARICK in three instances.

Mr. SARBANES in three instances.

Mr. KOCH in four instances.

Mr. DULSKI in five instances.

Mr. HUNGATE in three instances.

Mr. BRASCO in three instances.

Mr. MATSUNAGA in two instances.

Mr. ANDERSON of California in four instances.

Mr. BROOKS.

Mr. JONES of Tennessee in six instances.

Mr. GALIFIANAKIS.

Mr. RANGEL.

Mr. ROGERS in five instances.

Mr. ROONEY of Pennsylvania.

Mr. RYAN in three instances.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 2 o'clock and 45 minutes p.m.) the House adjourned until tomorrow, Thursday, January 20, 1972, 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:

1456. A letter from the Secretary of State, transmitting his determination that there is no violation of international law involved in the proposed transportation of certain unserviceable material; to the Committee on Armed Services.

1457. A letter from the president. Gorgas Memorial Institute of Tropical and Preventive Medicine, Inc., transmitting the 43d Annual Report of the Gorgas Memorial Laboratory, covering fiscal year 1971, pursuant to 2 U.S.C. 278(a), together with the examination of the financial statements of the institute for fiscal years 1970 and 1971 (H. Doc. No. 92-210); to the Committee on Foreign Affairs and ordered to be printed.

1458. A letter from the Chairman, Federal Power Commission, transmitting a copy of the publication entitled "Statistics of Interstate Natural Gas Pipeline Companies, 1970"; to the Committee on Interstate and Foreign Commerce.

1459. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved according certain beneficiaries third and sixth preference classification, pursuant to section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

1460. A letter from the Chairman, U.S. Civil Service Commission, transmitting a report on positions in grades GS-16, GS-17, and GS-18 in the Civil Service Commission during 1971, pursuant to 5 U.S.C. 5114; to the Committee on Post Office and Civil Service.

RECEIVED FROM THE COMPTROLLER GENERAL

1461. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Federal Crop Insurance Corporation, Department of Agriculture, for fiscal year 1971 (H. Doc. No. 92-234); to the Committee on Government Operations and ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. BINGHAM (for himself, Mr. HICKS of Washington, Mr. DELANEY, Mr. HARRINGTON, and Mr. GIBBONS):

H.R. 12477. A bill directing the Federal Communications Commission to investigate the rate base and structure of the American Telephone & Telegraph Co. and its subsidiaries; to the Committee on Interstate and Foreign Commerce.

By Mr. BINGHAM:

H.R. 12478. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide for the registration and licensing of food manufacturers and processors, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 12479. A bill to provide for Federal collection of State individual income taxes, to provide funds to localities for Federal high-priority purposes, and to provide funds to States to encourage more efficient use of revenue sources; to the Committee on Ways and Means.

By Mr. BRINKLEY:

H.R. 12480. A bill to amend title 5, United States Code, to require the heads of the respective executive agencies to provide the Congress with advance notice of certain planned organizational and other changes or actions which would affect Federal civilian employment, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CARNEY:

H.R. 12481. A bill to provide for the issuance of a commemorative postage stamp in honor of the 75th anniversary of the founding of the National PTA; to the Committee on Post Office and Civil Service.

By Mr. CEDERBERG:

H.R. 12482. A bill to assist in meeting national housing goals by authorizing the Securities and Exchange Commission to permit companies subject to the Public Utility Holding Company Act of 1935 to provide housing for persons of low and moderate income; to the Committee on Interstate and Foreign Commerce.

By Mr. DORN:

H.R. 12483. A bill to amend the Federal Trade Commission Act (15 U.S.C. 41) to provide that under certain circumstances exclusive territorial arrangements shall not be deemed unlawful; to the Committee on Interstate and Foreign Commerce.

By Mr. GROVER:

H.R. 12484. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. HANSEN of Idaho (for himself and Mr. LINK):

H.R. 12485. A bill to amend section 161 of the Vocational Education Act of 1963 to utilize a portion of the funds for homemaking and consumer education programs to assist the elderly; to the Committee on Education and Labor.

By Mr. HELSTOSKI:

H.R. 12486. A bill to assure equal access for farmworkers to programs and procedures instituted for the protection of American working men and women, and for other purposes; to the Committee on Education and Labor.

H.R. 12487. A bill to provide that a citizen of the United States shall not lose his citizenship before obtaining citizenship or permanent residence in another country; to the Committee on the Judiciary.

By Mr. JONES of Alabama (for himself, Mr. BUCHANAN, Mr. DICKINSON, Mr. EDWARDS of Alabama, Mr. BEVILL, Mr. NICHOLS, Mr. FLOWERS, Mr. BRINKLEY, Mr. FLYNT, Mr. FUQUA, Mr. SIKES, Mr. MATHIS of Georgia, Mr. ANDREWS, Mr. MILLER of California, Mrs. SULLIVAN, Mr. HICKS of Washington, Mr. JONES of North Carolina, Mrs. HICKS of Massachusetts, Mr. RARICK, Mr. BEGICH, and Mr. ANDERSON of Illinois):

H.R. 12488. A bill to change the name of the Columbia lock and dam, on the Chattahoochee River, Ala., to the George W. Andrews lock and dam; to the Committee on Public Works.

By Mr. KEATING:

H.R. 12489. A bill to amend the Internal Revenue Code of 1954 to allow a credit against the income tax of individuals for certain amounts of tuition paid with respect to dependents enrolled in private elementary or secondary schools; to the Committee on Ways and Means.

H.R. 12490. A bill relating to withholding, for purposes of the income tax imposed by certain cities, on the compensation of Federal employees; to the Committee on Ways and Means.

By Mr. KOCH:

H.R. 12491. A bill to amend the Uniform Relocation Assistance and Real K Property Acquisition Policies Act of 1970 to provide for minimum Federal payments after July 1, 1972, for relocation assistance made available under federally assisted programs; to the Commitee on Public Works.

By Mr. MAHON:

H.R. 12492. A bill to amend the Occupational Safety and Health Act of 1970 to exempt any nonmanufacturing business, or any business having 25 or less employees, in States having laws regulating safety in such businesses, from the Federal standards created under such act; to the Committee on Education and Labor.

By Mr. MATSUNAGA:

H.R. 12493. A bill to provide that the President of the United States shall designate as Governor and Lieutenant Governor of American Samoa the individual who is nominated by the electors of American Samoa for each such position, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MELCHER:

H.R. 12494. A bill to amend section 5a of the Commodity Exchange Act, as amended; to the Committee on Agriculture.

H.R. 12495. A bill to modify ammunition recordkeeping requirements; to the Committee on Ways and Means.

By Mr. MINISH:

H.R. 12496. A bill to amend the Urban Transportation Act of 1964 to authorize certain emergency grants to assure adequate rapid transit and commuter railroad service in urban areas, and for other purposes; to the Committee on Banking and Currency.

By Mr. MYERS:

H.R. 12497. A bill to amend the Social Security Act to permit the disclosure of certain information to prosecuting attorneys for use in securing child support and maintenance; to the Committee on Ways and Means.

By Mr. PATTEN:

H.R. 12498. A bill to amend the tariff and trade laws of the United States to promote full employment and restore a diversified production base; to amend the Internal Revenue Code of 1954 to stem the outflow of U.S. capital, jobs, technology, and production, and for other purposes; to the Committee on Ways and Means.

By Mr. PUCINSKI:

H.R. 12499. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for tuition expenses incurred in providing nonprofit elementary and secondary education; to the Committee on Ways and Means.

By Mr. SCHERLE:

H.R. 12500. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

H.R. 12501. A bill to provide more effective means for protecting the public interest in national emergency disputes involving the transportation industry, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SHOUP:

H.R. 12502. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. SYMINGTON:

H.R. 12503. A bill to strengthen and improve the Older Americans Act of 1965; to the Committee on Education and Labor.

By Mr. TEAGUE of Texas (by request) (for himself, Mr. TEAGUE of California, Mr. DORN, and Mr. HAMMERSCHMIDT):

H.R. 12504. A bill to amend chapter 15 of title 38, United States Code, to provide for the payment of pensions to World War I veterans and their widows, subject to $3,000 and $4,200 annual income limitations; to provide for such veterans a certain priority in entitlement to hospitalization and medical care; and for other purposes; to the Committee on Veterans' Affairs.

By Mr. KEE:

H.J. Res. 1020. Joint resolution authorizing the President to proclaim the first Sunday in June as "National Shut-In Day; to the Committee on the Judiciary.

By Mr. BOLLING:

H. Res. 768. Resolution making in order a motion to adjourn the House to a day and time certain; to the Committee on Rules.

By Mr. HAYS:

H. Res. 769. Resolution authorizing payment of compensation for certain committee employees; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. BINGHAM:

H.R. 12505. A bill for the relief of Portia Brooks; to the Committee on the Judiciary.

By Mr. DON H. CLAUSEN:

H.R. 12506. A bill for the relief of Jerry A. Langer; to the Committee on the Judiciary.

By Mr. FREY:

H.R. 12507. A bill for the relief of Teresa Ryan; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 12508. A bill for the relief of Jack George Makari; to the Committee on the Judiciary.

By Mr. TIERNAN:

H.R. 12509 A bill for the relief of Adelaide Monteiro Caetano Monteiro; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

180. The SPEAKER presented a petition of Andrew W. Schroeffel, Las Angeles, Calif., relative to impeachment of a judge, which was referred to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

INTERNATIONAL AIR TRANSPORT ASSOCIATION FOSTERS IMPROVEMENTS IN WORLDWIDE TRAVEL—FLOYD HALL ADDRESSES WASHINGTON AERO CLUB

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Wednesday, January 19, 1972

Mr. RANDOLPH. Mr. President, in the years since commercial aviation began revolutionizing travel throughout the world, there have been many improvements in what is now one of our largest industries. Perhaps the most obvious changes have taken place in the equipment itself. In the early days, flying was almost in the category of a hazardous adventure for the brave and fearless.

The advantages, though, were great. The time it took to fly from place to place 40 years ago may seem long today, but it was a tremendous improvement over other forms of available transportation.

Continual technological improvement has provided the big jets of today with the capability to carry several hundred people quickly to any point on the globe.

But there have been less visible changes in airline travel that facilitate the movement of passengers. Years of work have produced a national and international structure that works for laws and regulations designed to make air travel easier.

On the worldwide level, the International Air Transport Association—IATA—while a controversial group, has done much to lower travel barriers between nations and to secure cooperation between competing airlines.

Mr. President, on January 18 I was privileged to be a guest at the annual luncheon of the Aero Club of Washington. At that time, Floyd D. Hall, chairman and chief executive officer of Eastern Airlines, reviewed the history and accomplishments of IATA in his capacity as president of that association.

The Aero Club, affiliated with the National Aeronautics Association, also elected its new officers for 1972. Chosen to lead the club this year were Donald R. Jackson, Deputy Assistant Secretary of the Air Force, president; J. C. Owen, of Pneumo Dynamics Corp., first vice president; James P. Bass, of American Airlines, second vice president; Edward W. Stimpson, of General Aviation Manufacturers Association, third vice president; J. Donald Reilly of Airport Operators Council International, secretary; Col. James M. McCarry, Jr., of Eaton Associates Inc., treasurer; and Ernest W. Robischon, retired official of the National Air and Space Museum, historian. Elected trustees were George U. Carneal, Jr., of the Federal Aviation Administration; Col. Jack Reiter, U.S. Air Force, retired; Brian S. Aviation Administra- retired; Brian S. Tennant of the Boeing Co.; and Harry J. Zink, of the Civil Aeronautics Board. Retiring Club President Edward M. Lightfoot, of Lockheed Aircraft Corp., was made an ex-officio trustee.

Mr. President, because of the importance of international air travel in our society, I ask unanimous consent that excerpts from Mr. Hall's speech be printed in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

In its present form, the International Air Transport Association was born near the end of the Second World War, when the leading aviation nations of the world began to face for the first time the complex problems of carrying passengers by air between nations. Practically speaking, the capability for doing this hadn't existed before the war. The United States government recognized the need for certain binding international agreements governing this new kind of international commerce. As early as 1944, then, the U.S. invited representatives of 54 nations to attend an international conference on civil aviation in Chicago.

A year later, there was formed the International Air Transport Association—a trade association of 44 airlines from 24 countries. It was the successor to the International Air Traffic Association, an admitted-