

December 14, 1967

screen, weather, the limits of human sight or attention or judgment, or equipment failure.

But few problems are as severe or as urgent as the burgeoning air fleet itself.

Ten years ago, there were only 67,000 commercial and private planes in the nation's skies. Today, the air fleet numbers more than 108,000. In 10 years, it will number 184,000. And every year private and commercial planes get bigger and faster.

Today's 2,300 commercial airliners have an enviable safety record. They suffer less than one-tenth of a death every 100 million miles in the air.

But for the 106,000 smaller, private and business aircraft called general aviation, the death rate is 20 per 100 million miles—200 times the death rate for scheduled airliners and eight times the death rate for automobiles.

The comparison may be unfair, stacking miles flown by speedy jets against those of slower light aircraft. Private pilots say the death rate per 100,000 hours in the air is a better measure, and claim it is comparable for both private and commercial planes.

Barely 2.5 per cent of the nation's airlines were involved in accidents in 1966, against nearly 6 per cent of the planes in the general aviation fleet. Of this year's 1,400 dead, almost 1,200 died in general aviation accidents.

And of six air disasters in 1967, two were collisions in the air between commercial and private aircraft. The 108 persons who died in those two crashes total almost half of the entire commercial aircraft death toll.

In all, some 137 people were killed in collisions in the air during the first 10 months of the year, just 25 short of an all-time fatality record for that kind of collision. But any year has the potential to be worse.

In 1966, pilots reported 462 near-misses with other aircraft. Not all near-misses are reported. Some experts say the true number might reach 5,000 a year, involving possibly thousands of people.

And within two years, the first jumbo jets with 500 passengers abroad will begin landing at airports that even now are desperately searching for room. After the jumbos come the supersonic transports that will cross American twice as fast as a bullet.

"We can put in radar at every airport in this country, instrument landing systems at every airport in the country," says Federal Aviation Agency chief William F. McKee.

"It will obviously greatly improve the operations. But even with all of that, and billions of dollars on airports, I couldn't guarantee you a 100 per cent safe operation, as long as we have people who make mistakes, as long as we have equipment that goes out."

The FAA has two prime duties: Insuring air safety, and promoting aviation. Some congressional critics say that one aim may be getting in the way of the other.

Critics are pointing to the rapid growth of general aviation and are asking for stiffer standards in granting private flying licenses.

In an analysis of air accidents in 1965, the National Transportation Safety Board found that two-thirds of general aviation mishaps were due to pilot error. Less than one-fifth of airliner accidents were pinned to pilot error. In 1967, as in the three years before, more than 1,000 will die in general aviation accidents. The NTSB says the toll is rising partly because light aircraft are bigger and carrying more passengers.

Gen. Joseph D. Caldara, head of the non-profit Flight Safety Foundation, has urged the FAA for some years to tighten the standardization of instruction for private fliers. Until about three years ago, he said, it was possible for an applicant to pass the written test even if he failed all the questions on weather. It is no longer possible. Still, one out of 10 accidents involving small planes is caused by weather.

In 1959, Congress authorized the FAA to delegate its private pilot flight testing to industry. The FAA monitors the flight testers it designates. But the fact remains that some 80 per cent of the flight tests for private licenses are conducted by private individuals. Some of these people are the same ones who sell flying lessons, sell aircraft and service them.

Rep. Benjamin Rosenthal, (Elmhurst-Democrat) whose district includes Flushing Airport, a private field and part of LaGuardia Airport, says: "It's as if the man who sold you your car, or the garageman who serviced it, also gave you your driver's license."

Despite the potential conflict of interest, FAA officials are sure that the outside flight testers are honest and uphold flight standards. They point out that flight instructors and flight testers put their reputations on the line when they pass a pilot.

The professional airline pilot is flight-checked by the FAA twice a year. Yet private pilots with a basic license need only pass a medical examination every two years to maintain flying rights.

Indeed, inactive private licenses have not been cut off since mid-1945. They can be re-instated without any further instruction or flying.

As 1967 draws to a close, the FAA is considering some new restrictions on the general aviation flier. It will suggest for public discussion annual proficiency tests, or a set amount of yearly instruction, to maintain flying rights. Such proposals will not be rules until all interested parties comment. An FAA official admits that safety statistics point a finger at the efficiency of the private pilot. A current study of hub airports is probing the possibility of segregating them from private flying.

"I think there is a safety factor here," the official said.

"We are aware of it. But we are trying to find a way without penalizing the general aviation flier. Traditionally in this country, public transport has been given the right of way. But one-third of all people going by air, go by general aviation which includes air taxis. We're trying to do the best we can with the fewest restrictions."

The general aviation pilot is represented by several groups in Washington. One is the Aircraft Owners and Pilots Association. A spokesman for that group said: "There are a lot of people flying and learning to fly. There are very few federal agents to monitor it. If you go into revalidation of licenses and retesting, you'll have to enlarge the FAA staff tremendously."

Of a possible conflict of interest in having private individuals give flight tests, he said, "I have seen no statistical evidence to date that this was the root of the problem. Some years ago, the FAA thought it was, cancelled all designations of outside flight testers, and began doing the testing themselves. FAA agents fell six months behind in testing, and the accident rate did not go up or down."

General aviation groups are adamant on freedom of the skies. Largely, they have been successful in defending it. Once the private pilot has his license, there are few enforceable bounds on him in the aircraft for which he is rated, except his own good sense. In some cases he can traverse a busy airport, fly through a runway approach or stacked-up airplanes. When he creates a hazardous situation, he is liable for punishment. He may be dead by then.

Charles Ruby, president of the 22,000-member Air Line Pilots Association, said: "We do not feel that we can stress too strongly that with the increased use of the common air space by transport and military aircraft, as well as all types of general aviation aircraft, it is clear that air traffic control problems, and the collision threats are on the increase."

There have been louder cries recently for segregating private aircraft, making them

land at satellite fields away from the busy commercial traffic coming into hub airports.

General aviation groups stoutly defend their access to tax-supported runways and airspace. Robert Monroe, congressional liaison and deputy chief of policy and technical planning for the 140,000 member AOPA, put it this way: "With 99 per cent of the registered aircraft, 98 per cent of the active aircraft, 97 per cent of the active pilots, 82 per cent of the hours flown, 75 per cent of the operations at tower controlled fields and 99 per cent of the operations at the rest—we are not general aviation—we are aviation."

Because the private flier has to make contact with scheduled airlines frequently, or because he carries passengers who do, he needs to go where the airlines go.

Others, too, feel that segregation is not the solution. Caldara insists that the air space and the airports can handle general aviation as well as commercial traffic. The airports will need parallel runways for the light aircraft to free heavy-duty extra-thick concrete for passenger jets.

Next, says Caldara, are requirements in equipment and training that will tie the general aviation pilot into the positive control of instrument flight. This would enable the FAA to create a "federally controlled system which integrates all aircraft," which keeps track of them in the air and tells them where they may not go.

One worry for the already harassed air controllers is the occasional private flier who comes into a busy hub complex for the first time. If he is capable and plans ahead, his visit may be trouble free. But some have difficulty. They land on the wrong runways, or the wrong airports. With other planes coming and going at about one a minute in busy times, the stranger can cause hazards and delays. Sometimes he calls the tower to report he has only 15 minutes of fuel left. The tower then must keep some 1,000 people waiting in the air over heavily residential areas while they bring in the sometimes lost, sometimes shaken airman who has had his first taste of the crowded metropolitan skies. He may not return. But controllers wonder if he wasn't there once too often already.

"He has to be spoon-fed," said one FAA aide.

"We'd rather not have him around."

The FAA is taking steps to get a better measure of how close things are in the skies by relaxing one of its rules on near miss reporting. Most agree that the 462 reports received in 1966 were too low. But pilots were reluctant to turn in reports, because they were frequently followed by punitive action by the FAA. Beginning Jan. 1, for one year, the FAA will grant immunity to pilots reporting near-misses. Hopefully, it will bring out a better measure of how often near-misses occur, where and why.

Of the near-misses reported in 1966, 143 occurred at altitudes ranging from 500 to 3,000 feet, and 249 were between 3,000 and 14,500 feet. Almost half occurred within 10 miles of airports of origin or destination for the aircraft involved.

In short, most occurred in those areas and under those situations when the mix of aircraft—general and commercial, prop and jet—was greatest.

The Air Line Pilots Association has emphasized that for the time being adequate aircraft separation is the only safe answer even when aircraft are under positive radar control from the ground.

"This is due to the physical aspects of the current radar program," it said, "under which the controller on the ground must first observe some deviation, then evaluate it and transmit information to the pilot of the aircraft who in turn must evaluate it and take appropriate action. When we are operating airplanes a mile or so apart at 160 miles an hour, there simply is not time for two independent minds to assimilate information and take appropriate action."

Can we be any more specific? Hanoi has spurned the olive branch. They answered with a rude "no" and they have repeated it time after disappointing time. Until they relent, until they see room for compromise and area for agreement we must stand firm and unafraid. And we will.

Peace will come, I am convinced of that, but until it does, I will continue, with the support of our determined people, to hold the line we have drawn against aggression—and hold it firm and steady.

In all that I do, I will be strengthened by the powerful testimony for freedom that you have given in this hall. You courageous men of labor support our fighting men, and you have spoken as free men must speak. May all the world hear you. And may God bless you for it.

### HOPES AND DANGERS IN GREECE

(Mr. FRASER (at the request of Mr. WALKER) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FRASER. Mr. Speaker, reports from Greece indicate that the military regime that has ruled the country since a coup last April is in the process of being overthrown today by forces led by King Constantine.

These reports appear to signal the forthcoming return of constitutional government to Greece and the end of an oppressive regime.

But, at the same time, the reports are a danger signal for men such as Andreas Papandreou, former leader of the Center Union Party and former economics professor at the University of Minnesota, who has been in prison since the coup. The safety of him and other political enemies of the junta may be more threatened than ever before.

I hope, Mr. Speaker, that constitutional government can be restored to Greece quickly and bloodlessly. And I hope that the United States will do everything possible to prevent bloodshed and to protect the lives of those who have been imprisoned by the junta.

(Mr. FRASER (at the request of Mr. WALKER) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

[Mr. FRASER'S remarks will appear hereafter in the Appendix.]

### THE WHOLESOME MEAT ACT OF 1967

(Mr. PURCELL (at the request of Mr. WALKER) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PURCELL. Mr. Speaker, the Wholesome Meat Act passed by Congress this session is a tribute not only to this body of lawmakers and to the American Consumer, but also to the U.S. Department of Agriculture.

Since 1960—under the leadership of Secretary Orville L. Freeman—the Department of Agriculture has become more than ever what it was envisioned by former President Abraham Lincoln—

a "People's Department" representing all Americans.

One of the major goals of the Department since Secretary Freeman took office has been to strengthen the Federal meat inspection program. The Department recognized that it was trying to protect citizens of the 1960's with a law that was passed in 1906. For 5 years the Department has suggested legislative updating of the Meat Inspection Act. At the same time, Secretary Freeman and other Department officials, such as Under Secretary John Schnittker, were taking administrative steps to align meat inspection practices to reflect more closely the conditions in livestock marketing and meat processing.

Secretary Freeman appointed a task force early in 1965—headed by Assistant Secretary George Mehren—to study the need for and recommend changes in administrative and operational procedures and in existing legislation where the Department's inspection services and the protection of consumers could be strengthened.

As a result of that study, the USDA instituted a series of procedural and administrative reforms which included administrative reorganization of the meat inspection service. In announcing the reorganization plans, Assistant Secretary Mehren said it was "another in a continuing series of actions to assure that the USDA is giving maximum performance in its consumer protection operations."

In addition to the reorganization, the Department has taken more action in the past three years to modernize and improve the Nation's meat inspection services than at any time since the Meat Inspection Act was enacted in 1906.

One of the moves placed the meat inspection program in the Department's Consumer and Marketing Service along with other USDA inspection and grading activities. Cooperative work was begun to help States develop meat inspection programs. Procedures were tightened on control of federally inspected meat. Service to consumers climbed to new records in number of plants supervised and quantities of meat and meat products inspected and certified.

Secretary Freeman has made it plain that all of the actions taken by the Department have two major goals. One is to protect the wholesomeness and truthful labeling of the Nation's meat supply, and to prevent activities of the few who, by criminal intent, seek to pollute it. The other is to improve the efficiency of meat inspection by developing new techniques and working relationships geared to changing conditions in the meat industry.

And now, the Wholesome Meat Act is an excellent vehicle to help achieve the total goal of the Department—assurance that consumers throughout the United States will be able to purchase only wholesome meat and meat products.

Deputy Assistant Secretary Rodney E. Leonard, in testifying before a Senate subcommittee this year, said:

The Department must insure that effort is made to assure the homemaker the meat she buys for her family is safe and wholesome.

Mr. Leonard pointed out that the Meat Inspection Act was becoming increasingly inadequate to deal with the problems of today's modern, aggressive industry, and for dealing with problems which would arise in the future. The Congress heard that plea and passed a good, comprehensive meat inspection bill for the Department of Agriculture to use in providing assurance of a wholesome meat supply.

But, Mr. Leonard also told the subcommittee that the Department cannot rest upon old laurels. And I am sure they will not rest on old laurels. Enforcement of the Wholesome Meat Act depends on its effective administration by the Department of Agriculture.

Secretary Freeman—and his associates, Mr. Schnittker, Mr. Mehren, and Mr. Leonard—have proven their ability to administer an outdated law. I am confident they will do even better with the additional power vested in the Department.

The Department has heard the plea of the American consumer—and is ready to assure her that action will continue to be taken to provide her with the additional protection she deserves.

### NO ROOM IN THE SKIES

(Mr. ROSENTHAL (at the request of Mr. WALKER) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ROSENTHAL. Mr. Speaker, our national air traffic system can best be described as a network of flight patterns so dense and so overcommitted as to represent a direct threat to the lives of passengers and nonpassengers alike.

Most Americans see this problem in only its most superficial form of protracted delays and nerve-racking inconvenience at most major airports. Perhaps for this reason, the imminent Christmas holiday season is an excellent time to remind both airborne and earthbound Americans that the taxing, stackup and terminal delays that will surely occur next week are indications of much more serious trouble.

Midair collisions and near misses have been ever more frequent and a major part of the blame for these disasters and near-disasters can be traced to our inability to adopt adequate controls over the many small, privately operated aircraft that swarm through our crowded air space.

John Barbour, in the Long Island Press of December 10, 1967, has written a trenchant exposition of this grave problem. The article is titled "Our Crowded Skies," and with permission granted I insert it at this point in the RECORD:

OUR CROWDED SKIES—AIRCRAFT JAM BUILDS PROBLEMS, TRIMS SAFETY ODDS

(By John Barbour)

Air travel is safe. But for more than 1,400 human beings who perished in U.S. air accidents so far this year, it was not safe enough.

Death in the skies is not one problem, but many. It may involve the fatigue of metal, the length of a runway, the clutter of a radar

# House of Representatives

THURSDAY, DECEMBER 14, 1967

The House met at 12 o'clock noon. The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer: *God is spirit; and they that worship Him must worship Him in spirit and in truth.*—John 4: 24.

Father of mercy who hast spoken to Thy people in the past and who art speaking to us in the present, help us to hear Thy word this day. Each time we come to Thee we bring the same discouragements and the same desires. We ask for help without any honest endeavor on our part to discipline ourselves to receive it.

Forgive us, O Lord, forgive our petitions made without any promise of performance on our part, our requests spoken without any renewal of spirit in our hearts, our words uttered without any serious intention in our minds. Grant us light by which to see, love by which to live, and faith by which to act that we may be redeemed from the error of our ways and be delivered from the evil that infests the world.

Help us now to make a new beginning, to remove the spirit of bitterness and resentment, to reduce our anxieties and our prejudices, and to work together in true Christmas spirit for the good of our country, the welfare of mankind, and the peace of the world. In the Master's name we pray. Amen.

## THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 8547. An act to amend title 10, United States Code, to simplify laws relating to members of the Army, Navy, Air Force, and Marine Corps, and for other purposes;

H.R. 11542. An act for the relief of Marshall County, Ind.;

H.R. 12961. An act to amend title 37, United States Code, to authorize the nontemporary storage of household effects of members of a missing status; and

H.R. 13833. An act to provide that the post office and Federal office building to be constructed in Bronx, N.Y., shall be named the "Charles A. Buckley Post Office and Federal Office Building" in memory of the late Charles A. Buckley, a Member of the U.S. House of Representatives from the State of New York from 1935 through 1964.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 1141. An act to permit duty-free treatment of limestone when imported to be used in the manufacture of cement, pursuant to the Trade Expansion Act of 1962.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 294. An act for the relief of Eloy C. Navarro.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4765) entitled "An act relating to the income tax treatment of certain distributions pursuant to the Bank Holding Company Act of 1956, as amended."

HON. PAUL N. "PETE" McCLOSKEY, JR.

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent that the gentleman from California, Mr. PAUL N. "PETE" McCLOSKEY, JR., be permitted to take the oath of office today. The certification of election has not arrived, but there is no contest, and no question has been raised with reference to the election.

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

There was no objection.

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

## PRESIDENT'S STIRRING MESSAGE CATALOGS DEMOCRATIC ACCOMPLISHMENTS

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

Mr. CHARLES H. WILSON. Mr. Speaker, President Johnson's excellent address to the AFL-CIO convention was a stirring catalog of Democratic achievements seen against a barrage of Republican negativism.

Republican leaders promised Americans they would see a new Republicanism—not whetted to 19th century dogmas, but ready to face the challenges of this generation. But, as the President showed, Republicans have not changed their stripes, for they continued to line up "like wooden soldiers of the status quo"—as they have for the last century.

Alas, it is still true that the Republican Party has not had an imaginative new idea since Teddy Roosevelt decided to form his own party 50 years ago.

While Democrats overwhelmingly supported medicare, 93 percent of our Republican colleagues felt the soaring med-

ical bills of our elderly unimportant. While we brought hope to the impoverished and oppressed of the land by waging a war on poverty, supporting rent supplements, and enacting a comprehensive model cities program, Republicans turned their backs on our seething slums.

The great works of the 89th Congress have had to be zealously defended, for 47 Republican nay-sayers have been added to our ranks since 1966.

But the great health measures, consumer protection bills, and continued vitality of all the Great Society programs are a testament to what the 90th Congress has accomplished despite Republican obstructionism.

When Americans go to the polls next year, they will look with pride upon what the Congress and the President have accomplished in 4 years.

The Nation is once again moving at full steam toward fulfillment of the American dream of health and prosperity for all of its citizens.

*help*  
AID TO GREECE SHOULD BE  
SUSPENDED

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

Mr. LONG of Maryland. Mr. Speaker, all U.S. aid to Greece—both economic and military—should be suspended until that nation puts its constitutional house in order. Our military aid to Greece, whose military leadership has just been disavowed by the King, is a classic example of misuse of American foreign assistance funds.

Since the coup last April, we have suspended delivery to Greece of major military equipment such as tanks and planes, but we continue at this moment to maintain 120 American military personnel in Greece to assist in training and we continue to supply Greece with replacement parts and supplies.

Our forces there should be withdrawn immediately, and all deliveries of equipment held back.

Since 1950, we have given Greece one and a third billion dollars in military aid alone. Thus we share responsibility for the suppression of press and personal freedom by a military junta armed with American weapons, trained by American advisers, and sustained with American funds.

State and Defense officials continue to claim that foreign military aid is needed to combat Communist aggression. Admittedly, however, the Greek military defense—even with all our help—is inadequate by itself to withstand an attack from Russia or Bulgaria. Instead, our military aid to Greece has been used first

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to overthrow a constitutional government and now to shore up the military regime, which has been rejected by Greece's constitutional monarch. We have also in recent weeks seen our military aid to Greece and Turkey used to threaten each other over Cyprus.

Mr. Speaker, our military aid program all over the world is in need of drastic overhaul to prevent it from being perverted from the original purpose of halting Communist aggression. Suspension of military aid to Greece would be a logical first step.

#### RECREATION FEE PROGRAM IS OVERALL FAILURE

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

Mr. EDMONDSON. Mr. Speaker, I have spoken here a number of times about the dismal failure of the Corps of Engineers program for entrance fees at its outdoor recreation areas.

I have pointed out that the corps spends well over \$1 for every dollar it collects in fees. The fees go into the land and water conservation fund. I suspect that if the collection costs came out of the land and water conservation fund, the corps collection program would be very quickly dropped.

The failure of the corps program is obvious. Figures have recently come to my attention which clearly illustrate that the collection picture among some of the other fee-collecting agencies is not much brighter.

The best of the lot, the National Park Service, estimates that it cost \$701,315 in 1966 to collect \$6,455,943—a collection cost of more than 10 percent.

The Bureau of Sport Fisheries and Wildlife last summer spent an estimated \$45,876 to collect \$156,624 in fees at 17 Federal wildlife refuges—a collection ratio of almost 30 percent.

The Bureau of Land Management last summer spent \$26,860 at 50 recreation areas and were able to collect only \$41,402 in fees. Here the collection costs climb above 60 percent.

Mr. Speaker, it becomes more and more apparent that the entrance fee program serves little purpose but to inconvenience and harass the public. At best, it is a nuisance. At worst, it denies outdoor recreation opportunities to many people.

It is my sincere hope that Congress will recognize that the entrance fee program, whatever promise it may have held, is a failure in reality. It is my hope that Congress will see that this program works against the people, while making almost no contribution to the land and water conservation fund. It is my hope that Congress will act early next year to abolish these entrance fees, replacing them with a sensible user fee program that is soundly conceived and both fairly and efficiently administered.

#### STRANGE EPISODE IN VIETNAM

(Mr. HAYS asked and was given permission to address the House for 1 min-

ute and to revise and extend his remarks.)

Mr. HAYS. Mr. Speaker, one of the most peculiar incidents of the Vietnam war has just broken into the press in the last 2 or 3 days in the adventures of the junior Senator from Illinois who was not able to get a military helicopter to fly him and his wife to a village where the shelling took place, but he got one through the State Department or through the Ambassador.

There are a lot of peculiar things about this. I do not know who paid for the helicopter, I suppose the State Department did—maybe it came out of the \$100,000 extracurricular fund that this millionaire Senator has.

But among other things, there just happened to be a man from Look magazine with him and he just happened to have a couple of public relations men with him. Then it just happened, according to them, that a mortar shell dropped within 15 feet of them. Now this either had to be a dud or it had to be prearranged—or it had to be something else because I will clue you right now—that if it had been a mortar shell and he jumped landing flat on the ground, he could not have gotten flat enough on the ground to have gotten away from the mortar shell.

I think this whole incident deserves some looking into by somebody other than the publicity men who reported it to the press. I am sure also that the more than half-million American servicemen and State Department employees who cannot have their wives in Vietnam take a dim view of a tourist like Mrs. Percy vacationing at the battlefield.

#### STANDARDS OF OFFICIAL CONDUCT

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

Mr. PRICE of Illinois. Mr. Speaker, the Committee on Standards of Official Conduct, of which I have the honor to serve as chairman, would like to report that it has made substantial progress in the assignment given it by House Resolution 418, but will not be able to make its report until early in the next session.

The committee has reached agreement in many areas of its difficult and delicate task of drafting a code of standards to guide and govern the official conduct of House Members, officers, and employees, but just cannot quite tie up its recommendations before adjournment of this session.

The committee had hoped to have its report ready for consideration this session and has worked diligently toward that goal. But it has found its task a complicated one, a task that cannot be hurried despite the dedication of its members to the assignment. In the circumstances, the committee has concluded that it would be wiser to delay its report a few more weeks rather than come before the House now with a report with which we would not be satisfied.

The report is now under preparation and the committee expects to have it in final form for submission early in the next session.

In pursuance of its task, the committee conducted a series of seven public hearings to gain the views of all who were willing to come forward, from both within and outside of the Congress, with their help. And the committee has met in upward of 30 working sessions for preparation of its report.

In the public hearings, the committee received testimony, county statements which were submitted for the record, from a total of 64 witnesses. While we received a wide variety of proposals and were impressed by the thought and preparation given to them, we would have liked a broader base of testimony for our deliberations.

The record of those hearings has now been published and copies are available from the committee office. Although the proposals advanced therein are varied, one thing stands out clearly—there is a wide interest in the establishment of effective and workable guidelines for the conduct of the House of Representatives.

Your committee expects to recommend just such a set of standards in the early weeks of the second session of the 90th Congress in the hope of providing criteria which, if accepted, will redound to the credit of the House.

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

Mr. PRICE of Illinois. I yield to the gentleman from Illinois.

Mr. ARENDS. Mr. Speaker, I have the honor to be a member of the Committee on Standards of Official Conduct, under the chairmanship of my distinguished colleague from Illinois [Mr. PRICE]. He has proven to be an extremely able chairman. It is a privilege and a pleasure to serve under him. But I must frankly say that I am not too sure it is much of a privilege, and certainly not much of a pleasure, in carrying out our committee's assigned task.

I endorse what our chairman [Mr. PRICE] has said with respect to the work of this committee. In the few months of the committee's existence we have made diligent effort toward making our recommendations to the House at this session. That was our goal. But we found the time was all too short and the questions to be resolved all too sensitive and all too complex for us to be able to meet the goal we had set for ourselves.

Every member of our committee has felt the great responsibility that is ours. One can readily talk about "proper conduct" or "ethical conduct," but it is only when we seek to translate these general terms into the specifics that we become aware of the many complications and the many contingencies, real and potential, that are necessarily involved. Once our committee arrived at a conclusion on some particular problem, we then faced the difficult problem of finding the proper language to express it.

It is not unlike writing a constitution, when you must take into account not only what is but what might arise. And when you know you are undertaking to write a document not only the present but also for the future, not only for this Congress but for Congresses to follow, and not only for the Congress but for the people for whom the Congress speaks.

The general may feel that France has reasons to continue to avoid payment of the debt, but the validity of the U.S. claim is beyond doubt. The fact that other nations also have World War I debts to the United States does not exonerate France from the obligation to pay her own debt. Nor should it deter the United States from pressing France alone for payment, for no other nation is making the attacks on the United States that De Gaulle is. Negotiations looking to payment should be started at once.

De Gaulle is not invulnerable. Nor is France free from the political and economic turbulences that at times disturb all countries. As all other nations in the free world, she needs all the friends she can get. The resentment that De Gaulle's actions have brought forth are evident, not only in this country, but in many others. I need only point to the very recent action by England, West Germany, Italy, Switzerland, Belgium, and the Netherlands to curb speculation in gold, as reported in the Washington Post of December 14, 1967. It is too early to judge the success of any such undertaking. The significant fact, however, is that as the world's banker, the economic well-being of the United States is vital to all free world nations and that responsible countries will act in concert to interdict De Gaulle's reckless tour de force against the U.S. gold supply.

The Washington Post article follows:  
NEW GOLD PLAN WOULD SHIFT SALES THROUGH OFFICIAL POOL

(By Lawrence Malkin)

LONDON.—A new strategy in the world gold market emerged Wednesday to protect the dollar and possibly put a squeeze on France, chief opponent of the United States in the international monetary wars.

The broad aim of the strategy, worked out last weekend at a meeting of central bankers with France excluded, is to channel gold sales through the official international pool in London and freeze out speculators.

Since the Bank of France has dropped out of the pool, the French and their shaky economy may have to bear the brunt of private speculative hoarding. That means the French could be forced to put up their own resources or back down in President Charles de Gaulle's fight against the dollar.

As the new plan became known, first indications were that speculators already were beginning to be frozen out of their past sources and were turning to the Paris gold market, or to less serious speculation in silver.

#### PLEDGE COOPERATION

Central bankers of the seven members of the gold pool met in Basel, Switzerland, last weekend. These seven—the United States, Britain, Switzerland, West Germany, Italy, Belgium and the Netherlands—are pledged to cooperate in supplying gold buyers from their own reserves at the official U.S. price of \$35 an ounce.

Reports of the Basel agreement first leaked out in two of London's leading newspapers, the Times and the Financial Times. They were later confirmed in broad outline by official sources, but there was no public statement.

Under the new plan, the central banks of the seven gold pool countries have agreed to ban gold sales on credit or for future delivery. This ban limits the speculators' maneuvering and has in fact been in force in London since the gold rush began just after devaluation of the pound Nov. 18.

#### SALES RESTRICTION

In addition, the gold pool members agreed to restrict all sales to other central banks except through the pool. That would give the pool members a chance to scrutinize all potential sales and refuse orders which stem from large scale speculation. The policy now is to supply only legitimate requests for gold to back up currency. First results were seen Wednesday in London, Brussels and Paris.

Bullion dealers in London stopped supplying big private buyers, although there apparently were some small sales. In the past, if a foreign buyer paid cash in dollars or Swiss francs, he could get a one-kilogram—2.2-pound-bar of gold worth roughly \$1,230, with no questions asked. Dealers said that as of Wednesday, he couldn't get it. This seemed to indicate some sort of informal advice had been passed to dealers by the Bank of England not to supply plungers in the gold market.

London dealers said speculators seemed to have gone into the silver market, where prices boomed. Unlike gold, silver is not used to back currency.

#### HEAVY BUYING

In Brussels, gold buying was so heavy that dealers said they could not satisfy demand for immediate delivery and would have to turn to London for more gold supplies.

In Paris, demand for gold continued unabated and the price rose. If the new strategy works, Hong Kong, Macao and Paris would be the only legal markets left for gold speculators.

(Dow Jones News Service said measures agreed upon by the seven financial powers were initially adopted at an extraordinary meeting of the international gold pool members at Frankfurt, West Germany last Nov. 26.

(One decision calls for coordination of efforts in foreign exchange dealings to prevent wide price differentials in the forward or future foreign exchange markets. The purpose is to assure continued confidence in those currencies. Monetary specialists noted that speculative buying of gold often results from a lessening of confidence in a currency and that such a loss of confidence frequently is triggered by wide disparities in a currency's price in the forward market.)

#### THE ATTEMPTED COUP IN GREECE

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

Mr. PUCINSKI. Mr. Speaker, we all watched with deep concern the abortive attempt by King Constantine of Greece to lead his people in a revolt against the present regime in that beleaguered country.

The situation continues to be very grave. The greatest threat which confronts Greece today is the prospect of the same kind of civil war which almost plunged this historic nation into the Communist orbit two decades ago.

I am sure that all the friends of the Greek people will join me in a reverent prayer that civil war will not break out in Greece and that those of us who appreciate and respect the rich tradition of democracy in Greece will be permitted to continue exerting whatever influence we can upon the present government to restore constitutional rule and parliamentary procedures to Greece as quickly as possible with no bloodshed.

I recently visited Greece. I have talked at great length to the leaders of the pres-

ent administration and while there is no question that they are military men, who for the most part, have little patience with democratic processes as we Americans know them, they are above all, realistic Greeks and they know full well that they cannot deny freedom and democracy to the people of Greek indefinitely. For it was the Greeks whose ancestors invented the whole concept of democratic rule.

During my visit to Greece, I had occasion to discuss these matters with the present administration and I am convinced that they know better than anyone else the tragic consequences which would face their administration if freedom were to be denied to the Greek people indefinitely.

Mr. Speaker, I think the record should show that the present regime in Greece agreed to this withdrawal at the suggestion of the United States and it is unfortunate that American efforts to preserve peace in the Mediterranean should become inadvertently involved in the abortive revolt led by King Constantine yesterday.

Regrettably, those who advised King Constantine obviously tried to take advantage of some discontent that may now exist in the ranks of the Greek military because the Greek administration had agreed to withdraw its reserve troops from Cyprus in order to avoid war with Turkey.

I have no intentions of injecting myself into the internal affairs of the Greek people. The Greeks have a long and illustrious history of resolving their own political problems and I am sure they need no counsel from anyone in our own country.

But as an American who is deeply interested in the preservation of our position in the Mediterranean and in the preservation of Greece as the keystone of our NATO defense perimeter in southern Europe, I view this present turmoil in Greece with great concern.

There are three Communist nations north of Greece—just waiting for an opportunity to take advantage of internal turmoil in Greece and move in to fill the vacuum as they tried in 1947. I believe the United States must never lose track of this ugly possibility.

I also firmly believe, Mr. Speaker, that the United States cannot and must not let the internal conflict in Greece obscure the fact that the present Government of Greece did accept our suggestion that Greek troops be pulled out of Cyprus to avoid war; that this present regime has repeatedly stated its complete friendship to the United States; that this present regime, by agreeing to withdraw its troops from Cyprus, clearly demonstrated the high significance which it attaches to the idea of maintaining the power and the unity of NATO, and finally, Mr. Speaker, this present regime has announced a timetable for the restoration of constitutional government to the people of Greece. Ironically, the Constitution Committee was to have reported on its recommendations tomorrow, December 15.



December 14, 1967

The tragedy of yesterday's events is compounded by the fact that King Constantine's presence is so urgently needed at this time in Greece to serve as a bridge between the present Government and her people.

It is my hope, Mr. Speaker, that the United States will make certain there is no break in our NATO structure in Greece.

We should make it unquestionably clear that any aggression by any outside forces to take advantage of the present internal crises being suffered by the people of Greece will be repelled by the full force of NATO's defense structure.

We consider Greece our ally, and should continue to strengthen her NATO capabilities.

A strong position by the United States is urgently needed to help prevent any miscalculations by the aggressive neighbors of Greece who might be tempted to try to take advantage of the present internal crises in Greece.

Greece continues as a NATO nation and is entitled to the full protection of her NATO allies should fall victim to aggression during the present crises.

Finally, Mr. Speaker, I should like to join with those who have issued an urgent plea that there be no recrimination and no revenge and no repression by the present administration against those who were so badly misled in attempting this ill-timed and ill-conceived uprising at a time when Greece needs a period of stability to put her own house in order.

Any effort by this administration to indulge in such revenge or repression, as the Washington Post accurately stated today, "would be an unforgivable and ruinous step."

It is my sincere hope that the present rulers of Greece will provide fair and humane treatment of all rebels and prisoners and afford each a fair trial.

It is my hope also that the abortive attempt against this regime yesterday will not deter the present rulers of Greece from announcing the constitutional revision proposals which were to be issued on the 15th of December of this year.

I believe that the present administration in Greece can best demonstrate its sincerity to serve the highest ideals of the Greek people and to bring Greece back into the family of democratic nations by continuing its pledge to protect Greece against Communist subversion and at the same time restore to her people the parliamentary ideals which they have so carefully nurtured almost since the beginning of time.

We can only hope that the day is not too far away when even King Constantine will be able to return to Greece as her constitutional monarch and join with all the good people of that country to take their part in the democratic processes promised by the present administration of Greece.

# BUSINESS VIEWPOINTS ON THE PROPOSED INTERSTATE TAXATION ACT, BY PAUL L. COURTNEY, EXECUTIVE VICE PRESIDENT, NATIONAL ASSOCIATION OF WHOLESALESA

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

Mr. WHITENER. Mr. Speaker, as one of the authors of H.R. 2158, I was greatly impressed by an address made by Paul L. Courtney, executive vice president, National Association of Wholesalers, at a symposium of the Tax Institute of America held in Washington on November 30, 1967. Mr. Courtney's remarks relate to pending legislation with reference to State taxation of interstate transactions.

He has given a very excellent statement of some of the problems confronting the small businessmen in America and has given further evidence of the need of the enactment of H.R. 2158.

I include the address of Mr. Courtney as a part of my remarks in the RECORD today:

## BUSINESS VIEWPOINTS ON THE PROPOSED INTERSTATE TAXATION ACT, H.R. 2158

(Address by Paul L. Courtney, executive vice president, National Association of Wholesalers, before the Tax Institute of America, 1967 Symposium on Federal-State-Local Fiscal Relationship, Washington, D.C., November 30, 1967)

My subject will really be "Small Business viewpoints" with respect to the serious need for Federal definition of the jurisdictional reach of the more than 110,000 political subdivisions and the fifty states which possess the power to levy and collect or require the collection taxes of one form or another.

In February of 1959, a national association of wholesalers member, wholesaler of lumber, located in the District of Columbia and selling lumber and building materials in the District, Maryland and Virginia, stopped me in the lobby of the Mayflower Hotel one day and said, "I am being dunned by the States of Maryland and Virginia for income taxes. My only place of business is in the District and I pay income taxes on all my income to the District, how could I owe income taxes to Maryland and Virginia, also?" I told him I would try to find out what it was all about.

I first contacted our general counsel who replied, "Yes, they can tax him on that portion of his income arising from mere sales into those jurisdictions, even though he has no place of business there." He cited two then recent Supreme Court decisions, the Portland cement and Stockham valve cases. I queried other wholesaler-distributors in the District and other market areas located on the borders of two or more States.

I found that a very few were paying taxes to more than one State; still a very few others were worried about the situation; and the vast majority of the wholesaler-distributors who were servicing markets across State lines didn't even know what I was talking about. This concerned me, for if we interpreted the Supreme Court cases correctly, the vast majority of our member firms were innocently breaking the laws of the States and political subdivisions into which they were

selling goods and were liable for millions of dollars in income tax, interest and penalty assessments, if those jurisdictions had income tax laws applicable to out-of-jurisdiction vendors.

I then went to the staff of the Senate Small Business Committee to seek advice and, if possible, learn the extent of the problem. They were very sympathetic, as was the chairman, Senator John Sparkman, who ordered a staff study of the problem and later called a one-day hearing on the subject (April 8, 1959). Four of the witnesses testifying that day were small business wholesalers. The staff study continued and on May 1, 1959 Senator Saltonstall held another one-day hearing on the problem in Boston.

On June 30 the Senate Small Business Committee filed a report with the House<sup>1</sup> which recommended enactment of a Federal statute setting a standard for limiting the authority of the States to tax out-of-State business and the establishment of a commission "to study all phases of the State taxation of interstate commerce problem".

The members of the Senate Small Business Committee jointly sponsored a joint resolution, S.J. Res. 113, to implement their recommendations. At about the same time, Congressman Walter (now deceased) introduced a House Joint Resolution, H.J. Res. 450 which was directed at the same problem and which was referred to the House Judiciary Committee. H.J. Res. 450 was quickly reported to the Floor of the House by the Judiciary Committee where it was passed.

When the House-passed measure reached the Senate it was referred to the Senate Finance Committee, of which the former Senator Byrd was then chairman. Chairman Byrd called hearings on July 21 and 22, 1959 on S.J. Res. 113 and two other pending Senate bills which would have established jurisdictional standards for State taxation of earnings arising from interstate commerce. Two of the witnesses at the Senate hearings spoke for a large segment of the predominantly small business wholesale industry.

On August 11, 1959 the Senate Finance Committee filed its report<sup>2</sup> with the Senate and Chairman Byrd introduced S. 2524 which was passed by the Senate in August 1959. The Senate and House disagreed on adoption of either version and a conference committee was appointed. On September 1, 1959 Chairman Celler, on behalf of the conference committee, filed House Report No. 1103, recommending adoption of a revised and amended version of S. 2524, which was adopted by the House, agreed to, by the Senate, and signed by President Eisenhower, becoming Public Law 86-272.

P.L. 86-272 provides that "no State, or political subdivision thereof shall have the power to impose . . . a net income tax on the income derived within such State by any person from interstate commerce if the only business activities within such State . . . are . . . "The solicitation of orders, which are sent outside the State for approval and are filed by shipment from a point outside the State." The law provided for a study to be made by the appropriate committees of the two Houses of Congress as to the effect of the law on interstate commerce and report back to the Congress by July 1, 1962.

<sup>1</sup> Report #453, 86th Congress, 1st Session.

<sup>2</sup> Senate Report 658, 86th Congress, 1st Session.