



# Congressional Record

PROCEEDINGS AND DEBATES OF THE 91<sup>st</sup> CONGRESS, SECOND SESSION

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No. 56

## Senate

The Senate met at 9:30 o'clock a.m. and was called to order by Hon. JAMES B. ALLEN, a Senator from the State of Alabama.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

God be in my head  
And in my understanding;  
God be in my eyes  
And in my looking;  
God be in my mouth  
And in my speaking;  
God be in my heart  
And in my thinking;  
God be at my end  
And at my departing. Amen.  
—From the Sarum Primer (1538).

### DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will read a communication to the Senate. The assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, D.C., April 9, 1970.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JAMES B. ALLEN, a Senator from the State of Alabama, to perform the duties of the Chair during my absence.

RICHARD B. RUSSELL,  
President pro tempore.

Mr. ALLEN thereupon took the chair as Acting President pro tempore.

### THE JOURNAL

Mr. MANSFIELD, Mr. President, I ask unanimous consent to dispense with the reading of the Journal of the proceedings of Wednesday, April 8, 1970.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

### COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD, Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

### ORDER FOR ADJOURNMENT TO TOMORROW AT 9 A.M.

Mr. MANSFIELD, Mr. President, I ask unanimous consent that when the Senate adjourns today, it adjourn until 9 o'clock tomorrow morning.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

### ORDER FOR RECOGNITION OF SENATOR MOSS TOMORROW

Mr. MANSFIELD, Mr. President, I ask unanimous consent that immediately after the prayer, the Senator from Utah (Mr. Moss) be recognized for not to exceed 30 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

### ORDER FOR RECOGNITION OF SENATOR HOLLINGS AND SENATOR MCGOVERN TOMORROW

Mr. MANSFIELD, I ask unanimous consent that following the Senator from Utah (Mr. Moss), the Senator from South Carolina (Mr. HOLLINGS) and the Senator from South Dakota (Mr. MCGOVERN) be recognized for not to exceed 30 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

### ORDER FOR RECOGNITION OF SENATOR CHURCH TOMORROW

Mr. MANSFIELD, Mr. President, I ask unanimous consent that following those Senators the Senator from Idaho (Mr. CHURCH) be recognized for not to exceed 1 hour.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

### ORDER FOR THE TRANSACTION OF ROUTINE BUSINESS TOMORROW

Mr. MANSFIELD, Mr. President, I ask unanimous consent that following the remarks of the Senator from Idaho (Mr. CHURCH), there be a period for the trans-

action of routine morning business, with a time limitation of 3 minutes on statements.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

### ORDER OF BUSINESS

Mr. MANSFIELD, Mr. President, with the consent of the distinguished Senator from Wyoming (Mr. HANSEN), who is to be recognized now, and without taking any of his time, I would like to proceed for about 5 minutes.

Mr. HANSEN, Mr. President, I am very happy to yield to my distinguished colleague.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

### DEMOCRATIC POLICY COMMITTEE CONSIDERATION OF SALT NEGOTIATIONS AND POSTAL RATES

Mr. MANSFIELD, Mr. President, on Tuesday the Senate Democratic policy committee met on two matters that I consider of the utmost importance. The first dealt with the pending SALT negotiations and Senate Resolution 211 seeking to propose a freeze mutually, and I stress the word "mutually"—entered into between the Soviet Union and the United States on the deployment and testing of new strategic nuclear weapons systems. The policy committee adopted a resolution informing the President of its backing on Senate Resolution 211. Included as well was the policy committee's full support and the full support of the Democratic leadership of an initiative along these lines taken by the President as the SALT negotiations get underway again next week in Vienna.

Mr. President, may I say that the resolution now before the Senate is a Republican-sponsored resolution and is the handiwork of the distinguished Senator from Kentucky (Mr. COOPER) and the distinguished Senator from Massachusetts (Mr. BROOKE). Such wide bipartisan support on this matter, I feel, is most significant.

I ask unanimous consent that the resolution on this matter adopted by the Senate Democratic policy committee on

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Tuesday be printed at this point in the RECORD.

There being no objection the resolution was ordered to be printed in the RECORD, as follows:

Whereas, the Strategic Arms Limitation Talks are scheduled to reopen in Vienna later this month after successful preliminary discussions in Helsinki, and

Whereas, both the United States and the Soviet Union presently possess sufficiency in strategic nuclear weaponry according to the evaluation of each of themselves and of each other, and

Whereas, deployment by either country of new weapons systems could upset the present strategic equilibrium and intensify a commitment of resources by both countries to achieve the rough balance or parity that presently exists, and

Whereas, any deployment of new nuclear strategic weapons systems would complicate the SALT negotiations and might affect adversely their productivity;

Be it resolved that, the Senate Democratic Policy Committee urges the adoption of S. Res. 211, proposing a mutual freeze with proper verification on the deployment of new offensive or defensive strategic nuclear weapons systems, and

Be it further resolved, that the Senate Democratic Policy Committee will support the President of the United States in an initiative by the Government proposing such a mutual freeze at Vienna later this month.

Mr. MANSFIELD. On another matter, the policy committee considered the administration's recommended increase in postal rates including the suggestion that first-class mail charges be raised from 6 to 10 cents.

On that score, I would say it is doubtful that even a 1-cent increase of the cost of mailing a first-class letter is justified. Certainly, a proposal for a 4-cent boost is by every criteria unjustified.

To advocate that first-class mail rates be jumped by 67 percent is out of this world. To advocate that the third-class rates for bulk mail go up only 5 percent is unrealistic. The figures should be reversed and the burden placed on the junk mailers and not on the first-class mail users.

So for these and other reasons, the President's proposal has been unanimously opposed by the Senate Democratic policy committee, and it would be my personal anticipation that it would be unanimously opposed by the full Senate Democratic membership until there has been an equitable adjustment of postal rates; until businesses that use the mail for profit at privileged and unnecessarily favored rates are made to pay a more realistic share of the burden.

I ask unanimous consent that the resolution on postal rate increases adopted unanimously on Tuesday by the Democratic policy committee be printed at this point in the RECORD.

There being no objection the resolution was ordered to be printed in the RECORD, as follows:

Whereas, the Majority Policy Committee having met and considered the matter of proposed postal increases, and

Whereas, considering that First Class mailers presently pay a disproportionate share of postal costs, it is hereby

Resolved, that there should be no increase in First Class postal rates until such time as mailers using other than First Class privileges pay their fair share of postal costs.

Mr. MANSFIELD. Mr. President, I thank the distinguished Senator from Wyoming for yielding to me.

The ACTING PRESIDENT pro tempore. Pursuant to the previous order, the Senator from Wyoming (Mr. HANSEN) is recognized for not to exceed 45 minutes.

Mr. GRIFFIN. Mr. President, will the Senator from Wyoming yield to me, without losing any of his time?

Mr. HANSEN. Mr. President, I am happy to yield to the distinguished Senator from Michigan.

Mr. GRIFFIN. Mr. President, I cannot allow the remarks of the distinguished majority leader stand in the RECORD without some comment, particularly as they refer to the President's proposal to provide adequate revenues to finance the pay increase of postal workers.

In the political season, it is quite common to hear a charge, directed toward the party represented on the other side of the aisle, that they are quick to vote for spending but are not there when it is time to raise the money for the financing.

Nobody likes a 10-cent stamp. The junior Senator from Michigan does not like a 10-cent stamp. I wish we did not have to vote for an increase in the postal rate. On the other hand, if we are going to put pay increases into effect for postal workers and other Government workers—pay increases which are justified, which are needed and which are related to comparability and the cost of living—then we have got to find the money to pay for the pay increases.

Now, I do not know how many first-class letters the average person would write and mail in a year, but assuming that he might write 100 letters a year, we would be talking about an increased cost to him of \$4 a year. Those who really will be hit by this proposal will be those who use the mails the most—the businessmen—not the average wage earner. Businesses are the big users of first-class mail. They are the volume mailers. There should be no implication left that big business would be let off easy by the President's proposal—or that the small wage earners would be better off if we were to raise income taxes to pay the cost.

I would not foreclose the possibility that some adjustments could be made so far as the other classes of mail are concerned. Perhaps the first class rate should be 9 cents and there should be some compensating additional increases in second, third, and other classes of mail. But I am disappointed that the Democratic policy committee, just after the Senate has voted a 6-percent pay increase by almost a unanimous vote, would then flatly oppose the President's proposal to provide the wherewithal to pay for it—and suggest no alternative or counterproposal that would raise an equivalent amount of money.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. GRIFFIN. I yield to the distinguished majority leader.

Mr. MANSFIELD. First may I say I am distressed that the acting minority

leader has seemed to imply that what the Senator from Montana has just said had political connotations. I wish to assure him and the Senate that nothing was further from my thoughts.

Mr. GRIFFIN. Well, of course, it came from the Democratic policy committee.

Mr. MANSFIELD. Oh, yes.

Mr. GRIFFIN. And I would think I would be justified, perhaps, in assuming that there might be some political connotations. But perhaps not.

Mr. MANSFIELD. No, there were not, I assure the Senator. The policy committee has taken stands on a number of matters without regard to the politics involved, and I would hope that the Senator would take my word on that.

But we were concerned that the only aspect of the postal system operating on a sustained profitmaking basis—first-class mail service—should again be called upon, as it has been in the past, to bear at this time a 67-percent increase. It was our feeling that second-, third-, and fourth-class service, especially that used by junk mailers, should bear a more realistic share than is proposed by the administration. As the Senator has indicated, much originates out of various business concerns, and most of that mail, as far as I am concerned, usually finds its way quickly into the wastebasket. I, for one, have no interest in such mail and I do not like to be deluged with mail in which I do not have an interest or which is not of interest to my State.

The Senator may recall that yesterday the Senator from Montana did vote alternatively for selective pay increases, because he was aware of the cost of the bill presented by the Post Office and Civil Service Committee to the American people.

The Senator from Michigan has raised the question of alternatives. We do have alternatives in mind. For example, I would remind the Senator that Congress as an alternative last year reduced the President's budget requests by more than \$6 billion. It even cut the budget for the next fiscal year by another \$1.3 billion.

Along this line, I would point out that the President himself was responsible for about a \$3 billion cut in expenditures, for which I commend him.

This indicates that we can work together; the President can cut expenditures further, we can continue to cut appropriations—at least as much this year as last. I think there is fat to be found in various agencies, in the Defense Department for instance and in NASA; their budget can be trimmed, and bloated budgets will be found elsewhere.

Then there is the matter of farm subsidies. I think on this question that something ought to be done about placing a limitation on them, and in that way find some of the funds necessary to make up the costs of the pay increases which the Senate agreed to on yesterday.

So we hope we are being constructive. I know the Senator himself is certainly not in favor of a 67-percent increase in the first-class postage rate—a jump from 6 to 10 cents. I do not know of any Senator who would be in favor of such a pro-

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posal. But there are other instruments, other means and manners. The burden can be placed on the junk mail users. Congress and the President working together can affect cuts in expenditures and appropriations in the areas I have mentioned, and in other areas as well.

This problem, I think, is not a Democratic nor a Republican problem, but a problem for all of us to face up to. We must devote our efforts to finding ways and means to cope with the problem and to compensate for such matters as the pay increases which were granted yesterday. In its wisdom the Senate decided to agree to the pay proposal and regardless of how we personally feel on the specifics of a given issue such as this, we must approach it realistically.

Mr. GRIFFIN. I thank the distinguished majority leader for his comment. I know he realizes that my remarks are not directed at him personally.

However, I feel that I should make it clear in the RECORD, as it has been made clear in the RECORD many times before, that as far as the argument about the so-called cuts of this Congress below the budget figures in the last fiscal year is concerned, that argument has been made over and over again and has been answered over and over again. I believe it is pretty well established that this Government faces a serious fiscal problem.

Mr. MANSFIELD. Will the Senator yield at that point?

Mr. GRIFFIN. Every indication is that with respect to the appropriation and authorization bills coming along now, the Congress is adding more and more millions on top of the budget requests of the President. Any expectation that the pay raise will be financed by reductions in appropriations is I think wishful thinking. That is the opinion of the junior Senator from Michigan.

The President has proposed, and I believe the Nation desperately wants, postal reform—establishment of a separate corporation to run the Post Office Department. I hope that such legislation will

pass; and I believe it is very important that such a new postal corporation, when it does come into existence, be able to have not only the wherewithal to pay adequate salaries, but also that it be able to acquire the kind of modern equipment needed to bring the Post Office Department up to date.

The 6-cent postage rate that we now enjoy in this country is very low in terms of the postal rates in effect in most other nations of the world. An increase in our postal rate is justified even if it is unpopular and a bit painful. I have said before, it may be that some further adjustment in the second- and third-class mail and junk mail, so-called, would be in order. But it would be a mistake to assume or contend that the necessary financing can be raised that way. The money in the postal business is in the first-class mail.

Mr. MANSFIELD. Will the Senator yield?

Mr. GRIFFIN. I yield.

Mr. MANSFIELD. Of course, you know, there is such a thing as milking the cow too dry; and there is also such a thing as bemoaning the fact that the figures furnished by the distinguished Senator from Louisiana (Mr. ELLENDER), in whom I have the greatest confidence, which were published in the RECORD, showed without fear of contradiction that this Congress—we ourselves—were responsible for a reduction in appropriations in excess of \$6 billion. Instead of bemoaning that fact, I think we ought to be proud of it. After all, as the Congress we did face up to our responsibilities. I hope we do the same this year.

There are areas in the Government in which expenditures can be cut. There are areas in which the administration and Congress, working in tandem, can bring about reductions. The means, in my opinion, can be found; and one of the best ways to start would be to bring this war in Vietnam to a close. The war in Vietnam, which now encompasses Laos, which may spill over into Cambodia, which costs this Government a tremen-

dous amount of money—is another area in which sharp reductions can be made.

But I would hope that the Senator from Michigan would not be one of those who believes in eating his own air, and would seek to discredit the fact that, as the RECORD will indicate, reductions by Congress last year amounted to \$6,370,-935,390. We ought to get up on our hind feet, Democrats and Republicans, and brag about it, because we did do it. The figures speak for themselves.

As far as the postal reform bill is concerned, we have had nothing, really, before the Senate. I do not think it has even been considered by the Senate Post Office and Civil Service Committee. I believe it has in the House of Representatives.

Anything the President requests, of course, will be given the most serious and immediate consideration. But we cannot cross that bridge until we approach the water, and we will just have to wait and see. Any Presidential request, I assure the acting minority leader, will be given the most serious and immediate consideration. But we ought not to bemoan the fact of what we did, and I for one am never going to demean the Senate by saying that we did less than we actually did, as the records will prove. And if there is one man in this body who, more than any other, deserves credit for that accomplishment, it is the present Acting President pro tempore, the Senator from Alabama (Mr. ALLEN), who probably worked harder last year than anyone else to bring about that result.

Mr. GRIFFIN. Mr. President, the majority leader says the figures will speak for themselves. Will he furnish them for the RECORD?

Mr. MANSFIELD. Yes. I ask unanimous consent to have printed in the RECORD the chart to which I have referred, so that what I have been saying will be made clear.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

ACTIONS ON BUDGET ESTIMATES OF NEW BUDGET (OBLIGATIONAL) AUTHORITY IN APPROPRIATION BILLS, 91ST CONG., 1ST SESS. AND 91ST CONG., 2D SESS., AS TO LABOR-HEW APPROPRIATION BILL, H.R. 15931, AND FOREIGN AID APPROPRIATION BILL, H.R. 15149 AS OF MAR. 5, 1970

[Does not include any "back-door" type budget authority; or any permanent (Federal or trust) authority, under earlier or "permanent law," without further or annual action by the Congress.]

Bill and fiscal year	Budget requests considered by House	Approved by House	Budget requests considered by Senate	Approved by Senate	Public Law	(+) or (-), Public Law amounts compared with budget requests to Senate
(1)	(2)	(3)	(4)	(5)	(6)	(7)
<b>Bills for fiscal 1970:</b>						
1. Treasury-Post Office (H.R. 11582) (net of estimated postal revenues appropriated)	\$2,314,714,000	\$2,272,332,000	\$2,314,714,000	\$2,280,195,000	\$2,276,232,000	-\$38,482,000
Memorandums: Total, including authorizations out of postal funds	(8,821,727,000)	(8,779,345,000)	(8,821,727,000)	(8,787,208,000)	(8,783,245,000)	(-38,482,000)
2. Agriculture (H.R. 11612)	6,967,562,050	6,806,655,000	7,237,562,050	7,642,797,650	7,488,903,150	+251,341,100
3. Independent offices-HUD (H.R. 12307) (including 1971 advance)	15,380,413,600	14,909,089,000	15,512,969,600	14,985,449,000	15,111,870,500	-401,099,100
Fiscal year 1970 amounts only	(15,205,413,600)	(14,734,089,000)	(15,337,969,600)	(14,985,449,000)	(15,111,870,500)	(-226,099,100)
4. Interior (H.R. 12781)	1,390,096,500	1,374,286,700	1,390,856,500	1,382,766,900	1,380,375,300	-10,481,200
5. State, Justice, Commerce, and Judiciary (H.R. 12964)	2,475,704,600	2,335,634,200	2,475,704,600	2,382,354,700	2,354,432,700	-121,271,900
6. Labor-HEW (H.R. 13111 vetoed by the President, Jan. 26, 1970)	(16,495,237,700)	(17,573,602,700)	(19,834,125,700)	(21,363,391,700)	(19,747,153,200)	+(-86,972,500)
Fiscal year 1970 amounts only	(16,495,237,700)	(17,573,602,700)	(18,608,125,700)	(20,245,811,700)	(19,747,153,200)	+(-1,139,027,500)
7. Labor-HEW (H.R. 15931 signed by President March 5, 1970)	18,608,125,700	19,181,920,200	19,834,125,700	19,381,920,200	19,381,920,200	+452,205,500
Senator Cotton amendment Sec. 410; 2 percent reduction				-346,776,624	-346,776,624	
Fiscal year 1970 amounts only	(18,608,125,700)	(19,381,920,200)	(18,608,125,700)	(19,381,920,200)	(19,381,920,200)	(+773,794,500)
8. Legislative (H.R. 13763)	311,374,273	284,524,057	372,152,949	342,310,817	344,326,817	-27,826,132
9. Public works (and AEC) (H.R. 14159)	4,203,978,000	4,505,446,500	4,203,978,000	4,993,428,500	4,756,067,500	+552,029,500
10. Military construction (H.R. 14751)	1,917,300,000	1,450,559,000	1,917,300,000	1,603,446,000	1,560,456,000	-356,844,000

Footnotes at end of table.

ACTIONS ON BUDGET ESTIMATES OF NEW BUDGET (OBLIGATIONAL) AUTHORITY IN APPROPRIATION BILLS, 91ST CONG., 1ST SESS. AND 91ST CONG., 2D SESS., AS TO LABOR-HEW APPROPRIATION BILL, H.R. 15931, AND FOREIGN AID APPROPRIATION BILL, H.R. 15149 AS OF MAR. 5, 1970—Continued

[Does not include any "back-door" type budget authority; or any permanent (Federal or trust) authority, under earlier or "permanent law," without further or annual action by the Congress]

Bill and fiscal year (1)	Budget requests considered by House (2)	Approved by House (3)	Budget requests considered by Senate (4)	Approved by Senate (5)	Public Law (6)	(+) or (-), Public Law amounts compared with budget requests to Senate (7)
<b>Bills for fiscal 1970—Continued</b>						
11. Transportation (H.R. 14794) (including 1971 advances).....	\$2,090,473,630	\$2,095,019,630	\$2,090,473,630	\$2,147,152,630	\$2,143,738,630	+\$3,265,000
Fiscal year 1970 amounts only.....	(1,840,473,630)	(1,875,019,630)	(1,840,473,630)	(1,947,153,630)	(1,929,738,630)	(+\$89,265,000)
12. District of Columbia (H.R. 14916) (Federal funds).....	228,842,000	188,691,000	228,842,000	173,547,000	168,510,000	-\$60,332,000
District of Columbia funds.....	(751,575,300)	(683,106,300)	(752,944,300)	(657,064,600)	(650,249,600)	(-\$102,694,700)
13. Defense (H.R. 15090).....	75,278,200,000	69,960,048,000	75,278,200,000	69,322,656,000	69,640,568,000	-\$5,637,632,000
14. Foreign assistance (H.R. 15149).....	3,679,564,000	2,608,020,000	3,679,564,000	2,718,785,000	2,504,260,000	-\$1,175,304,000
15. Supplemental (H.R. 15209).....	298,547,261	244,225,933	314,597,852	296,877,318	278,781,318	-\$36,316,534
Total, these bills.....						
As to fiscal 1970.....	134,719,895,614	128,021,451,220	135,200,040,881	\$ 129,106,910,091	\$ 128,829,105,491	\$ -6,370,935,390
As to fiscal 1971.....	425,000,000	395,000,000	1,651,000,000	200,200,000	214,000,000	-1,437,000,000
Total, 1970 bills including 1971 amounts.....	135,144,895,614	128,416,451,220	136,851,040,881	\$ 129,306,910,091	\$ 129,043,105,491	\$ -7,807,935,390
<b>Bills for fiscal 1969:</b>						
1. Unemployment compensation (H.J. Res. 414).....	36,000,000	36,000,000	36,000,000	36,000,000	36,000,000	
2. Commodity Credit Corporation (H.J. Res. 584).....	\$ 1,000,000,000	\$ 1,000,000,000	\$ 1,000,000,000	\$ 1,000,000,000	\$ 1,000,000,000	
3. 2d supplemental (H.R. 11400).....	4,364,006,956	3,783,212,766	4,814,305,334	4,459,669,644	4,352,357,644	-\$461,947,690
Release of reserves (under Public Law 90-364).....	(82,463,000)	(82,766,000)	(79,999,000)	(80,230,000)	(80,230,000)	(\$+231,000)
Total, 1969 bills.....	5,400,006,956	4,819,212,766	5,850,305,334	5,495,669,644	5,388,357,644	-\$461,947,690
Cumulative totals.....	140,544,902,570	133,235,663,986	142,701,346,215	\$ 134,802,579,735	\$ 134,431,463,135	\$ -8,269,883,080

<sup>1</sup> In round amounts, the revised (April) budget for fiscal 1970 tentatively estimated total new budget (obligational) authority for 1970 at \$219,600,000,000 gross (\$205,900,000,000 net of certain offsets made for budget summary purposes only), of which about \$80,700,000,000 would become available, through so-called permanent authorizations, without further action by Congress, and about \$138,900,000,000 would require "current" action by Congress (mostly in the appropriation bills). Also, the April Review of the budget contemplates budget requests for advance fiscal 1971 funding in 4 items totaling \$1,661,000,000.

<sup>2</sup> Reflects reduction of \$175,000,000 for Appalachian highway program for 1970 and \$175,000,000 for advance funding for 1971. Authorization Act provided for contract authority in lieu of new obligational authority, with payments for liquidation to be appropriated later.

<sup>3</sup> Although a reduction in the budget estimate of \$86,972,500 is reflected in the total column of

the bill, it must be made clear that the budget estimate column to the Senate includes \$1,226,000,000 advance funding for ESEA for 1971 whereas none of these funds were included in the conference agreement. Deducting the \$1,226,000,000, from the budget estimate column gives a comparison for fiscal year 1970 only and reflects the conference agreement over the budget estimates in the amount of \$1,139,027,500.

<sup>4</sup> The budget estimate column to the Senate includes \$1,226,000,000 advance funding for fiscal year 1971 for ESEA denied by the Congress.

<sup>5</sup> Includes reduction of \$346,776,624 in the Cotton amendment, sec. 410 of Labor-HEW appropriation bill, H.R. 15931.

<sup>6</sup> Shifted from fiscal 1970 budget, a portion of which is technically classified in the budget as "liquidation of contract authorization" rather than as new budget (obligational) authority.

Mr. GRIFFIN. Obviously, the administration can spend no more money than Congress appropriates, and, indeed, if anything, it is spending less.

Mr. MANSFIELD. That is true. And I am happy that the Congress appropriated so much less than the administration requested.

Mr. GRIFFIN. The Congress is doing such a good job that the Federal Government is going more and more into debt every day. As the distinguished Senator from Delaware (Mr. WILLIAMS) continues to point out, we are doing so well that very soon it will be necessary again to increase the ceiling on the national debt. Obviously, we are not doing a good enough job.

Mr. MANSFIELD. I would agree with the Senator. He has stated a fact. We have to live with it and try to do something about it. I hope that together we will at least be able to alleviate the situation which confronts us, as the Senator has so cogently pointed out. I am confident—as I have said—that the Congress can again effectively reduce the appropriations requested by the administration and again do its utmost in the battle to stabilize this economy.

Mr. HANSEN. I should like to add one word to the colloquy that has just taken place.

Let me say that I joined with the distinguished majority leader yesterday in voting for several amendments that were proposed before a motion on final action came up before this body. I did that not because it was my conviction that those other civil service and Government employees were not eminently entitled to a pay raise, but, rather, it came about

because of my strong conviction that we do face a financial crisis in this country. I believe that on March 23 we were within \$396 million of having approached the legal limit of \$377 billion that this country can go into debt. How anomalous it is that we have had balanced budgets, and we keep having to increase the national debt and we keep having to borrow money to finance a balanced budget.

It is a bunch of hokum, and it came about because of the unified budget that was put into effect in 1968. It is a farce. It is a travesty. There is nothing accurate about it. It simply tries to juggle figures to make things appear better than they really are. That problem must be met head on, even though the raises in salaries of many of our public servants are justified. Even so, the wage increases of these other employees ought not be encased in the postal reform situation which is now before us.

I joined with the distinguished majority leader yesterday several times in voting for amendments which would have lessened the burden we were putting on the Treasury by the action we finally took.

The trouble with the 10-cent stamp proposal and the trouble with the other rather hastily put together proposals that were made in order to finance this added drain on our national budget is that those proposals do not reflect the considered judgment they deserve. I say that because I firmly believe that postal reform is long overdue.

I introduced the bill that was recommended by the Kappel commission in 1968. No Democrat wanted to introduce the President's proposal. I introduced it

because I thought it made sense, and I still think it makes sense.

I think it is too bad that too many people in Congress would rather keep in their grasp the influence—the inordinate influence—they presently exercise over civil service and postal employees; and, as a consequence, they do not want to take the step that most people agree should be taken and must indeed be taken if we are going to make order out of the chaos which presently reflects the situation in our Post Office Department.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. HANSEN. I yield.

Mr. MANSFIELD. I think I should state for the Record that, while serving in the House and the Senate, on at least five different occasions I introduced proposals which would take away from Congress the right of appointment of postmasters, because I felt that a more meritorious system of promotions based truly on merit should be put into effect. We never got anywhere with them.

Mr. HANSEN. We probably will not this time. But I do think it ought not to go unstated that the need still exists.

It is too bad that some 84 percent of the postal employees retire after a long period of Government service in the same grade they began. What incentives does that sort of system offer any public servant? I think it is terrible. I think it is time it was done away with. I hope Congress will face up to the responsibility that is now before it and see that we change the system so as to give the inducement and the encouragement that is necessary in order to command top performance.

I yield to the Senator from Idaho.

Mr. CHURCH. I thank the Senator.

April 9, 1970

**SENATE RESOLUTION 385—RESOLUTION SUBMITTED TO URGE THE CALLING OF AN INTERNATIONAL CONFERENCE ON NORTH PACIFIC MARINE OIL POLLUTION**

Mr. STEVENS. Mr. President, it is becoming increasingly clear that the United States must depend for its power and fuel needs on oil that is transported from remote places. Whether these locations be Alaska, Venezuela, or the Middle East, a major part of the transporting will be done by oceangoing tankers.

The *Torrey Canyon* incident has shown us what can be done to the ocean and beaches of the world by a leaking oil tanker. A recent incident off the coast of Kodiak Island in my State of Alaska is another warning that the indiscriminate or accidental spilling of oil into our oceans must be stopped.

This is an international problem. We must take steps to resolve it at the international level. As a first step, I am submitting a resolution requesting an international conference on marine oil pollution in the North Pacific and the establishment of a joint United States-Canadian task force to provide leadership and coordination in all aspects of oil pollution prevention and abatement in this region.

The Alaska State Legislature has considered this problem and has already issued a call for the conference I am proposing.

The State of Alaska has enacted and enforces the strictest rules against oil pollution anywhere in the world. The recent incident off Kodiak Island, which destroyed many miles of beach and killed an estimated several thousand sea birds, was reportedly the result of the discharge of an oily ballast by a ship at sea, an act over which the State has no jurisdiction. The United States presently requires that ballast not be discharged within 50 miles of our coast. This is clearly not an adequate safeguard.

However, it is not enough simply to require our ships to stop this practice, although such a step is naturally desirable. We must seek an international agreement to assure that no ships continue this practice. In light of the anticipated shipping large quantities of oil from Alaska through the North Pacific, it would seem natural to begin this process with discussions concerning this region. This is what my resolution seeks and I ask unanimous consent that it be printed in full in the RECORD at this point.

The PRESIDING OFFICER (Mr. CRANSTON). The resolution will be received and appropriately referred; and, without objection, the resolution will be printed in the RECORD.

The resolution (S. Res. 385), which reads as follows, was referred to the Committee on Foreign Relations:

S. Res. 385

Whereas it is becoming increasingly evident that man, if he continues his present course of action, will not only pollute the air, streams and lakes but also the oceans of the world; and

Whereas the tragic episodes resulting recently from oil spills in the waters of this and other nations make it painfully clear that if man and his environment are to survive the

utmost care must be employed when exploring for, extracting and transporting oil; and

Whereas Kodiak, Alaska has just suffered a major disaster because an oil slick caused by the pumping of oily ballast at sea has reportedly covered an estimated 1,000 miles of beach and killed a minimum of 10,000 sea birds; and

Whereas the tragic situation which now exists is a mere preview of what may happen in the future if proper safeguards are not established and followed in the transporting of oil; and

Whereas the present federal regulation allowing the pumping of ballast by oil tankers 50 miles from shore is totally inadequate to protect the shores and wildlife of the nation; and

Whereas, because Alaska's waterlanes will be utilized to a great extent in future years to transport oil to west coast ports, strong precautions against oil spilling must be initiated now; and

Whereas the United States should be a world leader in establishing and enforcing proper safeguards to prevent future oil pollution of the world's seas;

Now, therefore, be it resolved, that the United States Senate urges the convening of an international conference on North Pacific marine oil pollution, and the consideration of the establishment of a permanent United States-Canadian joint task force to provide leadership and coordination in all aspects of oil pollution prevention and abatement in this region.

**SALT**

**ADDITIONAL COSPONSOR OF A RESOLUTION**

SENATE RESOLUTION 211

Mr. BROOKE. Mr. President, I ask unanimous consent that, at the next printing, the names of the Senator from North Dakota (Mr. BURDICK) and the Senator from Washington (Mr. MAGNUSON), be added as cosponsors of Senate Resolution 211, seeking agreement with the Union of Soviet Socialist Republics on limiting offensive and defensive strategic weapons and the suspension of test flights of reentry vehicles.

The PRESIDING OFFICER (Mr. SAXBE). Without objection, it is so ordered.

**RAIL PASSENGER SERVICE ACT OF 1970—REPORT OF A COMMITTEE—MINORITY AND INDIVIDUAL VIEWS (S. REPT. NO. 91-765)**

Mr. MANSFIELD. Mr. President, on behalf of the Senator from Indiana (Mr. HARTKE), from the Committee on Commerce, I report, without amendment, the bill (S. 3706) to provide financial assistance for and establishment of a national rail passenger system, to provide for the modernization of railroad passenger equipment, to authorize the prescribing of minimum standards for railroad passenger service, to amend section 13(a) of the Interstate Commerce Act, and for other purposes, and I submit a report thereon.

Mr. President, I ask unanimous consent that the report be printed, together with the minority views of Senators COTTON, GRIFFIN, and BAKER, and the individual views of Senators BAKER and PROUTY.

The PRESIDING OFFICER (Mr. BYRD of West Virginia). The report will be received and the bill will be placed on the

calendar; and, without objection, the report will be printed, as requested by the Senator from Montana.

**AMENDMENT OF COMMUNICATIONS ACT OF 1934 RELATING TO EQUAL-TIME REQUIREMENTS FOR CANDIDATES FOR PUBLIC OFFICE—AMENDMENT**

AMENDMENT NO. 580

Mr. PASTORE submitted an amendment, intended to be proposed by him, to the bill (S. 3637) to amend section 315 of the Communications Act of 1934 with respect to equal-time requirements for candidates for public office, and for other purposes, which was ordered to lie on the table and to be printed.

(The remarks of Mr. PASTORE when he submitted the amendment, which appear earlier in the RECORD under the appropriate heading.)

**ESTABLISHMENT OF A FEDERAL BROKER-DEALER INSURANCE CORPORATION—AMENDMENT**

AMENDMENT NO. 851

Mr. MUSKIE submitted an amendment, in the nature of a substitute, intended to be proposed by him, to the bill (S. 2348) to establish a Federal Broker-Dealer Insurance Corporation, which was referred to the Committee on Banking and Currency and ordered to be printed.

**ENROLLED JOINT RESOLUTION PRESENTED**

The Secretary of the Senate reported that on today, April 9, 1970, he presented to the President of the United States the enrolled joint resolution (S.J. Res. 190) to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employees.

**ADDITIONAL STATEMENTS OF SENATORS**

**MONTANA'S PRIDE**

Mr. MANSFIELD. Mr. President, the 91-piece Columbia Falls High School Band with 25 chaperons will leave Montana for Calgary, Alberta, on April 26, to proceed from there for Europe for a 3-week tour.

When the drive began last fall to send the Columbia Falls High School Band to Europe, very few people thought it would succeed. Thanks to the tremendous drive and organizational ability of such citizens as Basil Everin and Cecil Hudson, the sum of \$13,000 was achieved, and as a result will take care of the band members' food, lodging, and bus fare in Europe. The chaperons who will be going along with the students are paying their own expenses, and the students themselves have bought their plane tickets and passports.

The idea of such a trip originated with Mrs. Richard Edsall, who thought it would be a good idea for her native Germany to see the very best of American youth. Montana interest in the Columbia Falls High School Band has been tre-

mendous. The Whitefish Rotary gave \$100, the Kalispell Rotary over \$300, the Kalispell Elks \$400, the Whitefish Junior High School \$25, the seventh and eighth graders at Fortine \$5, the Browning Soroptimists \$10, McCone County 4-H Circle at Vida \$5, Ron Sherman—Reno taxi driver and park summer horse packer—\$10, the Cherry Hills 4-H at Big Fork \$5, the Columbia Falls Chamber of Commerce \$300, the Bank of Columbia Falls and the Anaconda Aluminum Co. \$1,000 each, the First National Bank of Kalispell \$100, the Equity Supply Co. of Kalispell \$150, and many others did likewise.

My congratulations to this outstanding band, which I know will represent the Flathead, the State of Montana, and the Nation with distinction and dignity. I wish them the best of everything in their trip abroad, and I stand ready to help them in any way I possibly can to make sure this trip is successful. It is a feather in the cap of Columbia Falls. It is a fine undertaking by an outstanding group of youngsters, and it is a credit to the United States of America that such an aggregation with such talent is representing us in Europe.

Mr. President, I ask unanimous consent that a number of articles published in the Hungry Horse News be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the Record, as follows:

**GOAL NEAR FOR BAND**  
(By Mel Ruder)

Fantastic drive in small town Montana to send a high school band on European tour is within \$2,000 of its goal.

The 91 member Columbia Falls High School Band will fly from Calgary to Amsterdam April 26, and return May 17 after touring and presenting concerts in the Netherlands, Germany, Switzerland and Austria.

Idea started with Mrs. Richard Edsall, Hungry Horse, who was back in her native land last year, and unhappy at impression Germans had of young America. She felt the cure was to send the Columbia Falls High School Band to Europe, and started the drive.

Target is \$15,000 to cover transportation, lodging and meals for band in Europe.

In addition the students have paid \$223 round-trip airfare plus \$12 passport charge. There are also 25 chaperons who have paid \$250 airfare and will take care of their own transportation, lodging and meal costs in Europe. Total cost of the expedition exceeds \$40,000.

Basil Everin is president of the Band to Europe committee with Cecil Hudson, treasurer.

Donations continue to arrive at P.O. Box X, Columbia Falls.

Everin and Hudson noted largest check—\$1,000—was voted by Bank of Columbia Falls directors, Tuesday.

They expressed appreciation for all sums including the number of \$1 bills, the residents at Montana Veterans' Home who bought \$1 buttons, and the many checks that keep arriving.

Whitefish Junior High sent \$25, Grandview Supreme 4-H \$5, Kalispell Rotary, \$149; Whitefish Rotary, \$100; Columbia Falls Chamber of Commerce, \$300 in two checks; Kalispell-Elks, \$300; Whitefish Soroptimists, \$100.

Plum Creek Lumber Co. gave \$400; Stoltze Land and Lumber, \$250; Rocky Mountain and Superior Buildings, \$100 each; Equity Supply, \$150.

The Columbians, dance orchestra of the band, has played at different functions, with proceeds to Band to Europe. This included about \$400 from the Big Mountain Medical Association conference.

Leading gifts from Columbia Falls business district, in addition to the Bank of Columbia Falls, is Melby's Flathead Furniture, \$200, and Krbeiger Drug, \$100. There have been several \$75 gifts, and a number of \$50 and \$25 checks. Likewise appreciated are the many \$5 and \$10 checks. A full list is being prepared.

Everin commented that checks have come from coast to coast.

**ANNOUNCE STOPS, HOTELS AND MILEAGES IN EUROPE**

Updated itinerary for Columbia Falls High School's Band to Europe expedition was announced by Basil Everin, president of the parents' committee.

The 91 bandmen and 25 chaperons will depart by Pacific Western Airlines Boeing 707 jet at 3 p.m. April 26 from Calgary to Amsterdam. There may be refueling in Greenland of Iceland.

Everin also provided shortest distances in kilometers (.62 of a mile equals a kilometer), and noted that stays in most cases were for two days. Most hotels are youth hostels.

Here's the schedule:

Arrive in Amsterdam, 8:45 a.m., April 27; 117 kilometers by bus to Nijmegen, The Netherlands, Hotel Esplanade; 242 Km. Koln, Germany, Hotel Reinhard, April 28-29; 219 Km. Pforzheim, Germany, April 30-May 1; 55 Km. Esslingen, Germany, Hotel Rosenau, May 2-3.

275 Km to Lucerne, Switzerland, Hotel Kolping, May 4-5; 307 Km, Innsbruck, Austria, Hotel Kreide, May 6; 171 Km, Salzburg, Austria, Hotel Horw, May 7-8; 294 Km, Nuremberg, Germany, Hotel Berg, May 9-10; 284 Km, Mainz, Germany, Hotel Stiftswingert, May 11-12; 234 Km, Aachen, Germany, May 13-14; 239 Km, Amsterdam, Netherlands, May 15-16 with departure 10 a.m., May 17 for Calgary and home.

**ADD HOLLAND CONCERT FOR FALLS BAND TO EUROPE**

An additional concert has been scheduled by the Columbia Falls High School Band on their April 26-May 17 European tour.

Basil Everin, president of Band to Europe, said the 91 musicians have been invited to play at William Eggert School in Purmerent just north of Amsterdam.

There are seven cities in The Netherlands, Germany and Austria where the band will perform as well as a two-day stay in Switzerland.

Everin noted that contributions to Band to Europe continue to arrive daily and total now exceeds the \$13,000 goal which will take care of chartered buses in Europe, meals and lodging for band members. Students are taking care of their own \$223 charter round trip flight tickets and \$12 passports. Chaperons are paying \$250 for airfare plus their expenses in Europe.

Everin expressed appreciation in behalf of the Band to Europe committee for the fine support. Money being received over the \$13,000 goal is being used to help purchase new uniforms and pay for liability insurance.

For three-fourths of the students, the 8 hour 40 minute flight from Calgary to Amsterdam will be their first plane trip. They will fly in a chartered Western-Pacific Airlines Boeing 707.

**CHAPERONS MEETING**

All chaperons are to meet Monday, 7:30 p.m., in the bank meeting room. Chaperon committee, Mrs. Everin, chairman, has assigned five students to chaperons. General meeting for all parents, band members and chaperons takes place April 14. Howard Whitney of the Border Patrol will attend.

**TASK FORCE ON ENVIRONMENTAL EDUCATION AND YOUTH ACTIVITIES**

Mr. SCOTT, Mr. President. In his State of the Union Address, President Nixon emphasized:

The moment has arrived to harness the vast energies and abundance of this land for the creation of a new American experience, richer and deeper and more truly a reflection of the goodness and grace of the human spirit.

The 1970's will be a time of new beginnings and it is essential that our purpose in this period should not be simply better management of the programs in the past but a quest for a new quality of life in America. The enhancement of our natural environment is a major task now before us and the future of this environment has been taken up by our young people with great commitment and enthusiasm.

They are concerned not with rhetoric, but with deeds, not with study, but with action, and it is now essential that the Federal Government open its doors and prove that it can respond.

Last Monday, Secretary of the Interior Walter J. Hickel, at the Alf Landon lecture series at Kansas State University, in Manhattan, Kans., announced the formation of a task force on environmental education and youth activities to coordinate education and action programs involving youth and the environment.

The task force's immediate projects include being the liaison group for the student councils on pollution and the environment—SCOPE—and the making of recommendations for the creation of a National Environmental Control Organization—ECO.

Through SCOPE, the Federal Government is showing that it pays to listen as well as talk and possibilities are being explored for expanding SCOPE into an interdepartmental organization so it can have an impact on all Federal agencies working on land, air and water pollution problems.

ECO has been proposed by the Secretary as an organization similar to the Peace Corps with the idea of placing our young talent in areas of the Nation needing study and help the most.

Mr. President, I believe that the Secretary of the Interior should be congratulated for his leadership in moving to mobilize the energies of our youth in this great environmental crusade.

Mr. President, I also ask unanimous consent that a news release and the Secretary's remarks in Kansas be printed in the RECORD.

There being no objection, the news release and remarks were ordered to be printed in the RECORD, as follows:

[Department of the Interior News Release, Apr. 6, 1970]

**TASK FORCE ON ENVIRONMENTAL EDUCATION AND YOUTH ACTIVITIES**

Secretary of the Interior Walter J. Hickel today announced the formation of a "Task Force on Environmental Education and Youth Activities" to coordinate educational and action programs involving youth and the environment.

"The condition and the future of our environment have been taken up by American

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tion Service Medal, Europe and Asia Clasps; China Service Medal; National Defense Service Medal with bronze star; Armed Forces Expeditionary Medal; Vietnam Service Medal; Philippine Defense Ribbon; and the Republic of Vietnam Campaign Medal with device. In May 1964 he was awarded the Stephen Decatur Award for operational competence by the Navy League of the United States and on June 3, 1968 Admiral Moorer was awarded the Honorary Doctor of Laws Degree by Auburn University, Auburn, Alabama.

He also has been decorated by ten foreign governments: Portugal (Military Order of Aviz), Greece (Silver Star Medal, First Class), Japan (Double Rays of the Rising Sun), Republic of China (Medal of Pao-Ting) and (Medal of Cloud and Banner with Special Grand Cordón), Philippines (Legion of Honor), Brazil (Order of the Naval Merit, Grande Oficial), Chile (Gran Estrella al Merito Militar), Venezuela (Order of Naval Merit 1st Class), Republic of Korea (Order of National Security Merit, 1st Class), Netherlands (Grand Cross, Order of Oranje-Nassau with Swords).

Admiral Moorer is married to the former Carrie Ellen Foy of Eufaula, Alabama. He has four children, Thomas Randolph, Mary Ellen (Mrs. David Butcher), Richard Foy, and Robert Hill Moorer. His official residence is 402 Barbour Street, Eufaula, Alabama.

#### CHIEF JUSTICE SHOULD DELIVER SPEECH ON THE STATE OF THE JUDICIARY TO JOINT SESSION OF CONGRESS

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

Mr. SCHWENGEL. Mr. Speaker, on the 22d of November in 1800 the President of the United States, making the first speech at the Capitol said:

I cannot omit once more to recommend to your serious consideration the judiciary system of the United States. No suggestion is more interesting than this to the public happiness, and to none can those improvements which may have been suggested by experience, be more beneficially applied.

So spoke John Adams when the Capitol was moved to Washington.

In response to this and in response to the suggestion by the present Chief Justice of the Supreme Court I am today, along with several colleagues, Mr. GROSS, Mr. KYL, Mr. MAYNE, and Mr. TAFT, introducing a resolution to call for a joint session of Congress and invite the Chief Justice to come here and speak to us on the state of the judiciary.

Mr. Speaker, the courts of this Nation face a crisis. The dockets of our urban courts, both Federal and State, are crowded and the backlog grows.

The problem may be spreading to other areas, especially as population growth continues. Trials long delayed present a serious problem of harm to criminal defendants and to the public, as well as to all sides in civil litigation. And the courts are under a concerted attack from the radical left which apparently intends by disruptive tactics to bring them to a halt.

Public confidence has been weakened because of recent disclosures, which have reached to members of the highest court in the land.

Extraordinary times require that we be bold in seeking resolution of these problems. But today I recommend to the House not a bold innovative reform, not a far-reaching solution, not a precedent

shattering proposal. All that must await study which is going forward today—in the American bar associations, in State and local bar groups, in judicial conferences.

What I propose is quite limited, but it is a first step from which we can all form to march forward to solutions. At the pinnacle of the American legal system stands the Chief Justice of the United States. It is not only his responsibility to lead our High Court in its decisionmaking, but also he is really administrative head of our Federal courts and leader of the Judicial Conference. His perspective is that ranging over the entire system—the strong points and the soft. His experience and reflections and perspective would provide noteworthy examples for the States struggling with the same problems as are the Federal courts.

And yet we make inadequate use of the Chief Justice's nonjudicial, essentially administrative expertise. Congress annually receives the report of the Judicial Conference which contains useful basic information and statistical data. Although it is printed as a House document I am sure it goes largely unnoticed in the mountain of paperwork issued by Congress.

We need to increase the visibility of the Chief Justice and the thoughts of the Judicial Conference. We must increase public awareness of the necessities. We must educate ourselves and the public, because without the awareness and the education we may well not make the expenditures and the legislative revisions which will be required.

The proposal, then, is a simple one. We are all familiar with the President's state of the Union message. Why not a state of the judiciary message by the Chief Justice? He could inform us of the problems and suggest solutions. He could open a dialog between Congress and the administrative side of the courts. Budgetary problems could be explained forthrightly. The thinking of the Judicial Conference on matters like staffing, facilities, selection, retirement, and other matters could be presented. The question of revising the jurisdiction of the Federal courts, perhaps along the lines of the recent American Law Institute proposals, could be discussed frankly and clearly.

The point, Mr. Speaker, is that there are innumerable subjects about which the Chief Justice could speak which would in no way get us into problems of separation of powers. The Chief Justice would not discuss or allude to litigation or to matters solely within the prerogatives of the Federal courts. The things I have in mind relate to those matters on which the Congress does and must legislate in any event. Both Houses have passed bills increasing the number of judges. In a recent Congress we abolished the commissioner system in the Federal district courts and created a system of magistrates. Congress has delegated rulemaking powers but reserved the right to alter rules by statute. A member of the Court, as well as administrative personnel, regularly appears before the appropriations committees with regard to the budget of the judiciary.

In addition, it is general knowledge that Chief Justice Taft was the moving spirit behind the Judiciary Act of 1925 which allowed the Supreme Court to regulate its caseload through its certiorari jurisdiction. Taft was also active in other matters affecting the Federal judiciary.

Thus, I believe it would be wholly proper and appropriate for the Chief Justice to appear before us to set out the problems and needs of the Federal judiciary. After all, the principle of separation of powers is not that each branch of our Government is tightly shut off from the others; it is that they deal at arms length with each other. There are many areas of mutual accommodation. While Congress is the source of the revenues without which the courts cannot function and while Congress must make the statutory changes to enable the courts to keep abreast of the times, it is incumbent that we be fully and completely informed of the thinking of the judges and judicial administrators.

That is all I propose. I think we would be well advised to adopt the proposal.

#### THE PRESIDENT'S SUPREME COURT APPOINTMENT

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

Mr. QUILLEN. Mr. Speaker, yesterday the President went to Minnesota to find a new Associate Justice of the Supreme Court.

And the appearances are that he made an excellent choice.

In fact, I would say that from most respects Judge Blackmun is qualified to serve on the Supreme Court as were Judge Haynsworth and Judge Carswell. Much to my regret, he is not a southerner.

Because he is not a southerner, I expect that he will be quickly confirmed.

Mr. Speaker, that brings me to my point, which is the same as the President's—no southerner, it appears, can be appointed to the Supreme Court so long as the composition of the Senate remains unchanged.

There is a southern bias in the Senate. It is evident, it is obvious. Northern liberal Senators are deliberately doing what they accuse others of: they are polarizing and separating the Nation along regional and geographic lines. They are defying and thwarting the President's efforts to bring this country together. Mr. Speaker, I wish to go on record that as one Member of the Congress from the South, I personally resent this narrow northern attitude and will do whatever I can to fight it.

Perhaps after November, or when Justice Douglas is impeached, it will be possible for a southerner to be nominated and confirmed to the Supreme Court. It is about time.

#### STRATEGIC ARMS LIMITATION TALKS

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

April 15, 1970

Mr. ROTH. Mr. Speaker, tomorrow at Vienna, Austria, the United States and the Union of Soviet Socialist Republics will open talks which could result in the most critical negotiations on arms and other matters ever undertaken and it is my belief that this body—representative of all Americans—should note the beginning of these talks with a resolution of support and of hope that they result in understanding which will benefit the cause of national security and world peace.

The resolution which I am introducing at this time does express the unreserved support of this body for the strategic arms limitation talks.

The Government of the United States enters these discussions with representatives of the Soviet Union with serious purpose.

We cannot accurately predict what these talks might fully achieve; they may, in fact, end without any success.

We know success does not arise from weakness and that peace does not come through wishing for it.

We recognize these talks are likely to be long and complicated. In my mind, however, the constructive atmosphere of the initial talks in Helsinki is a good sign for the future; I am certain my colleagues share my hope that the same atmosphere and down-to-earth negotiations continue in Vienna.

Our hopes are that in the future the wealth of nations—of all nations—can be transferred safely and without fear from the building of arms. It is with that intent and with the hope that the beginning in Vienna is a moment in history which sets a course for good for the centuries, that I offer this resolution and urge its support by all Members:

H. Res. 919

A resolution expressing the support of the House of Representatives with respect to the strategic arms limitation talks, and for other purposes

Whereas the preparations for the Strategic Arms Limitation Talks have involved the most intensive study of strategic arms problems ever made by the Government of the United States of America or any other government;

Whereas the Government of the United States of America and the Government of the Union of Soviet Socialist Republics open talks on April 16, 1970, which could result in agreement to limit arms and other matters: Now, therefore, be it

*Resolved*, That the House of Representatives hereby expresses its unreserved support for the talks which begin April 16, 1970, on the limitations of strategic arms between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics.

*Be it further resolved*, That it is the sense of the House of Representatives that—

(1) prompt negotiations between the Governments of the United States of America and of the Union of Soviet Socialist Republics to seek agreed limitations of both offensive and defensive strategic weapons should be urgently pursued; and

(2) the President should in such negotiations propose to the Government of the Union of Soviet Socialist Republics an immediate suspension by the United States and by the Union of Soviet Socialist Republics of the further deployment of all offensive and defensive nuclear strategic weapons systems, subject to national verification or such other measures of observation and inspection as may be appropriate.

CONDUCT OF ASSOCIATE JUSTICE DOUGLAS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. GERALD R. FORD) is recognized for 60 minutes.

(Mr. GERALD R. FORD asked and was given permission to revise and extend his remarks.)

CALL OF THE HOUSE

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

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

Mr. ALBERT. 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. 78]

Abbutt	Feighan	Murphy, N.Y.
Anderson, Tenn.	Findley	Nedzi
Ashbrook	Fulton, Pa.	Nix
Ayres	Garmatz	Ottinger
Baring	Giulmo	Patman
Barrett	Gross	Pepper
Bolling	Gubser	Poff
Bow	Hanna	Powell
Broomfield	Hansen, Idaho	Price, Tex.
Brown, Calif.	Harsha	Quie
Burton, Utah	Hawkins	Riegler
Bush	Hébert	Roberts
Button	Heckler, Mass.	Rooney, N.Y.
Byrne, Pa.	Hollfield	Rooney, Pa.
Cabell	Hungate	Rosenthal
Carey	Jarman	St Germain
Celler	Jonas	Satterfield
Chisholm	Karth	Scheuer
Clancy	Kee	Schneebell
Clark	Kirwan	Shiple
Clay	Kuykendall	Sikes
Culver	Langen	Skubitz
Daddario	Lenon	Slack
Davis, Wis.	Lowenstein	Smith, N.Y.
Dawson	Lukens	Springer
de la Garza	McCarthy	Stuckey
Dellenback	McMillan	Sullivan
Dent	Martin	Taft
Diggs	Meskill	Teague, Calif.
Dingell	Michel	Teague, Tex.
Edwards, Calif.	Mikva	Tunney
Erlenborn	Miller, Calif.	Vigorito
Esch	Mize	White
Evins, Tenn.	Mollohan	Whitten
Fallon	Moorhead	
	Murphy, Ill.	

The SPEAKER pro tempore. On this rollcall 325 Members have answered to their names, a quorum.

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

CONDUCT OF ASSOCIATE JUSTICE DOUGLAS

The SPEAKER pro tempore. The gentleman from Michigan (Mr. GERALD R. FORD) is recognized for 60 minutes.

Mr. GERALD R. FORD. Mr. Speaker, last May 8 I joined with the gentleman from Ohio (Mr. TAFT) in introducing H.R. 11109, a bill requiring financial disclosure by members of the Federal judiciary. This was amid the allegations swirling around Mr. Justice Fortas. Before and since, other Members of this body have proposed legislation of similar intent. To the best of my knowledge, all of them lie dormant in the Committee on the Judiciary where they were referred.

On March 19 the U.S. Judicial Conference announced the adoption of new ethical standards on outside earnings and

conflict of interest. They were described as somewhat watered down from the strict proposals of former Chief Justice Warren at the time of the Fortas affair. In any event, they are not binding upon the Supreme Court.

Neither are the 36-year-old Canons of Judicial Ethics of the American Bar Association, among which are these:

Canon 4. *Avoidance of Impropriety.* A judge's official conduct should be free from impropriety and the appearance of impropriety; he should avoid infractions of law; and his personal behavior, not only upon the Bench and in the performance of judicial duties, but also in his everyday life, should be beyond reproach.

Canon 24. *Inconsistent Obligations.* A judge should not accept inconsistent duties; nor incur obligations, pecuniary or otherwise, which will in any way interfere or appear to interfere with his devotion to the expeditious and proper administration of his official function.

Canon 31. *Private Law Practice.* In many states the practice of law by one holding judicial position is forbidden. . . . If forbidden to practice law, he should refrain from accepting any professional employment while in office.

Following the public disclosure last year of the extrajudicial activities and moonlighting employment of Justices Fortas and Douglas, which resulted in the resignation from the Supreme Bench of Mr. Justice Fortas but not of Mr. Justice Douglas, I received literally hundreds of inquiries and protests from concerned citizens and colleagues.

In response to this evident interest I quietly undertook a study of both the law of impeachment and the facts about the behavior of Mr. Justice Douglas. I assured inquirers that I would make my findings known at the appropriate time. That preliminary report is now ready.

Let me say by way of preface that I am a lawyer, admitted to the bar of the U.S. Supreme Court. I have the most profound respect for the U.S. Supreme Court. I would never advocate action against a member of that Court because of his political philosophy or the legal opinions which he contributes to the decisions of the Court. Mr. Justice Douglas has been criticized for his liberal opinions and because he granted stays of execution to the convicted spies, the Rosenbergs, who stole the atomic bomb for the Soviet Union. Probably I would disagree, were I on the bench, with most of Mr. Justice Douglas' views, such as his defense of the filthy film, "I Am Curious (Yellow)." But a judge's right to his legal views, assuming they are not improperly influenced or corrupted, is fundamental to our system of justice.

I should say also that I have no personal feeling toward Mr. Justice Douglas. His private life, to the degree that it does not bring the Supreme Court into disrepute, is his own business. One does not need to be an ardent admirer of any judge or justice, or an advocate of his life style, to acknowledge his right to be elevated to or remain on the bench.

We have heard a great deal of discussion recently about the qualifications which a person should be required to possess to be elevated to the U.S. Supreme Court. There has not been sufficient consideration given, in my judgment, to the qualifications which a