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THE CHILD NUTRITION ACT AND THE SPECIAL MILK PROGRAM FOR CHILDREN

GOVERNMENT
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HEARINGS BEFORE THE COMMITTEE ON AGRICULTURE HOUSE OF REPRESENTATIVES EIGHTY-NINTH CONGRESS

SECOND SESSION
ON

H.R. 13361

AND

BILLS TO AMEND AND MAKE PERMANENT THE SPECIAL
MILK PROGRAM FOR CHILDREN

JUNE 23 AND 24, 1966

Serial JJ



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THE CHILD NUTRITION ACT AND THE
SPECIAL MILK PROGRAM FOR CHILDREN

HEARINGS
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CHILD NUTRITION ACT AND SPECIAL MILK PROGRAM FOR CHILDREN

THURSDAY, JUNE 23, 1966

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, D.C.

The committee met, pursuant to notice, at 11:30 a.m., in room 1301, Longworth House Office Building, Washington, D.C., the Honorable Harold D. Cooley (chairman) presiding.

Present: Representatives Cooley, Poage, Gathings, Abernethy, Abbitt, Hagen of California, Stubblefield, Purcell, Olson, Matsunaga, O'Neal, Foley, Stalbaum, de la Garza, Vigorito, Redlin, Greigg, Callan, Dague, Belcher, Teague of California, Quie, Mrs. May, Findley, Dole, and Hansen of Idaho

Also present: Christine S. Gallagher, clerk; John J. Heimburger, general counsel; Hyde H. Murray, assistant clerk; Martha Hannah, staff; Francis LeMay, consultant; and Fowler C. West, staff.

The CHAIRMAN. The committee will be in order, please.

Let's be off the record for a moment.

(Discussion was had outside the record.)

The CHAIRMAN. We have before us this morning H.R. 13361, and bills extending or making permanent the special milk program for children. These will be made a part of the record at this point.

(H.R. 13361, introduced by Mr. Cooley, follows:)

[H.R. 13361, 89th Cong., 2d sess.]

A BILL To establish a cooperative Federal-State child nutrition program under the direction of the Department of Agriculture

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Child Nutrition Act of 1966".

DECLARATION OF PURPOSE

SEC. 2. In recognition of the demonstrated relationship between food and good nutrition and the capacity of children to develop and learn, based on the years of cumulative successful experience under the national school lunch program with its significant contributions in the field of applied nutrition research, it is hereby declared to be the policy of Congress that these efforts shall be extended, expanded, and strengthened as a measure to safeguard the health and well being of the Nation's children, with special effort directed toward improving the nutrition of children from low-income families, and to encourage the domestic consumption of agricultural and other foods, by assisting States, through grants-in-aid and other means, to meet more effectively the nutritional needs of our children.

TITLE I—NATIONAL SCHOOL LUNCH AND CHILD NUTRITION PROGRAM

AUTHORIZATION

SEC. 101. The Secretary shall formulate and carry out a national school lunch and child nutrition program to assist States, through grants-in-aid and other means, to establish, maintain, and expand nonprofit school food service programs for children.

APPORTIONMENTS TO STATES

SEC. 102. (a) The Secretary shall apportion among the States during each fiscal year not less than 75 per centum of the funds appropriated for the purposes of this title, excluding section 107, for such year for obtaining agricultural and other foods. Apportionment among the States shall be made on the basis of two factors: (1) the participation rate for the State, and (2) the assistance need rate for the State. The amount of apportionment to any State shall be determined by the following method: First, determine an index for the State by multiplying factors (1) and (2); second, divide this index by the sum of the indexes for all the States; and third, apply the figure thus obtained to the total funds to be apportioned. If any State cannot utilize all funds so apportioned to it, or if additional funds are made available for apportionment under this section among the States, the Secretary shall make further apportionments to the remaining States in the same manner. Notwithstanding the foregoing provisions of this section, for the fiscal year beginning July 1, 1966, the amount apportioned to American Samoa shall be \$25,000, which amount shall be first deducted from the funds available for apportionment in determining the amounts to be apportioned to the other States.

(b) Funds apportioned to any State under section 102 for any fiscal year shall be available for payment to such State for disbursement by the State educational agency, for the purpose of assisting schools in that State in obtaining agricultural and other foods for consumption by children during such fiscal year. Payments to any State of funds so apportioned in any fiscal year shall be made upon condition that each dollar will be matched by three dollars from sources within the State determined by the Secretary to have been expended in connection with the program under this title. In the case of any State whose per capita income is less than the per capita income of the United States, the matching required for any fiscal year shall be decreased by the percentage which the State per capita income is below the per capita income of the United States. For the purpose of determining whether the matching requirements of this section and section 106, respectively, have been met, the reasonable value of donated services, supplies, facilities, and equipment as certified, respectively, by the State educational agency and, in case of schools receiving funds pursuant to section 106, by such schools (but not the cost or value of land, or of the acquisition, construction, or alteration of buildings or of commodities donated by the Secretary, or of Federal contributions), may be regarded as funds from sources within the State expended in connection with the program under this title.

DIRECT FEDERAL EXPENDITURES

SEC. 103. The funds appropriated for any fiscal year for carrying out the provisions of this title, excluding section 107, less not to exceed 3½ per centum thereof hereby made available to the Secretary for his administrative expenses under this Act, less the amount apportioned by him pursuant to sections 102 and 106, shall be available to the Secretary during such year for direct expenditure by him for agricultural and other foods to be distributed among the States and schools participating in the program under this title in accordance with the needs as determined by the local school authorities. The provisions of law contained in the proviso of the Act of June 28, 1937 (50 Stat. 323), facilitating operations with respect to the purchase and disposition of surplus agricultural commodities under section 32 of the Act approved August 24, 1935 (49 Stat. 774), as amended, shall to the extent not inconsistent with the provisions of this title, also be applicable to expenditures of funds by the Secretary under this title.

STATE DISBURSEMENT TO SCHOOLS

SEC. 104. Funds apportioned under section 102 and paid to any State shall be disbursed by the State educational agency to those schools in the State which the State educational agency, taking into account need and attendance, determines

are eligible to participate in the program under this title. Disbursement to any school shall be made only for the purpose of reimbursing it for the cost of obtaining agricultural and other foods for consumption by children in the program. Such food costs may include, in addition to the purchase price of agricultural and other foods, the cost of processing, distributing, transporting, storing, and handling. In no event shall such disbursement for food to any school for any fiscal year exceed an amount determined by multiplying the number of lunches served in the school in the program under this title during such year by the maximum Federal food-cost-distribution rate for the State, for the type of lunch served, as prescribed by the Secretary for schools other than those receiving special assistance under section 107.

NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

SEC. 105. Lunches served by schools participating in the program under this title shall consist of a combination of foods and shall meet minimum nutritional requirements prescribed by the Secretary on the basis of tested nutritional research. Such meals shall be served without cost or at a reduced cost to children who are determined by local school authorities to be unable to pay the full cost of the lunch. In making such determinations, such local authorities should, to the extent practicable, consult with public welfare and health agencies. No physical segregation of or other discrimination against any child shall be made by the school because of his inability to pay.

NONPROFIT PRIVATE SCHOOLS

SEC. 106. If in any State the State educational agency is not permitted by law to disburse the funds paid to it under this title to nonprofit private schools in the State, or is not permitted by law to match Federal funds made available for use by such nonprofit private schools, the Secretary shall withhold from the funds apportioned to any such State under section 102 of this title an amount which bears the same ratio to such funds as the number of lunches, consisting of a combination of foods and meeting the minimum requirements prescribed by the Secretary pursuant to section 105, served in the preceding fiscal year by all nonprofit private schools participating in the program under this title within the State, as determined by the Secretary, bears to the participation rate for the State. The Secretary shall disburse the funds so withheld directly to the nonprofit private schools within such State for the same purposes and subject to the same conditions as are required of a State educational agency disbursing funds made available under section 102 of this title, including the requirement that any such payment or payments shall be matched, in the proportion specified in section 102(b) of this title for such State, by funds from sources within the State expended by nonprofit private schools within the State participating in the program under this title. Such funds shall not be considered a part of the funds constituting the matching funds under section 102(b) of this title.

SPECIAL ASSISTANCE

SEC. 107. (a) The Secretary shall, with funds appropriated for special assistance under this section, provide such assistance to schools drawing attendance from areas in which poor economic conditions exist, for the purpose of helping such schools meet the requirements of section 105 of this title with respect to the service of lunches to children unable to pay the full cost of such lunches.

(b) Of the sums available for the purposes of this section for any fiscal year, 3 per centum shall be available for apportionment to Puerto Rico, the Virgin Islands, Guam, and American Samoa. Of the funds available for such States, the Secretary shall apportion to each such State an amount which bears the same ratio to the total of such funds as the number of free or reduced-price lunches served in accordance with section 105 of this title in such State in the preceding fiscal year bears to the total number of such free or reduced-price lunches served in all such States in the preceding fiscal year: *Provided*, That for the fiscal year ending June 30, 1967, \$5,000 shall be apportioned to American Samoa, which amount shall be first deducted from the total amount available for apportionment under this subsection. If any such State cannot utilize all of the funds apportioned to it for the purpose of this section the Secretary shall make further apportionment, on the same basis as the initial apportionment, to any of the other such States which justify the need for additional funds for such purpose.

(c) Of the remaining sums appropriated for the purposes of this section for any fiscal year, not less than 50 per centum shall be apportioned among States, other than Puerto Rico, the Virgin Islands, Guam, and American Samoa, on the

basis of the following factors for each State: (1) the number of free or reduced-price lunches served in accordance with section 105 of this title in the preceding fiscal year, and (2) the assistance need rate. These factors shall be applied in the following manner: First, determine an index for each State by multiplying factors (1) and (2); second, divide this index by the sum of the indexes for all such States; and, third, apply the figure thus obtained to the total funds to be apportioned. If any such State cannot utilize all of the funds apportioned to it for the purpose of this section the Secretary shall make further apportionment of such funds together with the remainder of the funds available under this subsection, on the same basis as the initial apportionment, to any of the other such States which justify the need for additional funds for such purpose.

(d) Funds apportioned and paid to any State for the purpose of this section shall be disbursed to selected schools in such State to assist such schools in the purchase of agricultural and other foods and in meeting operational costs as provided in subsection (e) of this section. The selection of schools and the amounts of funds that each shall from time to time receive (within a maximum per lunch amount established by the Secretary for all the States), shall be determined by the State educational agency on the basis of the following factors: (1) the economic condition of the area from which such schools draw attendance; (2) the needs of children in such schools for free or reduced-price lunches; (3) the percentages of free and reduced-price lunches being served in such schools to children; (4) the prevailing price of lunches in such schools as compared with the average prevailing price of lunches served in the State under this title; and (5) the need of such schools for additional assistance as reflected by the financial position of the lunch programs in such schools.

(e) In circumstances of severe need where the maximum rate per lunch established by the Secretary is deemed insufficient to carry on an effective feeding program in a school, the Secretary may authorize financial assistance not to exceed 90 per centum of the operating costs of such a program, including the cost of obtaining, preparing, and serving food.

(f) If in any State the State educational agency is not permitted by law to disburse funds paid to it under this title to nonprofit private schools in the State, the Secretary shall withhold from the funds apportioned to such State under subsections (b) or (c) of this section an amount which bears the same ratio to such funds as the number of free and reduced-price lunches served in accordance with section 105 of this title in the preceding fiscal year by all nonprofit private schools participating in the program under this title in such State bears to the number of such free and reduced-price lunches served during such year by all schools participating in the program under this title in such State. The Secretary shall disburse the funds so withheld directly to the nonprofit private schools within such State for the same purposes and subject to the same conditions as are required of a State educational agency disbursing funds made available under this section.

(g) In carrying out this section, the terms and conditions governing the operation of the program set forth in the other sections of this title, including those applicable to funds apportioned pursuant to section 102, but excluding the provisions relating to matching, shall be applicable to the extent they are not inconsistent with the express provisions of this section.

TITLE II—SPECIAL MILK PROGRAM

AUTHORIZATION

SEC. 201. The Secretary shall formulate and carry out a Special Milk Program to assist States through grants-in-aid to establish, maintain, and expand nonprofit programs to increase the consumption of fluid whole milk by children, and particularly by needy children, in schools and nonprofit institutions.

APPORTIONMENT TO STATES

SEC. 202. (a) For each of the fiscal years 1967 and 1968, 50 per centum of the funds appropriated for the purposes of this title shall be apportioned among the fifty States and the District of Columbia on the basis of the ratio of the number of children of ages five through seventeen in each of the fifty States and the District of Columbia to the number of all children of ages five through seventeen in the fifty States and the District of Columbia.

(b) The remaining 50 per centum of the funds for each of the fiscal years 1967 and 1968 shall be held by the Secretary in reserve and may be advanced to any of the fifty States and the District of Columbia on justification of need.

(c) For fiscal year 1969 and each fiscal year thereafter the funds appropriated for the purposes of this title shall be apportioned among the fifty States and the District of Columbia on the basis of the ratio of the number of half pints of milk reimbursed with funds apportioned under this section in each such State in the preceding fiscal year, as determined by the Secretary, to the total number of half pints of milk reimbursed with funds apportioned under this section in the fifty States and the District of Columbia in the preceding fiscal year as determined by the Secretary.

STATE DISBURSEMENT TO SCHOOLS

SEC. 203. Funds apportioned and paid to any State for the purpose of this title shall be disbursed to schools and nonprofit institutions, determined to be eligible by the State educational agency, on the basis of the following priorities: First, to schools without a food service; second, for needy children in schools with a food service; and third, if available funds permit, to schools and nonprofit institutions for all children. Disbursement shall be made at such rates per half pint of fluid whole milk as the Secretary shall prescribe and shall not exceed the cost to the school or nonprofit institution of obtaining such milk for service to children.

NONPROFIT PRIVATE SCHOOLS AND PRIVATE NONPROFIT INSTITUTIONS

SEC. 204. If in any State the State educational agency is not permitted by law to disburse funds paid to it under this title to nonprofit private schools and private nonprofit institutions in the State, the Secretary shall withhold from the funds apportioned to such State under section 202 of this title an amount in each of the fiscal years 1967 and 1968 which bears the same ratio to the funds apportioned to the State as the number of children of ages five through seventeen enrolled in nonprofit private schools within the State is of the total number of children of ages five through seventeen enrolled in schools within the State. Each fiscal year thereafter, the Secretary shall withhold from the funds apportioned to any such State under section 202 of this title an amount which bears the same ratio to such funds as the number of one-half pints of milk for which nonprofit private schools and nonprofit private institutions were reimbursed in the preceding fiscal year is of the total number of one-half pints of milk for which all schools and nonprofit institutions participating in the program under this title in the State were reimbursed. The Secretary shall disburse the funds so withheld directly to the nonprofit private schools and nonprofit institutions within such State for the same purposes and subject to the same conditions as are required of a State educational agency disbursing funds made available under this title.

TITLE III—SCHOOL BREAKFAST PROGRAM

AUTHORIZATION

SEC. 301. The Secretary shall formulate and carry out a pilot program to assist States through grants-in-aid and other means, to initiate, maintain or expand nonprofit breakfast programs in schools drawing attendance from areas in which poor economic conditions exist and in schools to which a substantial proportion of the children enrolled must travel long distances.

APPORTIONMENT TO STATES

SEC. 302. (a) Of the funds appropriated for the purposes of this title for any fiscal year, the Secretary shall reserve 3 per centum for apportionment to Guam, the Virgin Islands, Puerto Rico, and American Samoa. Such funds shall be apportioned among such States on the basis of the ratio of the number of children of ages five through seventeen in each such State to the number of all children of ages five through seventeen in all such States.

(b) Of the remainder of the funds appropriated, the Secretary shall for each fiscal year, (1) apportion the first \$2,500,000 equally among the States, other than Guam, the Virgin Islands, Puerto Rico, and American Samoa, and (2) shall apportion the remainder among such States on the basis of the ratio of the number of children in each State of ages five through seventeen in families with incomes of less than \$2,000 per annum plus the number of children of ages five through seventeen in families receiving more than \$2,000 per annum from payments under the Department of Health, Education, and Welfare's program of aid to families with dependent children to the total number of such children in the fifty States and the District of Columbia.

STATE DISBURSEMENT TO SCHOOLS

SEC. 303. (a) Funds apportioned and paid to any State for the purpose of this title shall be disbursed by the State educational agency to schools selected by the State educational agency, to reimburse such schools for the cost of obtaining agricultural and other foods for consumption by children in a breakfast program and for the purpose of subsection (b). Such food costs may include, in addition to the purchase price, the cost of processing, distributing, transporting, storing, and handling. Disbursement to schools shall be made at such rates per meal or on such other basis as the Secretary shall prescribe. In selecting schools, the State educational agency shall, to the extent practicable, give first consideration to those schools drawing attendance from areas in which poor economic conditions exist.

(b) In circumstances of severe need where the rate per meal established by the Secretary is deemed by him insufficient to carry on an effective breakfast program in a school, the Secretary may authorize financial assistance up to 90 per centum of the operating costs of such a program, including cost of obtaining, preparing, and serving food.

NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

SEC. 304. Breakfasts served by schools participating in the school breakfast program under this title shall consist of a combination of foods and shall meet minimum nutritional requirements prescribed by the Secretary on the basis of tested nutritional research. Such breakfasts shall be served without cost or at a reduced cost to children who are determined by local school authorities to be unable to pay the full cost of the breakfast. In making such determinations, such local authorities should, to the extent practicable, consult with public welfare and health agencies. No physical segregation of or other discrimination against any child shall be made by the school because of his inability to pay.

NONPROFIT PRIVATE SCHOOLS

SEC. 305. If in any State the State educational agency is not permitted by law to disburse the funds paid to it under this title to nonprofit private schools, the Secretary shall withhold from the funds apportioned to any such State under section 302 of this title an amount based on the ratio of the number of children enrolled in nonprofit private schools within the State to the total number of children enrolled in all schools within the State. The Secretary shall disburse the funds so withheld directly to the nonprofit private schools within such State for the same purposes and subject to the same conditions as are required of a State educational agency disbursing funds made available under this title.

TITLE IV—SPECIAL FOOD SERVICE PROGRAMS
FOR NEEDY CHILDREN

AUTHORIZATION

SEC. 401. In further recognition of the impact of inadequate nutrition on the health and well-being of children, particularly those from low-income families, the Secretary shall formulate and carry out a pilot program to assist nonprofit institutions such as child day-care centers, settlement houses, and summer camps, which do not maintain children in residence for periods in excess of three months and which draw attendance from areas in which poor economic conditions exist, to establish, maintain, and expand food service for children in group situations away from home. Such food service may be furnished on a seasonal or more extended basis.

APPORTIONMENT TO STATES

SEC. 402. (a) Of the funds appropriated for the purposes of this title for any fiscal year, the Secretary shall reserve 3 per centum for apportionment to Guam, Puerto Rico, the Virgin Islands, and American Samoa. Such funds shall be apportioned among such States on the basis of the number of children of ages five through seventeen in each such State to the number of all children of ages five through seventeen in all such States.

(b) Of the remainder of the funds appropriated, the Secretary shall, for each fiscal year (1) apportion such sums as he deems appropriate but not more than

\$50,000 to each State, other than Guam, Puerto Rico, the Virgin Islands, and American Samoa, as a basic grant, and (2) apportion the remainder among such States on the basis of the ratio of the number of children in each State of ages five through seventeen in families with incomes of less than \$2,000 per annum plus the number of children of ages five through seventeen in families receiving more than \$2,000 per annum from payments under the Department of Health, Education, and Welfare's program of aid to families with dependent children to the total number of such children in the fifty States and the District of Columbia.

(c) If any State cannot utilize all funds so apportioned to it, or if additional funds are made available for apportionment under this section among the States, the Secretary shall make further apportionments to the remaining States in the same manner.

DISBURSEMENT BY STATES

SEC. 403. (a) Funds apportioned and paid to any State for the purpose of this title shall be disbursed by the State educational agency to nonprofit institutions selected by the State educational agency to reimburse such nonprofit institutions for the cost of obtaining agricultural and other foods and for the purposes of subsections (b) and (c) of this section. The costs of obtaining agricultural and other foods may include the cost of processing, distributing, transporting or handling thereof. Disbursement to participating institutions shall be made at such rates of reimbursement per meal or on such other basis as the Secretary shall prescribe. In selecting the nonprofit institutions, the State educational agency shall to the extent practicable, give first consideration to those institutions with the highest proportion of children from low-income families.

(b) In circumstances of severe need where the rate per meal established by the Secretary is insufficient to carry on an effective feeding program, the Secretary may authorize financial assistance not to exceed 90 per centum of the operating costs of such a program, including cost of obtaining, preparing, and serving food.

(c) Not to exceed 25 per centum of the funds paid to any State may be used by the State to assist nonprofit institutions serving needy children in the purchase or rental of facilities, other than land and buildings, for the storage, preparation, transportation, and serving of food to enable such institutions to establish, maintain, and expand food service under this title.

DIRECT PAYMENTS

SEC. 404. If in any State the State educational agency is not permitted by law or is otherwise unable to disburse the funds paid to it under this title to any nonprofit institution in the State, the Secretary shall withhold all funds apportioned under this title and shall disburse the funds so withheld directly to nonprofit institutions in the State for the same purposes and subject to the same conditions as are required of a State educational agency disbursing funds made available under this title.

OBLIGATION OF FUNDS

SEC. 405. Notwithstanding the provisions of any other law, balances of funds appropriated for the purposes of this section and unobligated at the end of any fiscal year shall remain available for obligation during the first three months of the following fiscal year only to assist those child-feeding activities that are wholly seasonal in nature, such as summer camps and summer recreational programs.

NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

SEC. 406. Nonprofit institutions to which funds are disbursed under this title shall serve meals consisting of a combination of foods and meeting minimum nutritional standards prescribed by the Secretary on the basis of tested nutritional research. Such meals shall be served without cost or at a reduced cost to children determined by such institutions to be unable to pay the full cost. In making such determination, institutional authorities should, to the extent practicable, consult with public welfare and health agencies. No physical segregation or other discrimination against any child shall be made because of his inability to pay.

TITLE V—NONFOOD ASSISTANCE PROGRAM

AUTHORIZATION

SEC. 501. The Secretary shall formulate and carry out a program to assist the States through grants-in-aid and other means to supply schools drawing attendance from areas in which poor economic conditions exist with facilities, other than land and buildings, for the storage, preparation, transportation, and serving of food to enable such schools to establish, maintain, and expand school food service programs.

APPORTIONMENTS TO STATES

SEC. 502. The Secretary shall apportion the funds appropriated for the purposes of this title among the States during each fiscal year on the same basis as apportionments are made under section 102 of title I of the Act for supplying agricultural and other foods, except that apportionment to American Samoa for any fiscal year shall be on the same basis as the apportionment to the other States. Payments to any State of funds apportioned for any fiscal year shall be made upon condition that one-fourth of the cost of any facilities financed under this title shall be borne by State or local funds.

STATE DISBURSEMENT TO SCHOOLS

SEC. 503. Funds apportioned and paid to any State for the purpose of this title shall be disbursed by the State educational agency to assist schools, which draw attendance from areas in which poor economic conditions exist and which have no, or grossly inadequate facilities, to conduct a school food service program, and to acquire such facilities. Disbursements to any school may be made, by advances or reimbursements, only after approval by the State educational agency of a request by the school for funds, accompanied by a detailed description of the facilities to be acquired and the plans for the use thereof in effectively meeting the nutritional needs of children in the school.

NONPROFIT PRIVATE SCHOOLS

SEC. 504. If in any State the State educational agency is not permitted by law to disburse the funds paid to it under this title to nonprofit private schools in the State, the Secretary shall withhold from the funds apportioned to such State under section 502 an amount which bears the same ratio to such funds as the number of lunches, consisting of a combination of foods and meeting the minimum requirements prescribed by the Secretary under section 105 of this Act, served in the preceding fiscal year by all nonprofit private schools participating in the program under title I within the State, as determined by the Secretary, bears to the participation rate for the State. The Secretary shall disburse the funds so withheld directly to the nonprofit private schools within such State for the same purposes and subject to the same conditions as are required of a State educational agency disbursing funds made available under this title.

TITLE VI—DEFINITIONS AND GENERAL PROVISIONS

DEFINITIONS

SEC. 601. For the purposes of this Act—

(a) "State" means any of the fifty States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, or American Samoa.

(b) "State educational agency" means, as the State legislature may determine, (1) the chief State school officer (such as the State superintendent of public instruction, commissioner of education, or similar officer), or (2) a board of education controlling the State department of education.

(c) "Nonprofit private school" means any private school exempt from income tax under section 501(c)(3) of the Internal Revenue Code of 1954.

(d) "Nonprofit institution" means any public or private institution, except a school or other educational institution of higher learning, which provides for the care and training of children and no part of the earnings of which inures to the benefit of any private shareholder or institution.

(e) "Participation rate" for a State means a number equal to the total number of lunches, consisting of a combination of foods and meeting the minimum requirements prescribed by the Secretary pursuant to section 105 of this Act, served in the preceding fiscal year by schools participating in the programs under title I of this Act in the State, as determined by the Secretary.

(f) "Assistance need rate" (1) in the case of any State whose per capita income is equal to or greater than the annual per capita income for all the States, shall be five; and (2) in the case of any State having an average annual per capita income less than the average annual per capita income for all the States, shall be the product of five and the quotient obtained by dividing the average annual per capita income for all the States by the average annual per capita income for such State, except that such product may not exceed nine for any such State. For the purposes of this paragraph the average annual per capita income for any State and for all the States shall be determined by the Secretary on the basis of the average annual per capita income for each State and for all the States for the three most recent years for which such data are available: and the average annual per capita income for American Samoa shall be disregarded in determining the average annual per capita income for all the States for periods ending before July 1, 1967.

(g) "School" means any public or nonprofit private school of high school grade and under, including kindergarten and preschool programs operated by such school.

(h) "Secretary" means the Secretary of Agriculture.

ACCOUNTS AND RECORDS

SEC. 602. States, State educational agencies, schools, and nonprofit institutions participating in programs under this Act shall keep such accounts and records as may be necessary to enable the Secretary to determine whether there has been compliance with this Act and the regulations hereunder. Such accounts and records shall at all times be available for inspection and audit by representatives of the Secretary and shall be preserved for such period of time, not in excess of three years, as the Secretary determines is necessary.

PROHIBITIONS

SEC. 603. (a) In carrying out the provisions of this Act, neither the Secretary nor the State shall impose any requirements with respect to teaching personnel, curriculum, instruction, methods of instruction, and materials of instruction in any school or nonprofit institution.

(b) The value of assistance to children under this Act shall not be considered to be income or resources for any purpose under any Federal or State laws including, but not limited to, laws relating to taxation, welfare, and public assistance programs.

(c) Expenditures of funds from State and local sources for the maintenance of food programs for children shall not be diminished as a result of funds received under this Act.

PAYMENTS TO STATES

SEC. 604. The Secretary shall certify to the Secretary of the Treasury from time to time the amounts to be paid to any State under this Act and the time or times such amounts are to be paid; and the Secretary of the Treasury shall pay to the State at the time or times fixed by the Secretary the amounts so certified.

STATE ADMINISTRATIVE EXPENSES

SEC. 605. The Secretary may utilize not to exceed 1½ per centum of the total funds appropriated under this Act for any fiscal year for advances to each State educational agency for use for its administrative expenses in carrying out programs under this Act: *Provided*, That no such agency shall receive a sum greater than 1 per centum of the funds apportioned to it under this Act, or \$7,500, whichever is greater. The amount of such payments shall be deducted from such appropriated funds prior to any apportionment thereof under this Act.

SELECTION OF SCHOOLS

SEC. 606. In the selection of schools to receive Federal assistance under section 107 and under titles II, III, IV and V of this Act and in the selection of nonprofit institutions to receive assistance under title IV of this Act, the State agency shall adopt the methods and procedures necessary to assure coordination with and give, where the need is comparable, preference to programs carried on under the Elementary and Secondary Education Act of 1965 and the Economic Opportunity Act of 1964 in such schools or institutions.

UTILIZATION OF FOODS

Sec. 607. Each school and nonprofit institution participating under this Act shall, insofar as practicable, utilize in its program foods designated from time to time by the Secretary as being in abundance, either nationally or in the school area, or foods donated by the Secretary. Foods available under section 416 of the Agricultural Act of 1949 (63 Stat. 1058), as amended, or purchased under section 32 of the Act of August 24, 1935 (49 Stat. 774), as amended, or section 709 of the Food and Agriculture Act of 1965 (79 Stat. 1212), may be donated by the Secretary to schools, in accordance with the needs as determined by local school authorities, and to nonprofit institutions for utilization in their feeding programs under this Act, as well as to other schools carrying out nonprofit school lunch programs and other institutions authorized to receive such foods.

NONPROFIT PROGRAMS

Sec. 608. The food and milk service programs in schools and nonprofit institutions receiving assistance under this Act shall be conducted on a nonprofit basis.

STATISTICAL DATA

Sec. 609. Data on numbers of children of ages five through seventeen and on per capita income shall be made available by the Secretary of Commerce to the Secretary and, except where otherwise expressly stated in this Act, shall be the latest available.

REGULATIONS

Sec. 610. The Secretary shall prescribe such regulations as he may deem necessary to carry out this Act.

APPROPRIATIONS AUTHORIZED

Sec. 611. For each fiscal year there is hereby authorized to be appropriated such funds as may be necessary to enable the Secretary to carry out each of the titles of this Act: *Provided, however*, That no appropriation shall be made for purposes of titles III and IV for any fiscal year commencing on or after July 1, 1969, unless otherwise expressly authorized.

EFFECTIVE DATES

Sec. 612. This Act shall be effective upon enactment, except that titles I and II of this Act shall be effective beginning with the first fiscal year after enactment and shall supersede, respectively, the National School Lunch Act (60 Stat. 230), as amended, and the Act of July 1, 1958 (72 Stat. 276), as amended. For the first year of operation, references in title I and title II of this Act to participation in the preceding fiscal year shall refer to participation, respectively, in the programs under the National School Lunch Act, as amended, and the Act of July 1, 1958, as amended.

(The following bills H.R. 12803, Mr. Grider; H.R. 12804, Mr. Horton; H.R. 12805, Mr. Stalbaum; H.R. 12806, Mr. Sisk; H.R. 12846, Mr. Nelsen; H.R. 12854, Mr. Thomson of Wisconsin; H.R. 12863, Mr. Laird; H.R. 12894, Mr. Dow; H.R. 12984, Mr. Olson of Minnesota; H.R. 12958, Mr. Anderson of Illinois; H.R. 13043, Mr. Culver; H.R. 13113, Mr. Clark; H.R. 13118, Mr. King of Utah; H.R. 13124, Mr. Race; H.R. 13127, Mr. Shipley; H.R. 13131, Mr. Walker of New Mexico; H.R. 13214, Mr. Sweeney; H.R. 13231, Mr. O'Neill of Massachusetts; H.R. 13234, Mr. Resnick; H.R. 13263, Mr. Taylor; H.R. 13273, Mr. Kastenmeier; H.R. 13310, Mr. Dent; H.R. 13316, Mr. Hall; H.R. 13351, Mr. Roberts; H.R. 13433, Mr. Rodino; H.R. 13449, Mr. Helstoski; H.R. 13487, Mr. Roudebush; H.R. 13489, Mr. St. Onge; H.R. 13550, Mr. Cooley; H.R. 13590, Mr. Wright; H.R. 13668, Mr. Bandstra; H.R. 13670, Mr. Burke; H.R. 13705, Mr. Beckworth; H.R. 13721, Mr. Ashmore; H.R. 13781, Mr. Whalley; H.R. 13888, Mr. Tunney; H.R. 13916, Mr. Anderson of

Tennessee; H.R. 13947, Mr. Teague of Texas; H.R. 14059, Mr. Dowdy; H.R. 14255, Mr. Patman; H.R. 14287, Mr. Roncalio; H.R. 14317, Mr. Edwards of California; H.R. 14482, Mr. Schisler; are similar and would extend the special milk program for children. The text follows:)

[H.R. 12805, 89th Cong., 2d sess.]

A BILL To provide a special milk program for children

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Children's Special Milk Act".

SEC. 2. The Secretary of Agriculture is hereby authorized and directed, under such rules and regulations as he may deem in the public interest, to encourage the consumption of fluid milk by children in the United States in (1) nonprofit schools of high school grade and under, and (2) nonprofit nursery schools, child-care centers, settlement houses, summer camps, and similar nonprofit institutions devoted to the care and training of children. For the purposes of this Act "United States" means the fifty States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

SEC. 3. All sums appropriated under this Act, less such amounts as the Secretary shall determine to be reasonable and necessary for his administrative costs and reserves, shall be allocated at the earliest possible date for the use of nonprofit schools and other nonprofit institutions desiring to participate in the program and shall be used to reimburse such nonprofit schools and other nonprofit institutions for fluid milk served to children. Any such allocation, or portion thereof, which the Secretary shall determine will not be fully utilized by any such nonprofit school or other nonprofit institution as then allocated, shall be reallocated by the Secretary so as to accomplish maximum use of such funds.

SEC. 4. For the purpose of carrying out this Act, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1967, not less than \$110,000,000; for the fiscal year ending June 30, 1968, not less than \$115,000,000; and for the fiscal year ending June 30, 1969, and each succeeding fiscal year thereafter, not less than \$120,000,000.

(The following bills: H.R. 12907, Mr. Quie; H.R. 13006, Mr. Widnall; H.R. 13047, Mr. Duncan of Tennessee; H.R. 13058, Mr. Reifel; H.R. 13061, Mr. Stafford; H.R. 13143, Mr. Dole; H.R. 13164, Mr. Harvey of Michigan; H.R. 13204, Mr. Harvey of Indiana; H.R. 13209, Mr. Howard; H.R. 13275, Mr. Kornegay; H.R. 13427, Mr. Fulton of Pennsylvania; H.R. 13433, Mr. Rodino; H.R. 13439, Mr. Stratton; H.R. 13630, Mrs. Mink; H.R. 13707, Mr. Bingham; H.R. 13717, Mr. Schmidhauser; H.R. 13755, Mr. Dulski; H.R. 13761, Mr. Keith; H.R. 13814, Mr. McCarthy; H.R. 13873, Mr. McEwen; H.R. 13878, Mr. Ottinger; H.R. 14147, Mr. Minshall; H.R. 14203, Mr. Multer; H.R. 14285, Mr. Meeds; H.R. 14326, Mr. O'Brien; H.R. 14350, Mr. King of New York; H.R. 14439, Mr. Springer; are similar and would make permanent the special milk program for children.)

[H.R. 12907, 89th Cong., 2d sess.]

A BILL To provide a permanent special milk program for children

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Children's Special Milk Act of 1966."

LEGISLATIVE FINDING

SEC. 2. The Congress finds that the increased consumption of fluid milk by a maximum number of American children is in the public interest in order to promote public health and nutrition; to create and develop markets for dairy products produced by American farmers; and to effectively and efficiently supplement the dairy price support activities of the United States Department of Agriculture.

SEC. 3. The Act of July 1, 1958, as amended (72 Stat. 276; 74 Stat. 84; 75 Stat. 147; 75 Stat. 319), is hereby repealed.

SEC. 4. The Secretary of Agriculture shall, under such rules and regulations as he may deem in the public interest, encourage the consumption of fluid milk by children in the United States in (1) nonprofit schools of high school grade and under, and (2) nonprofit nursery schools, child-care centers, settlement houses, summer camps, and similar nonprofit institutions devoted to the care and training of children. For the purposes of this Act "United States" means the fifty States and the District of Columbia.

SEC. 5. All sums appropriated under this Act, less such amounts as the Secretary shall determine to be reasonable and necessary for his administrative costs and reserves, shall be allocated at the earliest possible date for the use of nonprofit schools and other nonprofit institutions desiring to participate in the program and shall be used to reimburse such nonprofit schools and other nonprofit institutions for fluid milk served to children. Any such allocation, or portion thereof, which the Secretary shall determine will not be fully utilized by any such nonprofit school or other nonprofit institution as then allocated, shall be reallocated by the Secretary so as to accomplish maximum use of such funds.

SEC. 6. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, but for the fiscal year ending June 30, 1966, not to exceed \$105,000,000; for the fiscal year ending June 30, 1967, not to exceed \$110,000,000; for the fiscal year ending June 30, 1968, not to exceed \$115,000,000; for the fiscal year ending June 30, 1969, and each succeeding fiscal year thereafter, not to exceed \$120,000,000.

The CHAIRMAN. We have with us this morning the Honorable Orville L. Freeman, Secretary of Agriculture.

We are glad to have you here and we will be happy to hear from you now.

STATEMENT OF HON. ORVILLE L. FREEMAN, SECRETARY OF AGRICULTURE; ACCOMPANIED BY HOWARD P. DAVIS, DEPUTY ADMINISTRATOR, CONSUMER FOOD PROGRAMS, CONSUMER AND MARKETING SERVICE, U.S. DEPARTMENT OF AGRICULTURE

Secretary FREEMAN. Mr. Chairman and gentlemen of the committee.

I always appreciate the opportunity to be here, your courtesy, and that of the committee.

I have a short statement this morning. I know that time has run on for you. I will present it as rapidly as I can and will be pleased to do my best to respond to questions.

I am pleased to testify in support of H.R. 13361, the Child Nutrition Act of 1966. These proposals will permit us to begin a comprehensive effort to broaden child nutrition programs in this country. They are based on what we have learned in 20 years of administration of the National School Lunch Act, and they reflect a careful assessment of gaps which now exist in the nutritional needs of children in this country.

The Administration goal for child nutrition is quite simple. It is to provide every child, regardless of the family's income, with access to a complete meal during the day when he or she is away from home.

To close the nutrition gap:

We want to double the number of children who now receive a free or reduced price meal through the school lunch program.

We want to provide assistance to those schools without lunch facilities where 9 million children are enrolled today.

We want to see the success—and the benefits—of the school lunch program duplicated in the growing number of food service programs for children outside the school system, such as day-care centers, pre-

school activities, and summer camps—particularly those serving children of low-income families.

We want to see to it that a child who arrives at school with an empty stomach does not have to wait until lunch before he or she gets anything to eat.

We want to extend the administrative machinery that has worked so well for the national school lunch program to the new activities and provide administrative funds to the States to make this possible.

No one questions the importance of good nutrition to the physical and mental health of our children, to their alertness and ability to learn. The 20 years of experience with the lunch program—the wide acceptance and support the program commands—demonstrates the direct relationship of good nutrition to the learning process.

This year in some 71,000 schools across the Nation more than 18 million children will consume a record 3 billion lunches. This program represents the largest single group-feeding effort anywhere in the world. It supports a business with an annual volume of some \$1.5 billion. Significantly, the largest portion of this cost is provided at State and local levels, including payments from the children who receive the food. Federal support, which in dollars and donated food from surplus stocks amounts to about \$325 million a year is largely a catalyst to encourage the States to establish the program and the schools to participate in it.

Over the years, program growth has been steady and sound at an annual rate of 6 to 8 percent. We have been pleased by this growth. But we are also concerned that poor nutrition—and malnutrition—still curtails the learning capacity of too many children today.

Shortly after I came to the Department, I asked that a survey be made of the child nutrition efforts we were then carrying out. I wanted to know just where we stood: Was this Nation, blessed with an abundant agriculture, meeting the needs of its children? Were we, for example, reaching children most in need of improved nutrition?

The results were jarring, to put it mildly. We found a gap which was steadily growing and would continue to grow unless additional steps would be taken to meet it.

We found there were 9 million children in schools with no food service.

One million of these are children of poverty and should have a free or reduced-price meal, if it were available.

Beyond this, we found another half million needy children in schools equipped with lunch facilities who should also have free or reduced-price meals but who could not because local resources were inadequate.

The schools without facilities are, for the most part, those in downtown urban areas or in isolated rural areas. A great many of these schools draw attendance from children of low-income families. These schools and these children need help.

Then another question naturally arises: If the lunch program is good for children during the school year, what can be done to maintain that same sound level of nutrition when school is out? The need for good nutrition does not diminish during the summer months when the schools in the lunch program suspend operations.

Even though lunch programs may be suspended during the summer months, thousands of children can continue to share in our food

abundance through summer programs in which they are enrolled, such as playgrounds, camping activities, and day-care centers.

In addition to the need for low-cost lunches and nonschool feeding programs, a new problem has developed in recent years which adds greatly to the nutrition gap among young people. Too many of our children arrive at school without a proper breakfast. Many children in rural areas travel long distances by bus while in urban areas a child's parents often have to leave for work an hour or more before the child leaves for school. Neither situation is conducive to a good start for the day as far as the child is concerned.

Let me quote from a recent publication, "Education: An Answer to Poverty," issued by the Office of Education and the Office of Economic Opportunity:

Scientific studies have shown conclusively that the process of learning virtually ends when a human being becomes uncomfortably hungry. When a child appears at school in the morning having had little or no breakfast, he might just as well have stayed at home. The teacher's effort is wasted. The curriculum, the long hours of professional preparation, the value of textbooks and teaching aids are lost upon him. Similarly, a child without lunch loses most of the value of a school afternoon. A hungry child not only injures himself, but his discomfort may subtly disturb the teaching of a whole class.

This brief review of the youth nutritional gap describes some of the problems which confront us, and which should be of concern to all Americans. In recent years we have attempted to meet the nutrition gap within existing legislation, with varying degrees of success.

During the 1961-62 school year, we recommended and the Congress provided for a special commodity assistance program for needy schools. We developed what might be called a school lunch CARE package containing the essentials for a lunch. This was shipped to participating schools. It was a less than adequate solution.

In the winter of 1962-63, through the vigorous cooperation of the Kentucky State school lunch staff and local officials, we tried another approach to getting a lunch program started in isolated one- and two-room schools in the Appalachian area of eastern Kentucky.

In the course of several months we were able to start a lunch program in 380 schools with an enrollment of about 11,000 children. In most of these schools, space for food storage, preparation, and service was virtually nonexistent. Sanitation facilities were poor. But the job was done, using two-burner hot plates, second-hand refrigerators, and asking the children to bring a plate and utensils from home.

The State school lunch director diverted extra Federal school lunch money to these schools as well as extra donated commodities to provide a type A lunch. This program required enormous cooperation among all those involved, but the results in terms of improved health, attendance, and attention among participating children made the effort more than worthwhile.

We have explored, too, and made a special study of the problem of getting the lunch program to downtown urban schools where there are no food service facilities and no place to put them. There are several ways of coping with this need, such as centralized kitchen operations to service satellite school lunch programs. The few test projects which have been carried out indicate that central kitchen facilities can be very effective in these situations.

The greatest success we have achieved thus far in the effort to show that the children nutrition gap can be closed was initiated this school

year with a \$2 million appropriation the Congress made for this fiscal year.

The appropriation under section 11 of the National School Lunch Act—which authorizes additional funds to help provide low-priced lunches—gave us a chance to show what could be done with a little money and a lot of determination.

We have developed 817 demonstration projects throughout the country—at least 1 in every State, the District of Columbia, and Puerto Rico—to enable schools in low-income districts to reduce the price of lunches by as much as 10 to 15 cents—to as low as 10 to 15 cents per meal in many areas—and provide many free meals. Most of these demonstration schools have lunch facilities, but could not provide free or reduced price lunches to all the children unable to pay the regular price. Some 60 percent of the 330,000 children attending these schools are now participating in the lunch program, an increase of 60 percent over participating before section 11 special assistance was available.

Statistics alone do not tell the full story of the success of this program. You only begin to see this when you read the reports which tell of the decline in absenteeism or the drop in the time lost when a child, weakened by hunger, became dizzy or sick from stomach cramps and had to leave the classroom. There are notes of unmistakable joy in the words of teachers and school nurses when they tell of the increase in growth and weight of the children.

These are not isolated results. They run as a common thread through the reports and letters from demonstration projects in each area. In this respect, the project here in the District's Shaw Junior High School is typical.

When the demonstration program began in January, the price of the school lunch was reduced from 30 cents to 20 cents, and the number of lunches served doubled from about 300 a day to over 600. For most children, the lunch provides almost half of their daily nutrition needs; for some, the school lunch is often the only good meal the children get all day.

The school nurse reports that the change in students, particularly the needy students, has been remarkable. Complaints of stomach cramps have dropped, and the attention span of students has increased.

These results demonstrate clearly that the child nutrition gap can be closed, and that the States and local schools are both willing and able to attack this problem vigorously and effectively, if they have help.

That is why I am here today to ask the Congress to provide the assistance which the local schools and the States are ready to apply to insure that children throughout this country will have the opportunity for a full meal.

This will require both appropriations and new authority, H.R. 13361 would authorize—

(1) Continuation of the national school lunch program in precisely the same form in which it is now operating. One additional feature is included to strengthen still further our efforts to provide special assistance to low-income area schools. In cases of severe need where the maximum rate of Federal reimbursement per lunch is too low to carry on an effective lunch

program, there would be authority to finance up to 90 percent of the operating costs of the program.

(2) A pilot breakfast program for schools in low-income districts for a period covering the next 3 fiscal years. These breakfast programs will be similar to a number of special projects which have been conducted in the current school year with generally favorable results.

(3) A permanent program to assist low-income school districts to acquire food service equipment where it is not now available.

(4) A permanent special milk program. Although priorities are outlined in this title of the bill, the language is sufficiently broad to include all the outlets and the types of outlets now participating if sufficient funds are available. We recognize that questions have been raised on these provisions. If the committee would prefer to substitute for the title II language that of the existing authority under which the special milk program is administered, we would have no objection.

What I am saying here is that the special milk program will go out this year if it is not extended; that we would have no objection to its extension with the current language as it now stands; however, the provisions in this bill do provide for a priority of disbursement funds within the school lunch program in the event that Congress did not appropriate enough funds to meet all needs. This House has already acted; it appropriated \$103 million. That amount is enough to meet all needs, so that the priority that is set forward in this section would not apply this year. I repeat: If this committee does not wish to establish such priorities, we are amenable to the continuation of the current language.

(5) A pilot program to enable nonschool programs involving needy children, such as neighborhood houses, summer camps, and day-care centers, both during the summer months and year-round, to participate in a lunch program.

(6) The use of Federal funds to help State agencies to defray administrative costs of this expanded effort.

(7) Extension of the school feeding program to preschool activities which are operated as part of the school system.

President Johnson, who shares our deep concern for the nutritional needs of America's youth, has authorized me to say that he intends to request a special \$50 million child nutrition supplemental appropriation. The bulk of this will be recommended for use to finance a low-priced lunch program in schools serving needy areas.

The supplemental request would also cover appropriations for the breakfast program, the food service equipment program, and the lunches for the non-school-child activity program.

With this new authority and the funds adequate to finance them, this country can take a giant step toward closing the child nutrition gap before it grows even more serious.

I believe the school lunch program has demonstrated our willingness to invest in the future of our Nation by insuring that lack of food will be no barrier to the learning process.

Our success in this effort is convincing evidence that we should go the rest of the way, that we should insure that the lack of income will be no barrier to the less fortunate children for whom education is the one chance they have to escape the poverty of their childhood.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Mr. Secretary.

I would just like to ask you a few questions.

On page 3 of your statement you point out:

The need for good nutrition does not diminish during the summer months when the schools in the lunch program suspend operations.

How would you propose to administer a food program to the children who are scattered all over the neighborhood—maybe all over the county—if they do not come to a centrally located school where the lunch can be provided?

But before you answer that question, I would like to ask you this question: Where does the food stamp program come into this picture? I know that in my area the food stamp program has operated very successfully and very well, but it is not extended to the heads of families that are employed and earning a living. I can visualize a lot of children from these families who will be hungry when they suspend the school lunch program for the summer months.

You cannot go around from house to house to deliver a breakfast that they need or a lunch that they need. How in the world are you going to ever administer a program of this kind?

Secretary FREEMAN. It is not contemplated, Mr. Chairman, that there would be a house-to-house effort to reach these children with food. Rather, we contemplate where there are organized youth activities, that the children regularly attend, where they have the facilities for distributing the food and the preparation of the lunch and availability of milk, as the case may be, that it could be done there. We have had a number of such programs in the past—such feeding programs, and we think it is within the range of practicality to administer such a food program.

The CHAIRMAN. That may be where they have kindergartens and the children are there in the morning. They will probably be able to get lunch at lunchtime. But in other areas, they do not have kindergartens, they do not have the facilities to furnish the food.

Secretary FREEMAN. In that case, where there is a kindergarten there, presumably, would be a lunch served; and where there is not, where they do not have a kindergarten on an organized basis, there will not be a lunch.

The CHAIRMAN. The food stamp program could include these children by providing food to the families. You could take care of it in that way. I know of families in my own community that are not in the food stamp program, because some of them are working on farms and some are working otherwise, and in some instances, because of mechanization, they are losing work on the farms and, maybe, there is in the house a mother with three little children. How will you get food to them? That is what I am worried about. If you permit them to stay on the food stamp program, it would help; otherwise, they will not receive help.

Secretary FREEMAN. In this instance, if they do not obtain employment, why they ought to be on the food stamp program. Of course, certification is a matter which is made by the local authorities, and as such if they have been disqualified because there is work available, that decision has been made by the county welfare people.

The CHAIRMAN. The school lunch program takes care of the children in the school if the local authorities participate. Suppose you have

the program in operation and you do have poverty in the area but the local community is not interested. I know that in my home county—the first county in North Carolina to put in the food stamp program—the program has operated so well that other counties seeing it in operation have asked to participate.

But this is a problem, that it would be difficult to operate a program for several months when they are not in the school.

Secretary FREEMAN. It does present a problem. The bill that was introduced in the Senate did not include this provision. We are confident that it is administrable with organized activities, such as summer camps, day camps, kindergartens, and the like.

The CHAIRMAN. As to these day camps and similar activities, how do these poor children get there?

Secretary FREEMAN. The only way that they can be reached is where there is an organization which can be responsible for preparing and serving the food. That would be a prerequisite to extending the program. If there is such an organized activity, it is our strong recommendation that they should have access to the school lunch program.

The CHAIRMAN. One other question. In North Carolina, all of our children are taken to schools in buses in the morning and are brought back home in the evening. Those are the ones of school age. If they are not within that school-age bracket, they just stay at home. I just do not know how you could furnish them with milk and the food that you think is needed. I agree with you that they should have it, so long as we have such abundance as we have in this country. It seems to me that distribution is the thing that is the problem, and that bothers me.

Secretary FREEMAN. Again, the breakfast program could only reach the children who came to the school, the preschool children. Unless they were a part of the preschool effort, like in kindergarten or even something like in other programs, they could only be reached if there was such an organized bringing together of the children. It is not contemplated here going out into the private homes.

The CHAIRMAN. I can see how you can administer it in a great city where the children come from a very small geographic area, but down home they come from miles away, and you would have to have some system whereby they could get the food.

Secretary FREEMAN. The purpose of this school breakfast program would be that when they get to the school they would have the breakfast at the school, and they would have their lunch there, too.

The CHAIRMAN. That would serve the 6-year-old kids, from the first grade on up, but I am talking about the preschool children. I do not know how you would feed the preschool children.

Secretary FREEMAN. They would be covered by our recommendation here today if they come to school. But I do not see how they could be covered either if they did not come to school, other than through programs such as the food stamp program and direct distribution, and the like, presently available to try to improve the nutrition at home of those families.

The CHAIRMAN. Mrs. May.

Mrs. MAY. Just for clarification: As I understand it, the food stamp program, the way it works, the very fact there may be someone in the family who has employment does not necessarily deny them the use

of the food stamp program. Determination is made on a formula basis, taking into account the number of children in the home to be fed. Maybe a part of the family is employed, but they are still eligible for the food stamp program and have the use of these food stamps.

The CHAIRMAN. I am not quite clear about it myself, but my impression is that if the mother and the father have employment, that they go off the food stamp program.

Mrs. MAY. It is based on size of income and how many children there are, and the like, and whether the income is adequate to give them a decent nutritional level. They may have 10 children in a family and maybe both parents are working, but the local agency can determine whether they are eligible for food stamps, because of the number of children in the home that they are feeding and the smallness of their income.

Am I correct on that?

Secretary FREEMAN. You are correct?

The CHAIRMAN. That is your understanding?

Secretary FREEMAN. Yes, sir; that is correct. This is a matter of local determination.

The CHAIRMAN. I know that.

Secretary FREEMAN. There is a qualification.

The CHAIRMAN. I think that the local determination is that where the parents are employed, they go off the food stamp program. I can check that in my own area.

Secretary FREEMAN. It ought not to be, because there is a formula which is related to the income of the family and related to the number of children in the family. What we urge is not only that it should reach these people on welfare but there is an additional area where people can still be entitled, even if they cannot qualify for welfare.

The CHAIRMAN. Are there any further questions?

Mr. Hagen?

Mr. HAGEN of California. What consultation was had with the various State education offices in determining a formula for distribution of money among States.

Secretary FREEMAN. For this new program?

Mr. HAGEN of California. Well, there are several new programs—the breakfast program and special assistance programs, and so forth.

Secretary FREEMAN. The prerequisite would be if we have the authority, why, then, the States that came and indicated that they were prepared to provide the resources that would come from the State by way of administration and by way of meeting certain standards by which they would be certified, and the funds and resources would be made available.

Mr. HAGEN of California. I do not think that you understand my question. What consultation would there be with the various State educational authorities as to the equity of these formulas that you have in the bill for eligibility?

For example, in one place you have \$2,000 as the income figure. I think this issue came up in the poverty program, that in many States, for example, many people were drawing more than \$2,000 in welfare payments, but because the cost of living, and so forth, in some area, that might not be sufficient, and there might be some in the low-

wage areas and low-cost-of-living areas who might get along quite well on \$2,000.

Secretary FREEMAN. What section are you referring to?

Mr. HAGEN of California. There are portions, several portions, where we have the \$2,000 figure. I think that Mr. Davis can tell us about that. This issue came up in connection with eligibility under the poverty program where it was pointed out that in many areas, for example, people were drawing more than \$2,000 on welfare, and yet it is an inadequate income because of the high living costs, et cetera.

Mr. DAVIS. If I may, Mr. Chairman.

At the time that these formulas were being developed for inclusion in the bill, the figures for some of the other educational programs, the poverty benchmark was \$2,000, and it was our feeling in this bill—and we did consult with State educational people and the people in the Office of Education—that we should harmonize the standards in this bill with what they were using in education. Now, if their benchmarks are raised, then the benchmarks in this bill should probably also be raised, to use a common standard between the two agencies, but we did consult with them on these portions of the proposed bill.

Mr. HAGEN of California. Furthermore, as I understand it, with respect to some of these programs, you look at the State per capita income, and I assume that would be the gross per capita income; is that correct?

Mr. DAVIS. That is my understanding.

Mr. HAGEN of California. Well, the application of this formula might result in ineligibility in some States for some of these programs, yet within the States there are areas where the per capita income is considerably lower than the national average.

Mr. DAVIS. I do not believe, as the bill is written, that it would operate quite that way, Congressman Hagen. Each State would share in the fund. In developing a formula by which we would apportion whatever funds Congress made available among the various States, we would use these population figures at these income levels as the means of determining the amount that would go to Kentucky, for example, as against the amount that would go to California, or whatever State it might be, so that this would not preclude a State from getting funds. It would determine the amount of funds that would go to one State as against another State on the principle that the State demonstrating the most need would receive, percentage-wise, the larger portion of the funds.

Mr. HAGEN of California. Well, now, with respect to that, once this program is instituted, what is going to happen to the regular school lunch program?

As I understand it—and correct me if I am wrong—the contributions towards the lunch under the present program have suffered a fairly constant decline; in other words, the contribution for lunch is now very minimal to the point where many school districts have actually abandoned the program because they can prepare a lunch cheaper without these Federal requirements. And my question is: Do you anticipate maintaining the contribution per lunch under the regular program at about the present level, or do you contemplate asking for more money so that it will be more per meal, or what?

Secretary FREEMAN. The contribution is about 11 cents.

Mr. HAGEN of California. That is what has been the average.

Secretary FREEMAN. Right. And we contemplate no change in connection with that. And this does not have any effect on that, one way or the other, except that it would tend to help to the extent that in those districts now where they are lowering the price or giving free lunches to the poor children, that drains away from the amount they have for others that are above that criteria. So, to that extent, this would help to strengthen the general school lunch program. Otherwise, it would have no effect on it.

Mr. HAGEN of California. Would you not concede that the 11-cent contribution is too small and that it has seriously limited the present program?

Secretary FREEMAN. The cost of preparing and serving these lunches has gone up, and it tends to go up as other things go up. The point is: When should the Federal contribution be increased? We do not recommend an increase in the current appropriation, for simply problems of economy—that is, in the budget. That question will be taken under consideration again when the budget for fiscal year 1968 is prepared.

Mr. STALBAUM. Will you yield?

Mr. HAGEN of California. Yes.

Mr. STALBAUM. Mr. Secretary, in that same connection, in reading the bill, on page 13, where you get into the matter of the disbursements to the schools, some authorities are established:

First, to schools without a food service; second, for needy children in schools with a food service; and third, if available funds permit, to schools and nonprofit institutions for all children.

My point is this, in line with Congressman Hagen's question: Suppose that you make a request to fully fund all parts of your program but the Appropriations Committee determines that they want to cut back on your needy-children phase of it. In other words, if I am correct, this is going to be one appropriation in this act. Would the administration of the moneys end up by taking it away from the pre-school lunch and school milk programs if priority is given to the other programs?

Secretary FREEMAN. No. The answer is "No," and may the record be clear on this, so that there will be no confusion—it would not. The appropriation would be made by title. The appropriation for section 11, which is the special appropriation for needy children, would be such an appropriation. It would not detract from the other school lunch programs. The section to which you now refer is only on milk.

Mr. STALBAUM. That is right.

Secretary FREEMAN. And in that sense, it assumes that there is less than an appropriation adequate to meet all needs. I tell you in my prepared testimony that we would have no objection to removing the priorities if this committee saw fit to do so, to prevent any confusion.

Mr. STALBAUM. You are going to substitute the present law for all of title II?

Secretary FREEMAN. Yes, that is right.

Mr. STALBAUM. Thank you.

Mr. HAGEN of California. I have one more question.

I want to lay the background for this in a California situation: We have school areas where average per capital income would be substantial, but we have some families in such communities who are poor,

and these people definitely have financing problems, and the State has somewhat helped out. I am sure that there are kids of families within these districts who would meet the criteria of being poor as individual families, but I foresee the possibility that none of these special funds will go into these types of districts, because if you look at the average per capita income, the district will not be eligible for some of these special programs. Do I make myself clear? Basically, the question is: What do you do, under this bill, for poor kids who are living in relatively well-to-do areas? The thrust of this bill is strictly as to those areas where they have mass poverty.

Secretary FREEMAN. No; it is not. This bill provides, as section 11 does, help to reach the poor children who could not afford to buy lunch, that the local school district was to give the lunch to, even though it may be in a school district which does not have so many of them. It will be helping everyone within that district. It will go only to the poor children. It is designed for that purpose. Those children who are in the other categories, this bill is not designed to meet. It is designed for the poor child and to supplement the local school district, whether it is a rich or a poor one, in meeting the needs of the destitute child.

Mr. HAGEN of California. That is section 11, you say?

Secretary FREEMAN. Yes, sir.

Mr. HAGEN of California. What page is that on?

Secretary FREEMAN. Section 11 is in the main School Lunch Act, and so far as section 11 is concerned, what we have asked for, and the President will be asking for, is additional appropriations under section 11.

Mr. HAGEN of California. Thank you very much.

The CHAIRMAN. Mr. Matsunaga?

Mr. MATSUNAGA. In determining the eligibility of children who come from poor families, under the OEO program, an area such as the State of Hawaii where the cost of living has been determined to be higher than in other areas, a higher standard has been set. I notice that you have only one figure in the bill, \$2,000. Would you accept amendments to graduate the standards for different families as in the poverty program?

Secretary FREEMAN. Based upon the standard of the cost of living?

Mr. MATSUNAGA. Yes. For example, in Hawaii, it has been set at \$4,000 rather than \$3,000 as the poverty standard.

Secretary FREEMAN. Do you have any comment on that, Mr. Davis?

Mr. DAVIS. Yes, sir; that \$2,000, again, is a benchmark in determining the apportionment of the total funds among the States. That does not form a criteria for the selection of individual children in the schools or the selection of the school itself. That \$2,000 benchmark is for the purpose of a formula to divide the total appropriation among the States. The determination of which school, which attendance units within a district, would be eligible for special assistance, or the determination of which children within that district should have free meals and which should pay for them, is left to the discretion of the local school authorities, in this legislation. The concern you express is the exact reason why we left it to the local authorities, because conditions vary from area to area. Poverty is one thing in the city of Detroit; it is another thing on a farm in some rural areas.

Mr. MATSUNAGA. In order to determine the apportionment of the funds, you are going to use this benchmark of \$2,000? This would seem inequitable, in that \$2,000 in one area may be equivalent to \$3,000 in another area.

Secretary FREEMAN. May we reserve our thinking on this?

We are not quite sure of what we are getting into. What you are really saying is that if you have the figure of \$2,000 and you have a figure of \$3,000—and I notice that Congressman Hagen is listening very intently, because he is thinking of \$3,000 for California also—means that we have the problem of developing a fair, equitable formula, and that it might well be that where should be differences within the formula to take care of such conditions within the States. Here, it would not do that. The individual apportionment within the State is left to the State, but as between, why, there is a firm formula without any difference and, frankly, we are really not prepared to make a final statement on that at this time.

Mr. MATSUNAGA. Who determines what schools shall be elected for a pilot program?

Secretary FREEMAN. That would be by the local people.

Mr. MATSUNAGA. By the local authorities?

Secretary FREEMAN. Yes.

Mr. MATSUNAGA. One further question: Some opposition has been voiced on the grounds that a stigma might be attached to those who receive free lunches as coming from poor families. What is the mechanism intended to avoid this?

Secretary FREEMAN. I would like to make the record very clear on this, because there has been a good deal of confusion about this—that some recommendations have been made by the administration for some changes under the school program or the milk program. I would like to make it clear that no such changes have been recommended at anytime. This is simply a misunderstanding. There is now, there always has been, and, really, I do not see how there cannot be some kind of a test or determination, if you are going to give one child a free lunch and you are expecting another child to pay for its lunch. The only answer to that would be to give every single child in the United States a free lunch across the board. The same thing would go for milk. We have not done that. We have said that children who are in the lower income families should get a lower priced lunch or should get a free lunch, and that children, such as in my family, should pay a certain amount for their lunch. That now is being done. How it is being done is left up to the local authorities to work out in a variety of ways. Our encouragement and our insistence is that it should be done with a minimum of attention, to avoid all embarrassment or the pointing out of the poorer children, and there is nothing that has been recommended to this Congress; there is nothing in the Appropriation Act; there is nothing in the bill—there is nothing in it in anyway—that would change that one iota. The idea that the recommendation was the setting up some new kind of means test, very frankly, has been based on a total and complete misunderstanding of this whole business. There is a means test. It is a local test. The only way to get away from the means test would be to give a free lunch to everyone. The point is that we have got to make that test as innocuous, as little noticeable as possible.

Mr. MATSUNAGA. I appreciate your clarification. I yield to the gentleman from California.

The CHAIRMAN. Are you finished?

Mr. MATSUNAGA. Yes.

Mr. HAGEN of California. Apropos of what Mr. Matsunaga and I are concerned about, because this is a real program, you might follow the history of the poverty program and this \$2,000 test. I think it was originally in the original poverty program.

The CHAIRMAN. Are you finished?

Mr. HAGEN of California. Yes.

The CHAIRMAN. Mrs. May.

Mrs. MAY. Along this line, Mr. Secretary, I have been concerned that in cases where we have locally applied the means test within the regular school lunch program, it should be with the least embarrassment to the child. Some districts thought that one way worked better than another way. I am wondering, however, if it will be more difficult under section 401, title IV? Perhaps, I should first ask if you have some pilot programs, such as the day-care centers and settlement houses, and the summer camps on this? I pose this question, because I realize that in counties or in districts that do have summer camps and day-care programs, a mixture of programs, that they have people from both low- and medium-income groups. Is it more difficult to apply the means test here without pointing the child out in that situation or possibly being pointed out as the one who gets a free picnic lunch or an outdoor lunch as against those who bring their lunch?

Secretary FREEMAN. In this case—and correct me, if I am wrong, Mr. Davis—it is my understanding that everyone would get a free lunch or a breakfast in this case.

Mrs. MAY. In this case.

Secretary FREEMAN. In this instance.

Mrs. MAY. No matter what income background?

Secretary FREEMAN. In this instance, why, it would go to everyone that would be there, because we have defined that it would come from strictly a poor area, and if there were some others in it, it would be so limited that it would make no sense to draw a distinction.

Mr. DAVIS. Yes.

Mrs. MAY. In other words, the differentiation might come from the kind of summer camp that was set up. Sometimes wealthy communities will have such children's activities, where a great many of the children do not come from low-income families.

Secretary FREEMAN. That could happen in some instances—they might then want not to have this requirement.

Mrs. MAY. They would not even be eligible for the program in the first place.

Secretary FREEMAN. They might be, but the impact here would be that they would have tests.

Mrs. MAY. Just one question on the wording of title IV. You say that there will be programs offered to certain nonprofit institutions, et cetera, which do not maintain children for periods in excess of 3 months. Then, you have a final sentence that such school service may be furnished on a seasonal or more extended basis. What does that mean?

Secretary FREEMAN. There might be a program in some of these where a settlement house, for example, could have a program that would run for an entire year, and this gives the authority to make such exception for expansion in terms of a special kind of program that might run longer than the off-school period.

Mrs. MAY. The wording in that particular sentence seems to be contradictory.

Secretary FREEMAN. Yes.

Mrs. MAY. To limit it to 3 months in residence in one area, and then you say for an extended period of time.

Mr. DAVIS. If I may, Congresswoman May. We contemplated here that we would not want to pick up the feeding costs in a normal child-care institution, such as an orphanage that ran a full year, but for a nonresident, year-round program, such as a settlement house, to provide assistance for a noon meal, and at the same time to provide for summer camps, where they are in residence 24 hours a day, but it only runs for a short period of time. We were caught in the switches trying to throw out full-care institutions, year-round institutions, but not to throw out full-care summer camps and at the same time to provide for the away-from-home feeding outside of the school in some of these other programs.

Secretary FREEMAN. That language might very well be improved.

Mrs. MAY. I think that it ought to be. There may be some confusion, otherwise.

That is all, Mr. Chairman.

The CHAIRMAN. Mr. O'Neal.

Mr. O'NEAL. Mr. Secretary, I am very much disturbed about some correspondence that I have had with the school people in my State and in my district, including a letter that I have before me from the State superintendent of schools who has taken about five or six single-spaced pages to discuss this bill. This particularly disturbs me, because he says that in considering not only the bill but the proposed budget recommended for implementation of the bill, that our State of Georgia would suffer terrifically as the result of this. He points out that we have over 600,000 Georgia pupils daily receiving lunches under this basic school program, and then he says that the passage of the proposed budget would provide about \$129 million whereas to maintain the same level of assistance that we have been having, we would need \$156 million. Does this mean then that my State would suffer a \$37 million loss by reason of this?

Secretary FREEMAN. No. What you are referring to, and what he referred to there, Congressman O'Neal, is the appropriation.

Mr. O'NEAL. Yes.

Secretary FREEMAN. The appropriation has cleared the House, as you know, at a level which will continue.

Mr. O'NEAL. I see. This is an old letter. I did not realize the significance of it.

Secretary FREEMAN. That is an appropriation question, and it has nothing to do with this bill.

Mr. O'NEAL. Would my State suffer at all by reason of this bill?

Secretary FREEMAN. Your State would gain by reason of this bill. They would gain considerably by means of additional resources to meet the poor children's needs.

Mr. O'NEAL. Is this true with respect to the special milk program, also?

Secretary FREEMAN. Yes.

Mr. O'NEAL. Thank you very much.

Pardon me, one more question, please, Mr. Chairman.

Has this passed the Senate?

Secretary FREEMAN. This bill?

Mr. O'NEAL. Any bill?

Secretary FREEMAN. No; it is pending before the Senate. I testified before the Senate earlier this week.

Mr. O'NEAL. Do you know anything about the Ellender amendment?

Secretary FREEMAN. The Ellender amendment is this bill, with the exception of the out-of-school feeding section. What Senator Ellender did, rather than propose a new law, as the chairman here has done in H. R. 13661, is that he took out one section of this bill and then put the balance in as an amendment to the current School Lunch Act. The effect is the same, with the exception of the one section.

Mr. O'NEAL. Well, may I ask you this, then: If the Ellender amendment is not adopted and this out-of-school program is left in, will my State suffer?

Secretary FREEMAN. No; it will be exactly where it was before.

Mr. O'NEAL. Thank you.

The CHAIRMAN. Are there any further questions?

If not, Mr. Secretary, we thank you very much for your appearance here.

Secretary FREEMAN. Thank you, Mr. Chairman.

The CHAIRMAN. I recognize Mr. Stalbaum for the moment.

Mr. STALBAUM. I would like to file in the record a statement on this bill, at this time.

The CHAIRMAN. Without objection, it will be made a part of the record at this point.

(The prepared statement of Hon. Lynn E. Stalbaum, follows:)

STATEMENT OF HON. LYNN E. STALBAUM, A REPRESENTATIVE IN CONGRESS
FROM THE STATE OF WISCONSIN

Mr. Chairman, the Child Nutrition Act which we are considering today carries the seeds of its own destruction. I refer to the stipulation which would gut the enormously successful and popular Special Milk Program for Children by restricting its benefits to those children who are willing and able to supply proof that their parents are poor providers.

Not only would a "means test" impose an impenetrable administrative maze on a program that has been singularly free of red tape, but it would introduce a thoroughly unpalatable element into government economizing. Few children, or their parents, can feel respect or gratitude for a government that presents them with a choice between nutrition and self-esteem.

Passage of the Child Nutrition Act with a moribund Special Milk Program for Children would reduce the consumption of fluid milk by at least 500 million pounds and possibly as much as one and a half billion pounds. Either figure represents a substantial loss to the American dairy farmer. Far more important, however, is the nutritive loss to the American children who do not consume that milk because they are too prosperous—or too proud.

Nothing is more certain than that children—from all levels of affluence—will continue to need milk. I recommend that it be made available to them through a permanent, separate, and independent Special Milk Program for Children financed at a level consistent with the steadily increasing number of its beneficiaries. This can be accomplished by giving favorable consideration to H. R. 12805, the "Children's Special Milk Act," which I introduced on February 14.

An appropriation of \$115,000,000 is needed to adequately carry out the Program in fiscal 1967. I urge the Committee to authorize that amount and to authorize a \$5 million increase for each succeeding year of the program's operation.

Mr. Chairman, on March 21 I appeared before the Agriculture Subcommittee of the House Appropriations Committee to oppose the proposed cut in the funds for the Special Milk Program for Children. On May 21, I gave a similar statement before the Senate Agriculture Committee's Subcommittee on Agricultural Production, Marketing, and Stabilization. At this point, I ask that my testimony before those Committees be incorporated into the record.

STATEMENT OF CONGRESSMAN LYNN E. STALBAUM, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF WISCONSIN; BEFORE SENATE AGRICULTURE COMMITTEE'S SUBCOMMITTEE ON AGRICULTURAL PRODUCTION, MARKETING, AND STABILIZATION OF PRICES, MAY 12, 1966

Nothing during this, my first term in Congress, has evidenced as wide-spread support as the School Milk Program. For several weeks, speeches appeared almost daily in the CONGRESSIONAL RECORD by Congressmen from urban as well as rural districts, strongly supporting the School Milk Program.

In 1965 nearly three billion half pints of milk were consumed under the School Milk Program in approximately 92,000 schools and child care institutions. Seventy thousand of these units also had a School Lunch Program and consumed about an equivalent amount of milk, that is, three billion half pints.

On February 18, Mr. S. R. Smith, Administrator of the Consumer and Marketing Service of the Department of Agriculture, was questioned by me on the cut in consumption of milk if we were to pass the Child Nutrition Act. The following is taken from the transcript of our exchange:

"Mr. SMITH. They estimate that on a \$21 million budget, we would have about a third falloff in the consumption of milk under the school milk program.

"Mr. STALBAUM. Which is a billion half pints.

"Mr. SMITH. A third is a billion, or about 500 million pounds.

"Mr. STALBAUM. In other words, you believe that this would reduce the consumption of milk in the schools about a billion half pints?

"Mr. SMITH. That is about the best calculation of the analysts that have dug into it, Congressman."

A loss of sales of 500 million pounds of fluid milk by the American dairy farmers is a substantial loss. More serious, however, is the nutritive loss incurred by American children who do not consume that one-half a billion pounds of milk which they had previously been doing.

The United States already ranks 16th in per capita of consumption in dairy products among the 17 major milk producing countries. Only the people of Italy use less. Why now should we turn toward a method of reducing this consumption further? Those who have followed the School Milk Program are well aware of the benefits it has brought. This milk has been good for the children. It has given them nutrition without stigma, and insofar as they were willing to participate, has made them healthier Americans.

Most serious, however, is the change which some have contemplated in the School Milk Program so that Federal funds will be used only to provide milk for the needy, with others paying the full costs of any milk that they would be obliged to consume. This raises a host of questions, particularly as to the determination of those who would be needy, and, therefore, eligible. The only conclusion one can finally reach is that this decision, if it is to be at all objective, can only be determined through a means test of some sort. As one observer succinctly stated, "Children would be forced to swallow their pride before they would be able to swallow any milk."

Seriously, I ask each of the Members of this Committee to ponder for a moment, if they were a school administrator, a teacher, or a counsellor, how they would impose this type of means test. Would they try to guess at which children came from poor families? Would they quietly call each one into their office and ask some embarrassing questions? Would they ask each child to stand up in the classroom and raise his or her hand if the parents had an income under a certain specified amount? Would whatever procedure is followed have to be held accountable to the officials from Washington? And this last question as to the accountability puts in sharp perspective the contrast between what is now proposed and what we have had operating since 1954.

The surest way to avoid the problems which would be involved in a change to a means test is to make the existing School Milk Program a permanent one, as is proposed in the bill before the Committee today.

The present School Milk Program is about as free of red tape as any such program could hope to be. There is no arbitrary imposition on the children of a dietary requirement. There are also no restrictions on the schools as to whether the milk is served as a mid-morning snack, an afternoon lunch, or if it is as an added available item with the noon hot lunch served under the School Lunch Program. No tests are required of the children as to their ability to pay. If they wish to participate, they merely bring in their few pennies and pay the difference between the school cost of the milk and that portion which is paid by government subsidy. Each school, is, therefore, free to make its own determination as to how it wishes to participate in the program. Each child is free to determine if he or she wants to participate in the program.

And from this rather relaxed approach, we have developed a method of encouraging our school children to drink three billion half pints of milk a year, which perhaps otherwise would not have been consumed at all.

The WASHINGTON POST summed up this matter well in an editorial printed on February 4: "The milk and the lunches served a better purpose all these years than merely keeping up farm prices. They were good for children, and the children continued to need them . . . There is a category of subsidies, in which the unit costs are low and the benefits broad, which are properly distributed without a means test. This country can afford to encourage nourishing diets for its school children, even in a year when dairy prices no longer require that support."

Problems arise in the administration of programs of this type when there is no assurance of continuity. School administrators have expressed to me their concern over the purchase of capital equipment for the School Milk Program if there is a possibility that it could be discontinued.

Mr. Chairman, the School Milk Program because of its success has gained almost universal acceptance. Its benefits are great: and to change, eliminate, or modify the Program would void the advantages which are being enjoyed by our school children today. Therefore, I support the legislation before you to make the School Milk Program a permanent one, with Federal financing continued at the same per-unit level as provided in the past.

The CHAIRMAN. The Chair now recognizes Congressman B. F. Sisk, who desires to make a statement.

STATEMENT OF HON. B. F. SISK, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. SISK. Mr. Chairman, I appreciate the opportunity to appear in support of my bill, H.R. 12806, and similar bills, before your committee today to extend permanent authorization for the special milk program for children.

I am going to be brief, because I know that all members of this committee are as familiar as I am with the success and general approval of this program throughout this country and I do not think I need belabor you with a lot of facts and arguments you already have heard.

I would like to direct your attention to some points that are significant to me. You all know we have a lot of new programs providing assistance and benefits for a lot of people. You know many of them are controversial and all of us receive complaints from our constituents about some of them. In contrast, I cannot remember a single adverse criticism of the special milk program. My correspondence shows overwhelming approval of it by all segments of the population. The public wants it and accepts it and I think we should take the opportunity of continuing a program the people want.

You also have before you the proposed Child Nutrition Act. Now, I have no quarrel with the purposes of this proposal. I support them. As I understand it, this act would provide milk and other

nutritional essentials to poor children. Who can quarrel with that? But I do not think this country needs or should or will take milk away from other children to supply it to the needy. I don't think there should be any conflict between the child nutrition program and the special milk program and I urge that your committee consider adding the essentials of the child nutrition program to the already operating and successful special milk program, rather than to eliminate the special milk program and only partially replace it with the nutrition program.

The big question to be answered by you gentlemen is: How much essential milk is going to be served to how many children in this country? If the special milk program and milk provisions of the school lunch program are reduced as is proposed, the answer is plain and simple: several million school children in the United States are not going to drink in their schools milk which would cost approximately \$85 million next year and in succeeding years. This is the difference. That is the proposed difference between the cost of milk for the current program and the reduced amount under the Child Nutrition Act. While it would help needy children, who should be helped, it would take \$85 million worth of milk away from other children, and that, in my book, is not a way to cure the nutritional deficiencies of our children or of our country.

I also ask that you note that this is no way to cure the ills of our dairy industry, which probably is suffering more serious financial problems today than any other segment of agriculture. In some areas, school lunch purchases provide up to 25 percent of the fluid milk market. Dairymen, many of them, are teetering on the edge of bankruptcy. They are achieving a precarious balance of supply and demand. Disruption of the school milk program would gravely reduce markets and drive them to the wall. It would be as perilous to the economy of the industry as it would to the nutrition and health of our children. Why in the world take such a step? Why discard a good, successful and accepted program? Why experiment needlessly with the health and well-being of our children, and why impose on our schools the almost impossible task of trying to put together makeshift substitutes which neither the schools or a majority of families can afford.

To me the answer is clear. Above all, continue and expand the school milk program to meet growing population needs. Don't tinker with them in untried experiments. I sincerely hope you will see it that way.

The CHAIRMAN. Thank you very much, Mr. Sisk.

Mr. SISK. Thank you.

(The following letter was submitted by Mr. Sisk:)

CALIFORNIA FARMER-CONSUMER INFORMATION COMMITTEE,
Santa Clara, Calif., June 22, 1966.

In Support of H.R. 12806 (Sisk), H.R. 13888 (Tunney), both of California; and similar bills to extend and make permanent the Special Milk Program, and for addition of such extension to include breakfasts served by participating non-profit schools and institutions included in the "Children's Special Milk Act", provided, the participating non-profit schools and institutions operating the programs shall be the sole determinants of the cost of such food to participating children and there be no physical segregation of or other

discrimination against any child because of the inability of his family to pay all or a portion of the cost of food served.

Hon. HAROLD D. COOLEY,
Chairman, House Committee on Agriculture, House Office Building, Washington,
D.C., and Members of the Committee on Agriculture:

Our Committee, the California Farmer-Consumer Information Committee, representing the unanimous action of more than a quarter of a million farmer, cooperative, consumer, labor, professional and church bodies, re-affirmed at our June 18th annual meeting, University of Santa Clara, Santa Clara, California, its support for measures before you to make permanent the special milk program for children, cited as the "Children's Special Milk Act", H.R. 12806, Rep. B.F. Sisk, 16th District, California and H.R. 13888, John V. Tunney, 38th District, California, and similar bills introduced by Congressmen from the various states.

Having successfully saved the existing school milk program from obliteration due to proposed disastrous cuts in the budget for the coming school year, a campaign in which the entire state of California and every Member of Congress from California participated, we must make doubly sure that this basic nutritional policy is secure, and with no less than the \$110,000,000 appropriated for the fiscal year ending June 30, 1967; "not less than \$115,000,000 for the fiscal year ending June 30, 1968; and for the fiscal year ending June 30, 1969, and each succeeding fiscal year thereafter, not less than \$120,000,000." (Sec. 4, HR 12806, Sisk).

The "Children's Special Milk Act" has many impacts. Primarily assuring our future citizens a nutritional foundation improving general health, teeth, and mental alertness; it establishes food habits in childhood essential to overcome pressures in advertising, radio and television to substitute non-nutritious and often harmful food products for scientifically established essentials to diet and growth.

An equally important factor is that of making known to dairymen, processors and distributors, the almost exact amount of fluid milk which must be available in every county in the United States for the use of children to be served by the School Milk Program. It is estimated that 5% of all fluid milk produced in the nation is presently distributed through the existing School Milk and School Lunch Programs.

Under the expanded uses of the "Children's Special Milk Act", much more than 5% will be required.

Bearing in mind, as documented on page 6 of Report No. 1446, Mr. Whitten, to accompany H.R. 14596, which restored the appropriations cut from the Budget for the School Milk and School Lunch Programs, that: "the supply of dairy products on hand is now at the lowest point in recent years; * * * that "The supply is expected to reduce further to 3,200 million pounds at the end of the present marketing year, a reduction of 2,100 million pounds". And that "This represents only about a 1/2 month's supply for normal domestic purposes * * *" and noting, as stated in the June 17, 1966 issue of "News for Dairy Co-ops", that "May milk production continued its downward spiral, 4% down from May of last year. * * *"

The enactment of the "Children's Special Milk Act" should stimulate efforts of the United States government, of the states and of the industry, to make sure that the dairymen receive a sufficient return for their investment, production costs and labor to continue in business, so that the growing needs of consumers, including our school children, may be met.

Thus, an added economic purpose in improving the returns to dairymen, processors, distributors, and the tax base for counties, states and the nation, may be achieved.

At the February 21st meeting of the California State Board of Agriculture, which urged that Congress enact H.R. 12806, data was submitted by James M. Hemphill, Supervisor, School Lunch Program, as to the number of California schools operating the "Special Milk Program", the number of half-pints of milk served under that program and the percentage increase over 1964 in half pints of milk served. The information, for October 1965, when contracts for the program were executed by the schools is as follows:

Number of schools serving special milk	2, 981
Number of half pints of milk served.....	18, 638, 255
Total daily half-pints: October 1965	2, 510, 480
Total daily half-pints: October 1964	2, 454, 149

Percent increase, 9.8 percent.

The continued increase in population in California; the construction of new schools to meet the needs of more children; and the increased use of the Special

School Milk Program as its advantages became more widely understood, make it imperative that the program be made permanent with adequate appropriations, as defined in H.R. 12806 and companion bills. As stated in the opening paragraphs of this statement, our Committee likewise supports expansion of the program to include school breakfasts with the safeguard that there be no separation of children participating in the program based on family economic differences.

As noted on our letterhead, the Consolidated Milk Producers for San Francisco, the Associated Dairymen, and the Western Dairymen's Association are affiliates of our Committee, all of them favoring a permanent School Milk Program.

Mrs. GRACE McDONALD,
Executive Secretary.

The CHAIRMAN. The Chair now recognizes Congressman Melvin R. Laird. You may proceed Mr. Laird.

**STATEMENT OF HON. MELVIN R. LAIRD, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF WISCONSIN**

Mr. LAIRD. Mr. Chairman, I appreciate this opportunity to appear before your committee to express my support for the special milk program for children as embodied in my bill H.R. 12863.

It is probable that no other program operated by the U.S. Department of Agriculture, or for that matter any other Federal program, has met with such overwhelming success and support as has the special milk program for children. Since its inception in 1954, the program has grown to the point where in 1965 children in over 92,000 schools, child-care institutions, and summer camps consumed nearly 3 billion half pints of fresh and wholesome fluid milk. In my own State of Wisconsin over 106 million half pints of milk were consumed by children in 3,635 schools and child-care institutions in 1965.

Mr. Chairman, I ask that three tables supporting these figures and a copy of H.R. 12863¹ be inserted in the hearing record at the conclusion of my remarks.

While the legislative history of the special milk program indicates that, when the Congress enacted the program in 1954, it was aimed primarily at bringing about a balance between an overabundant supply of milk and the demand and, although this surplus disposal aspect is sometimes a conveniently expressed reason for continuing the program, there can be little doubt that the principal objective of the special milk program for children is now the tremendous nutritional benefits that result from the improved diets of children participating in this program.

Since the power base of the special milk program is made up of the millions of American children who benefit from it, it is not difficult to see why the unwise request on the part of the administration for an 80 percent budget cut in the special milk program for children was the subject of such widespread criticism and ridicule. It is likely that no other single domestic administration proposal received such overwhelming criticism from members of the general public including housewives, children, educators, farmers, and many Members of Congress. It is noteworthy that the House Committee on Appropriations has restored the budget of the special milk program for children from the administration request of \$21 million to \$103 million. Moreover, the resolution adopted by the House Committee on Agriculture was a further expression by the Congress of the disapproval of this administration proposal.

¹ The text of Mr. Laird's bill, H.R. 12863 may be found on p. 11.

The administration proposal, had it been approved, would have almost completely eliminated the special milk program for children. That proposal requiring that only needy children receive milk coupled with the onerous means test that would have been imposed on all children was unjustifiable as far as the administration budget request for the fiscal year ending June 30, 1967, was concerned and is just as unjustified as far as title II of the Child Nutrition Act of 1966 is concerned.

In my view, title II of the Child Nutrition Act is completely objectionable. The special milk program for children it seems to me, should be considered by the Congress, as in the past, as a separate and independently successful program. If this committee does substitute H.R. 12863 or similar proposals for the existing provisions of title II of the Child Nutrition Act, it should be made crystal clear that the special milk program for children is and will remain separate from other nutrition programs so that there is no chance that the Department of Agriculture can consolidate the funds for the special milk program for children with funds of other programs. I would urge, however, that the special milk program for children be kept separate from other nutrition programs since this would facilitate program accountability and administration.

The provisions of my bill—H.R. 12863—do not substantially change the existing special milk program for children, but do make some needed improvements. My bill would make the program a permanent one. It seems unreasonable that a program as important as is this one, should be operated on a temporary or short-term basis. The health and dietary needs of American children are permanent and so should be the special milk program for children. The existing authority for the special milk program expires on June 30, 1967. While it seems likely that the Congress will appropriate at least \$103 million instead of the \$21 million requested by the administration, it is important that the Congress take action now to enact legislation such as H.R. 12863 this session so that the program now in operation is not allowed to expire. The program is most successful when participating schools are given enough time to determine the extent of their participation. Allowing the program to expire this year, and waiting until the next session of Congress to continue it could seriously retard and hamper the growth of the program.

A second revision which my bill makes in the existing program is to provide the Secretary of Agriculture with the authority to reallocate program funds when it appears that a State educational agency will not be able to fully utilize funds it has been allocated. Such a provision will provide for maximum use of program funds.

The final and most important provision of my bill is the authorization for appropriations for fiscal 1967 of \$110 million; fiscal 1968 of \$115 million; and, fiscal year 1969 and each succeeding fiscal year thereafter of \$120 million. Although the House Appropriations Committee has restored the budget to \$103 million, which is the same level as was appropriated for the fiscal year ending June 30, 1967, it is important that we realize that this is not sufficient to provide adequate reimbursements to schools and child care institutions now participating in the program. Since more children in more participating outlets are consuming fluid milk under the program, the present level of funds is insufficient. In fact, since participating outlets have

been reimbursed at the rate of 90 cents on the dollar for most of the fiscal year ending June 30, 1966, nonparticipating schools on extremely limited budgets have been discouraged from joining the program. Consequently, it is vitally important to the children of our country that the Children's Special Milk Act as embodied in H.R. 12863 be enacted.

Special milk—Average reimbursement rate per half pint, half pints reimbursed annually, and participating outlets, fiscal years 1955-65

Fiscal year—	Average reimbursement rate per half pint	Half pints reimbursed annually	Participating outlets
	<i>Cents per half pint</i>	<i>Millions</i>	<i>Number</i>
1955.....	3.83	449.8	41,094
1956.....	3.29	1,394.2	62,266
1957.....	3.45	1,752.7	71,239
1958.....	3.46	1,918.2	76,478
1959.....	3.41	2,176.2	81,587
1960.....	3.37	2,384.7	83,922
1961.....	3.39	2,476.7	86,494
1962.....	3.37	2,631.0	88,188
1963.....	3.38	2,765.6	90,486
1964.....	3.39	2,929.0	91,890
1965.....	3.28	2,966.8	92,005

School milk program—Number of outlets participating, number of half pints reimbursed, and obligations by States, 1964-65

State	Number of outlets participating		Estimated number half pints milk reimbursed (in millions)		Obligations (in thousands)	
	1964	1965	1964	1965	1964	1965
Alabama	1,504	1,726	43.6	44.8	\$1,454	\$1,448
Alaska	69	78	1.2	1.4	33	40
Arizona	596	601	18.1	17.3	545	519
Arkansas	1,132	1,114	34.1	33.2	1,306	1,226
California	7,325	7,591	279.7	286.5	9,040	9,090
Colorado	1,197	1,200	27.6	26.9	937	901
Connecticut	1,188	1,276	47.4	50.4	1,586	1,515
Delaware	201	206	9.3	9.8	326	328
District of Columbia	210	218	18.9	19.1	603	616
Florida	1,760	1,589	51.3	58.3	1,292	1,456
Georgia	1,825	1,813	33.5	35.5	1,139	1,196
Hawaii	223	227	5.4	5.3	184	174
Idaho	525	600	6.9	7.1	229	225
Illinois	4,823	4,633	194.8	197.8	6,746	6,709
Indiana	2,328	2,418	70.0	76.6	2,501	2,632
Iowa	2,276	2,249	52.7	53.0	1,945	1,904
Kansas	1,260	1,285	34.9	34.9	1,160	1,131
Kentucky	1,834	1,639	51.2	50.9	1,919	1,880
Louisiana	1,194	1,225	19.1	19.3	725	711
Maine	882	873	14.0	14.0	478	464
Maryland	1,373	1,437	61.4	64.1	2,149	2,177
Massachusetts	2,922	2,944	108.6	107.6	3,475	3,388
Michigan	4,733	4,660	169.4	170.1	5,809	5,706
Minnesota	2,779	2,841	76.2	77.3	2,786	2,710
Mississippi	1,056	1,057	38.3	39.0	1,490	1,476
Missouri	3,082	2,984	82.8	61.7	3,052	2,208
Montana	448	448	6.1	6.0	206	198
Nebraska	945	992	18.8	19.8	646	672
Nevada	190	196	4.0	4.4	107	122
New Hampshire	498	515	12.5	13.0	417	424
New Jersey	2,285	2,327	100.5	108.1	3,366	3,615
New Mexico	652	673	28.3	28.2	778	745
New York	5,843	6,021	276.5	277.2	9,720	9,602
North Carolina	2,252	2,066	61.6	64.2	2,089	2,244
North Dakota	551	549	10.9	11.0	387	391
Ohio	4,420	4,572	194.3	195.5	6,184	6,306
Oklahoma	1,458	1,445	34.6	35.4	1,119	1,058
Oregon	1,232	1,284	19.9	19.4	576	534
Pennsylvania	5,080	4,855	149.8	158.2	4,763	4,786
Rhode Island	377	368	13.5	12.9	423	416
South Carolina	1,183	1,192	22.6	22.4	764	745
South Dakota	668	650	14.0	14.3	433	430
Tennessee	2,226	2,157	63.2	62.6	2,141	2,071
Texas	3,666	3,683	110.1	110.2	3,895	3,810
Utah	511	552	10.2	10.9	364	378
Vermont	427	415	6.4	6.5	204	202
Virginia	1,769	1,788	51.9	53.1	1,719	1,691
Washington	1,711	1,748	45.1	45.2	1,580	1,490
West Virginia	1,108	1,067	15.5	16.5	558	589
Wisconsin	3,765	3,635	104.7	106.3	3,080	3,651
Wyoming	328	314	3.6	3.6	136	129
Total	91,890	92,005	2,929.0	2,966.8	99,164	98,109

Wisconsin—Special milk program for children, number of outlets participating, number of half pints reimbursed, and obligations, 1955-65

	Number of outlets participating	Estimated number half pints reimbursed (in millions)	Obligations (in thousands)
Fiscal year:			
1955.....	2,495	25.5	\$969
1956.....	3,846	60.6	2,085
1957.....	4,271	69.3	2,370
1958.....	4,385	74.6	2,504
1959.....	4,600	80.8	2,744
1960.....	4,608	87.2	2,965
1961.....	4,544	92.0	3,178
1962.....	4,297	98.2	3,372
1963.....	3,927	100.3	3,516
1964.....	3,765	104.7	3,680
1965.....	3,635	106.3	3,651

Source: U.S. Department of Agriculture.

The CHAIRMAN. We have several more witnesses listed to be heard. There is a rollcall going on in the House at the moment. We will have to recess, and will recess now to meet tomorrow morning at 10 o'clock.

(Whereupon, at 12:30 p.m., a recess was taken until 10 a.m., Friday, June 24, 1966.)

The following is a list of the birds in the collection, arranged in the order in which they were taken. The names are given in the original language, and in the English language, where known. The date and place of capture are also given, where known. The number of specimens of each species is given in the right-hand column.

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CHILD NUTRITION ACT AND SPECIAL MILK PROGRAM FOR CHILDREN

FRIDAY, JUNE 24, 1966

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, D.C.

The committee met at 10 a.m. in room 1301, Longworth House Office Building, Hon. W. R. Poage (acting chairman) presiding.

Present: Representatives Poage (presiding), Abernethy, Hagen of California, O'Neal, de la Garza, Vigorito, Greigg, Belcher, Teague of California, and Dole.

Also present: Christine S. Gallagher, clerk; John J. Heimbürger, general counsel; Hyde H. Murray, assistant clerk; and Fowler West, Staff assistant.

Mr. POAGE. The committee will please come to order.

I have been requested to ask to insert statements in the record from Congressman William L. St. Onge, Congressman Teno Roncalio, Mr. Harry L. Graham, legislative representative of the National Grange; Gordon W. Gunderson, chairman of the National Legislative Committee of the American School Food Service Association for Child Nutrition; a letter from Rodney A. Ashby, administrator of School Food Services in the State of Utah, to Congressman David S. King; a statement by Congressman Vernon W. Thomson; a statement by Congresswoman Patsy T. Mink; a statement by Mr. Tony T. Dechant, president of the National Farmers Union.

Without objection, these statements will be made part of the record. (The statements follow:)

STATEMENT OF HON. WILLIAM L. ST. ONGE, A REPRESENTATIVE IN CONGRESS
FROM THE STATE OF CONNECTICUT

Mr. Chairman and members of the committee, I appreciate this opportunity to present my views to this distinguished Committee on legislation concerning the school milk program, and specifically my bill, H.R. 13489, to establish this program on a permanent basis.

Sacrifice without gain will be the result of a cut in the school milk program. In the area of school lunch programs, significant strides have been made during the last two decades. The \$103 million allocated to the Federal Milk Program for the current fiscal year reflects this progress. At a time when this program has taken on immeasurable importance, I believe that an increase rather than a decrease in this program is imperative. My belief is based on the fact that we must keep abreast of the exigencies of our youth, particularly those reared in poorer families.

The welfare of our children stands out as a major challenge deserving our utmost attention. All available resources of this nation must be utilized to alleviate the problems confronting our youth. There can be no question that the health of our school-aged children cannot be underemphasized. One's physical well-being is not only important for its own sake, but is also a requisite for a child to improve and maintain his learning capacities. Similarly, there is no question that Federal

grants are among the most important means of assuring a well-balanced, nutritious meal each school day to all children, whether in nursery school, elementary or high school, settlement houses or summer camps. As one educator pointed out:

Many children in the Nation's schools receive one good meal a day and that is provided by the Hot Lunch programs.

Milk in particular is a requisite element of a good diet.

It is obvious, however, that the daily milk needs of many of our school children cannot be met by themselves or their parents because of their financial difficulties. Furthermore, due to rising costs and increasing burdens on their own budgets, local school districts cannot compensate for these difficulties and adequately subsidize their own programs.

The response of educators to the Department of Agriculture's proposed 80% cut in the Federal milk program attest to the necessity of increasing, not decreasing, the allocation to this program, and the injurious affects if such a decrease becomes an actuality.

The reason advanced by the Department of Agriculture for such a cut allegedly will not impair the goals of the program, yet this reasoning is indeed fallacious. The Department maintains that under the present Act the funds for such program are not channeled to needy areas, rather they are arbitrarily disbursed to many school districts which are themselves capable of adequately subsidizing their own lunch programs. Thus a cut accompanied by a priority system of allocation will satisfy the programs goals. This argument is obviously erroneous for even if funds were more carefully allocated the figure of \$103 million would not be excessive. To adequately fulfill the program more funds are needed.

My bill, H.R. 13489, and other similar bills, recognize in part the merits of the Department of Agriculture's system of priorities. The bill provides that the Secretary of Agriculture is permitted to reallocate funds where "the Secretary shall determine" the funds "will not be fully utilized." However, the bill rightfully provides for a gradual increase in the budget of this program; not less than \$110 million for fiscal year 1967 with further increases for 1968 and 1969, and each succeeding year.

Furthermore, the proposed cut is unfounded when the benefits of the program are weighed against the utility of such funds, if applied elsewhere. When considered in light of the entire Federal budget, the amount which the Department of Agriculture proposes to cut from the program is trivial compared with the benefits of such program which are substantial.

The proposed 80% reduction in the milk fund will serve no useful purpose, while the results of such a cut will only serve to impair the health of our youngsters, reduce their effectiveness in learning and decrease the deficiency of our school system. For these reasons, passage of H.R. 13489 or other similar legislation cited as the "Children's Special Milk Act" is imperative. I strongly urge this Committee to seriously consider these reasons and to act favorably on my bill or a similar bill to establish the school milk program on a permanent basis with an adequate annual budget to meet the needs of our growing population.

STATEMENT OF HON. TENO RONCALIO, A REPRESENTATIVE IN CONGRESS
FROM THE STATE OF WYOMING

Mr. Chairman, I am grateful to you for this opportunity to testify on behalf of my bill, H.R. 14287, the Children's Special Milk Act of 1966. Of the many programs designed to promote the general welfare, few have the enthusiastic support and approval enjoyed by the school milk program. From its conception a generation ago with 6 million children participating, the program has been enlarged to over 18 million students.

The national school lunch programs is one of the largest non-profit businesses, operating with annual expenditures in excess of \$1.5 billion a year. Federal contributions account for slightly more than 20 per cent of this total.

This growth demonstrates the effectiveness and worth of this program, a growth that must be nurtured not for the sake of its size or age, but because it is a truly vital and necessary service to the youth of our nation.

In my own state of Wyoming, the program has been very well received. In fiscal 1965, milk was served in 314 Wyoming schools with 3.6 million half-pints served over and above the five million included in the lunch program. Wyoming received \$129,000 from the federal government to carry out this service.

When the budget proposals called for serious reductions in appropriations, I objected on the basis that the cost of the program is small when it is considered

an investment in the health of our nation's youth. Without this service, the cost of milk would double in many cases forcing some families to remove their children from the programs.

In addition to the personal hardship, there are economic factors, for the milk program creates and develops a market for dairy products. The milk program supplements the dairy price support program because markets are provided for government purchased milk. Otherwise the Commodity Credit Corporation would have to buy and store dairy surpluses at almost the cost of the whole school milk program.

I was pleased to work for restoration of appropriations in the general agriculture bill, however, I believe this program deserves some secure place in the operations of our government. This security can be obtained through this bill which would make the program permanent.

The legislation will authorize the Secretary of Agriculture to encourage consumption of milk by children and provide appropriations to carry out this objective.

At a time when school enrollment is increasing, when the American people are taking positive steps to combat poverty here at home and to assist in the elimination of hunger among those friendly nations who desire progress, it is imperative that this worthy program be continued in an orderly and secure fashion. Thank you.

STATEMENT OF HARRY L. GRAHAM, LEGISLATIVE REPRESENTATIVE, NATIONAL GRANGE

The National Grange is pleased to lend its support to the Child Nutrition Act of 1966 to extend the National School Lunch Program. Statistics show that one million more children of low-income families would be entitled to a free or reduced-price meal if it were available. This Act would reduce the problem by providing—

(1) assistance to schools that cannot finance all the free or reduced-price meals that should be served;

(2) funds to purchase equipment and facilities for food storage and preparation to those schools which cannot afford to do so themselves; and

(3) the same assistance for children from low-income families attending summer schools, child-care centers, summer camps, summer playground activities and neighborhood houses as is available during the regular school year.

As we have previously stated, it is our judgment that these programs are primarily consumer services, and therefore, should not properly be charged to agriculture. However, such programs have been under the Department of Agriculture's jurisdiction and have served to stimulate market development. Therefore the Grange has been pleased to support them.

Realizing that a healthy nation is a strong nation, we urge your support of this additional measure.

STATEMENT OF GORDON W. GUNDERSON, CHAIRMAN OF THE LEGISLATIVE COMMITTEE OF THE AMERICAN SCHOOL FOOD SERVICE ASSOCIATION

Mr. Chairman and Members of the Committee, I am here today representing the more than 48,000 members of the American School Food Service Association which includes the directors of the state agencies responsible for the administration of the School Lunch and Special Milk Programs throughout the Nation. We are grateful to you for granting us an opportunity to express our views concerning Bill No. H.R. 13361.

The American School Food Service Association reaffirms its support of the intents and purposes of the National School Lunch and Special Milk Programs. We wish to again commend the Congress for initiating these programs and supporting them over their many years of growth and development. The National School Lunch Program has reached its twentieth anniversary, and the Special Milk Program has attained its position of prominence after having demonstrated its excellence over twelve years of unprecedented growth.

We are deeply appreciative of the interest of the Administration and the Congress in extending, expanding, and strengthening the efforts and contributions of these basic programs to even more fully meet the nutritional needs of the children of our Nation.

As the Congress deliberates upon legislation to achieve this goal, the American School Food Service Association respectfully wishes to submit for consideration

its observations and recommendations concerning the proposals expressed in Bill No. H.R. 13361.

In any proposed legislation for the expansion of school food service programs we respectfully recommend that the National School Lunch Act, as amended, be retained as the basic legislation.

The participation in the School Lunch Program by more than 36 percent of the Nation's school children in the past year attests to the wisdom of the Congress in establishing this program now having completed its twentieth year of operation. The technical knowledge it has gained in food and nutrition; the vast stores of experience and resources it has accumulated; the well-established lines of administration and communication through state educational agencies which it has accomplished, and the esteem with which it is regarded in the minds of the people would logically qualify the School Lunch Program and its legislative authority as the cornerstone upon which any expansion or extension of child nutrition programs might be securely built.

Created under separate Act of Congress twelve years ago, the Special Milk Program has been a constant companion and supplement to the lunch program. Although it was begun in 1954 as a surplus removal program, it has long been recognized as a nutrition program in the Nation's schools.

The selection of schools for participation in this program as proposed in Section 203, Title II of the Child Nutrition Act, would be tantamount to its termination. Non-participating schools have had ample opportunity over the past several years to participate in the milk program and to be reimbursed for the milk served. Section 215.7(f) of the Secretary's Regulations authorizes reimbursement to schools for milk served without charge to needy children at a rate equal to the cost of the milk to the schools. It is not required that the "needy school" participate in the lunch program in order to qualify for such special rate of reimbursement. Therefore, we can see no reason for anticipating any significant expansion of the program to children in schools not now participating by denying reimbursement to schools having a food service. All of the schools which have been serving lunches in the past several years also have a number of needy pupils who can benefit from the additional milk but who cannot afford to pay for it. Subsidizing only the milk served to the needy in such schools would, in our opinion, be administratively unacceptable and discriminatory as far as the children would be concerned.

The grants-in-aid to assist states in starting breakfast programs and for non-food assistance for acquisition of facilities to establish, maintain, and expand food service programs in schools drawing attendance from areas in which poor economic conditions exist as proposed in Title III and Title V will bring about improved nutrition for untold thousands of children whose dietary needs are not now being met. Title V is much-needed legislation and support for all titles of the Act.

We recommend that Title IV be termed "Special Food Service Assistance for Children in Non-School Programs," and that the apportionment of funds among the states be based upon the "assistance need rate" as provided in Sec. 601(f) of Title VI and the number of children of ages 5 through 17 years.

The urgent need for augmenting state staffs is almost universal. The proposal under Sec. 605, Title VI, of the Act to utilize a small portion of the appropriation to help state educational agencies meet expenses in administration of the programs will be of significant help in strengthening each state's school food service staff in order that additional technical assistance may be given to schools in starting the new programs and in meeting the many diverse challenges of school food services.

Although we understand the intents and purposes of Sec 606, Title VI, we respectfully recommend the addition of a provision which would prohibit the duplication of assistance to such programs from federal sources in utilizing funds appropriated under the provisions of the Child Nutrition Act.

Again, I want to thank you, Mr. Chairman, for granting us an opportunity to be heard.

STATE OF UTAH,
DEPARTMENT OF PUBLIC INSTRUCTION,
DIVISION OF SCHOOL FOOD SERVICES,
Salt Lake City, Utah, May 31, 1966.

Hon. DAVID S. KING,
House of Representatives,
Washington, D.C.

DEAR MR. KING: We are quite concerned, and not a little confused with the prospects for School Food Services in 1966-67. The Department of Agriculture is continually pushing for the implementation of the "Child Nutrition Act." After some careful analysis of current operations and the prospects outlined in the "Child Nutrition Act for 1966," we feel that the existing National School Lunch Act, with a very few amendments, could accomplish the same goals as proposed in the "Child Nutrition Act." In addition, the few amendments to the present act would be much more amenable in our state and would accomplish a great deal more than we believe could be accomplished through implementation of a total new program, as outlined in the proposed H.R. 13361.

As examples, we cite Section V of the present National School Lunch Act, if fully implemented, would provide the same non-food assistance as found in Title V of the Nutrition Bill. It appears to us that funds which are proposed for a breakfast program on a limited pilot or experimental program basis would divert funds from the School Lunch Program as we now know it, for a program which it is questionable would be as far-reaching in its advantageous effect on the children in Utah as would be the extension of the current School Lunch Program. The same situation exists as pertains to Section 11 of the current program. With a few amendments to this section and sufficient funding the objectives of the "Child Nutrition Act" would be achieved through this section of the current act with less effort and actually, with less money than would be required if this phase of the program were implemented in the proposed "Child Nutrition Act." Our share of the \$50 million, if added to the proposed \$2 million in Section 11 would be much more effective in Utah in achieving the objectives of the "Child Nutrition Act" than the new proposal itself.

We are in agreement with the Department of Agriculture that the National School Lunch Program has been of great benefit to the children of the nation during the past 20 years. We also agree that there is a need for strengthening and extending school and other child feeding programs in this country. Because of the success of the National School Lunch Program over the past 20 years we respectfully suggest slight revisions in the National School Lunch Act, which would provide the benefits proposed in the "Child Nutrition Act."

Our problem in Utah is that the proposed "Child Nutrition Act" earmarks funds for various programs which will not satisfy or take care of the needs of the students in the State of Utah. We do not have concentrated pockets of poverty as such under a single Board of Education, yet we have needy children in every school district in the state. We would prefer a program which would enable us to reach every needy child in the 40 school districts, regardless of where they reside. Regulations governing the "Child Nutrition Act" could easily restrict the funds for Utah for this purpose. Needy children are enrolled in all school districts and for the past 20 years we have expanded the program to include practically every school in every school district in the State of Utah, with the exception of Salt Lake City. Through current federal programs such as Head Start and OEO Salt Lake City District appears to be showing more interest in the School Lunch Program. We hope this is true, and that programs outlined for 1966-67 will be funded and regulations will allow us to expand the program to Salt Lake City School District.

We believe our success in Utah has come from concentrating our efforts on the school lunch as a complete Type A lunch rather than expanding school feeding to include a la carte and other snack bar feeding. We are currently reaching over 50% of the children in the state, including children enrolled in Salt Lake City. We are serving more nearly 70% of those to whom the program is available. This, we think, is a fairly good record. However, we need revisions in the current law and help, particularly financial, in terms of cash and commodities, in order to expand the program to additional students who are not now participating.

Utah's participation in the limited Section 11 fund this year (\$10,600) we believe proves a point that flexibility provided in Section 11 would enable us to reach more needy children with a smaller outlay of total funds than would the program outlined in the proposed "Child Nutrition Act." Section 11 of the National

School Lunch Act would, if adequately funded, provide opportunities for our extending the program to needy children in all school districts.

With slight revisions in the current Section 11 of the National School Lunch Act, the proposed Title VI, Other Group Feeding, could be implemented to include all additional child feeding which is proposed in the new Act. Certainly extension of school feeding to younger children, and over a longer period of time, including summer programs, is a desirable objective. We urge that all child feeding be implemented in the schools, and channeled through the State Board of Education office. This would be more economical since we are already providing lunches, and have the facilities to expand the program without appreciable additional costs for buildings and/or equipment. The current procedure of providing lunches through OEO, Head Start and other programs, which are not under the specific supervision and direction of the state office is confusing. This is duplication of effort, and we believe it would be much more logical and economical for the program to be channeled through one source.

As to equipment, we have very few schools in the state that are not well equipped. However, if Salt Lake City comes into the program there would be a need for equipment providing the regulations were liberal enough to include some of their schools. I have pointed out previously, however, that the current School Lunch Law provides for equipment if this section were funded.

As to state administration funds, we could certainly use some assistance, particularly if programs are thus expanded, and if the Salt Lake City School District comes into the state plan. Here again, we believe that amendments to the current law would be much simpler than a new school lunch law with the myriad titles, sections, and regulations which will certainly be forthcoming if the "Child Nutrition Act" is enacted into law.

As has been mentioned in previous correspondence, we cannot operate a realistic program with a feast of government commodities one year, and a famine the next. We need some semblance of stability in order to plan food budgets. Utah is one of the highest users of commodities in the nation, and the dearth of commodities this year has created a hardship in our state out of proportion to that in many other states. Since 1958 the values of commodities have exceeded the federal cash reimbursement per meal nationally, and has far exceeded it in Utah.

In the budget as proposed we notice that the state and local support would be stepped up considerably. I would draw to your attention that last year the State Legislature in the State of Utah doubled the support for School Food Services, and we are not in a position to go back to the Legislature again this year for additional money. The current state support is liberal, and because of the fact that it came at a very opportune time, we have been able to keep the program intact this year, whereas, without the additional state support we would have been in real trouble, because the commodities were so sparse during the current school year. State cash support of the program in Utah is substantially greater than the federal cash apportionment to the state. This is in addition to contributions at the local district level, which is substantial.

It is our contention, therefore, that the "Child Nutrition Act of 1966" would be more difficult and cumbersome to administer and would be restrictive in our state because of so many earmarked funds specifically for areas of concentration of poverty, instead of allowing for expansion of the present program to all needy children, regardless of where they reside, or in which school or district they are enrolled.

In considering legislation for the coming year, we trust that you will keep in mind the effects that innovations will have in the State of Utah, where we operate on a district consolidated basis. We welcome the opportunity to exchange views on proposed program improvements with you. Our people all over the state from whom you have heard are appreciative of your interest and support.

Kindest personal regards, and again our appreciation from the State of Utah.

Sincerely yours,

RODNEY A. ASHBY,
Administrator, School Food Services.

STATEMENT OF HON. VERNON W. THOMSON, A REPRESENTATIVE IN CONGRESS
FROM THE STATE OF WISCONSIN

Mr. Chairman, I appear here today in support of my bill, H.R. 12854, which proposes to make the special milk program for children permanent.

Federal assistance in furnishing milk to children in schools, child care centers and institutions has the overwhelming approval of a vast majority of the people who we represent.

My bill would continue the special milk program as it is presently administered. I do not propose to introduce a "means test" as is proposed in bill H.R. 13361 offered by the Administration.

I do not subscribe to the idea that in furnishing milk to our children we discriminate between them on the basis of family income or other distinguishing factors. I am sure school administrators would not want to discriminate between children in administering the program.

The special milk program has been effective in three respects: (a) It has provided a market for milk, thus aiding the hard pressed dairy farmer. (b) It has increased health standards. (c) It has provided for new milk consumers and keeps old ones as consumers because they have become accustomed to drinking milk.

There are definite advantages to making the special school milk program permanent. Public resentment over the President's proposal to cut back on funds for the program clearly shows that parents demand the milk program be made permanent.

The people responsible for formulating school and institutional budgets qualifying for the milk program will be able to plan with the certainty of knowing they will have funds to pay the cost of the milk program. This, I am sure, is a very important consideration for school administrators and school boards.

Another consideration, though not as important as those already stated, is that Congress should settle the matter once and for all and not quibble about the program every year.

I sincerely hope that the Committee on Agriculture which fully understands the value of the school milk program, its economic and health benefits, will support a permanent school milk program.

STATEMENT OF HON. PATSY T. MINK, A REPRESENTATIVE IN CONGRESS FROM
THE STATE OF HAWAII

Mr. Chairman, I am grateful for being given the opportunity to appear before this Committee today to testify in behalf of the Child Nutrition Act of 1966 and the Children's Milk Act of 1966.

On March 15, 1966, I introduced my bill, H.R. 13630, in response to the Administration's intention to reduce the Special Milk Program for fiscal 1967 to \$21 million from the \$103 million that was budgeted for it during the current fiscal year. This program has worked well since its inception in 1954, and I am reluctant to see it turned into a program for needy children only, thereby ignoring the benefits to the health of all the children who have been participating.

The Special Milk Program has been popular enough that over five million half-pints of milk are being consumed annually in Hawaii under its provisions. Now that the Administration has moved to re-direct this program to be one primarily for needy children, I am fearful that many youngsters who formerly received the milk at reduced rates will no longer benefit. Though I have no quarrel with the expansion of milk distribution to needy children, I believe we can afford to do both—provide milk free to those who would not otherwise get it, and also provide milk at reduced cost to those who are not stamped in the needy category. We must not lose sight of the incentive to drink milk that is offered all students, regardless of their means, when school officials push such a program as this.

The health-benefits of the Special Milk Program are so important to our Nation that I would hate to see it continue to be tied to the existence of dairy surpluses, as was true when the program was initiated. I am pleased to note that the proposed Child Nutrition Act of 1966, H.R. 13361, also departs from the principle of tying milk and lunch programs to agricultural surpluses.

One feature I do find questionable in the Child Nutrition Act, however, is the allotment of funds under Title II, the Special Milk Program section of the bill. Under Title II, 50% of the funds authorized for the Special Milk Program will be apportioned among the 50 states according to relative population figures for young people between the ages of 5 and 17. This is eminently fair. However, the remaining 50% shall be set aside for the discretion of the Secretary of Agriculture to distribute during the next two years according to proven need requests submitted by States, and the Secretary's decisions for the allocation of this 50% during these two years shall then become the permanent formula for Special Milk

assistance! Thus, some school districts of the country would be placed in a permanent deprived category, regardless of population or economic shifts in the future which cannot be foretold now. How much more desirable it would be, and how much stigma it would prevent being attached to such districts and students, if this program were expanded to fill the needs of those who cannot afford milk and still serve its present vital function of encouraging widespread milk consumption by all students.

With the other features of the Child Nutrition Act, I am in substantial agreement—the providing of lunches at reduced cost or no cost to children unable to pay, breakfast programs for needy children and for children who travel a long way to school, special food service programs for youngsters in camps and daycare centers on a seasonal basis, and funds for facilities for school food service where there are none in economically depressed areas.

However, the Child Nutrition Act of 1966 contains no mention of funds to be allotted for its various titles. If indeed the Special Milk Program is maintained at full level, or higher, then I will be in total concurrence. However, any cuts in Title II, in view of the established priorities of providing milk for first, schools without food service, secondly, needy children in schools with food service, and third, schools and nonprofit institutions for all children, I am concerned lest the trickle-down to all students in the third category will in effect be the same as the Administration's earlier proposal to cut the Special Milk Program by 80 percent.

Let me reiterate to make my position clear. I am in no way against the proposals to provide breakfast, lunches, and milk to needy children in America. I will stand fully behind such legislation. But I also will oppose any cutbacks in the Special Milk Program as it has been made available to all children for the past 12 years. We are concerned here not only with economic need, but with government sponsorship of food health for our Nation's youth. How can we afford to withdraw from such a principle?

STATEMENT OF TONY T. DECHANT, PRESIDENT, NATIONAL FARMERS UNION

Mr. Chairman and Members of the Committee, I want to thank the Chairman and Members of the Committee for this opportunity to present the views of National Farmers Union on H.R. 13361.

The objective of this legislation is to extend the benefits of the National School Lunch Program—a goal long supported by National Farmers Union. We have testified on a number of occasions in the past concerning the need to expand the program to schools now without any kind of feeding program and to make it more effective in meeting the nutritional needs of children in schools with a program.

We are especially pleased to learn that President Johnson, through Secretary Freeman, has indicated that he will ask for a special \$42 million supplemental appropriation to finance a low price lunch program in schools serving needy areas. We understand that Section 11 of the National School Lunch Act authorizes such a program.

In order that there will be no misunderstanding as to the position of Farmers Union, we endorse H.R. 13550 introduced by Chairman Cooley with bills also introduced by Congressman Stalbaum (H.R. 12805), Congressman Olson (H.R. 12984), Congressman Resnick (H.R. 13234), and Congressman Bandstra (H.R. 13668), and other members of the Congress to extend and make permanent the Special Milk Program. We believe that the progressive increases in funds up to a \$120 million by fiscal year 1969 is needed to meet the requirements of milk of an expanded school enrollment; therefore, we urge that the provisions of H.R. 13550 be approved in whatever form the committee sees fit, as a separate bill or incorporated in the Child Nutrition Act.

In this connection we would point out that Secretary Freeman has indicated that he would not object to making the School Milk Program permanent. Our organization earlier asked Congress to enact H.R. 13550, introduced by Chairman Cooley and co-sponsored by the above Members of the Committee. We believe this program is needed and that it can be justified in terms of nutritional need of school-age children.

The delegates to the recent convention of National Farmers Union, for example, spelled out their immediate and specific objectives in the Policy Statement of our organization as follows:

"School Lunch and School Milk.—Increased appropriations for school lunch and a permanent milk program to meet the need created by an expanding enrollment in our schools. Congress should continue to offer Federal aid for all partici-

pating children not just for underprivileged. We find several commendable proposals in the suggested Child Nutrition Act, particularly for grants in aid for kitchen and lunchroom equipment for schools now without a program, for a pilot school breakfast program and for efforts to expand total participation. However, we feel these new measures should be in addition to what is now being done, rather than as a replacement for it."

There is no more pathetic problem facing our Nation than that of children who arrive at school hungry. Learning is a futile effort for such children and a waste of the teaching and physical resources that may be dedicated to the task. We especially want to commend you, Chairman Cooley, for your understanding of the need for inaugurating a pilot breakfast program.

Further, we believe that the program provided by H.R. 13361 to establish a permanent program to assist low income school districts to acquire food service equipment is a meritorious step forward in the effort to close the nutritional gap that exists among our school-age children.

While we are greatly encouraged by the understanding and humane attitudes that the bill before the Committee reflects, we want to point out that additional funds must be appropriated by the Congress if the provisions of the bill are to be of maximum benefit to the Nation.

We know of no more important way to utilize the resources of our Nation than to expand the programs authorized under the School Lunch Act, as the bill would amend or expand it toward the goal of providing school-age children the food they need. *This effort should be made without regard to the financial status of the parents.*

In closing we would like to point out that the funds provided by Congress have, for the most part, been a very small percentage of the total of funds spent on school feeding programs. As the Secretary of Agriculture has pointed out, the \$325 million a year which the Federal Government has provided in dollars and in donated foods annually over the past few years is largely a catalyst to help provide the incentive for states and local communities to establish school feeding programs, contributing their own resources.

In every school where a program exists, there are dedicated employees and many volunteers who have made possible the School Lunch Program as we know it. They are to be commended because without their leadership, dedication and work the School Lunch Program would not have been the effective program that it is today.

Mr. POAGE. Our first witness listed is Congressman Stratton, who is not here.

Next is Congressman Horton, who is not here.

Next is Congressman Kastenmeier, who is not here.

Next we have Congressman McEwen, who is right here on the spot.

We shall be glad to hear from you.

STATEMENT OF HON. ROBERT C. McEWEN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

Mr. McEWEN. Mr. Chairman, first permit me to thank you and the distinguished members of your committee for affording me this opportunity to appear before you with reference to the Child Nutrition Act and the numerous bills designed to create a permanent special milk program for children. Undoubtedly, this Congress will long be remembered as one deeply appreciative of the value of sound nutritional concern for our Nation's youth. We have all long regarded the school lunch and special milk programs as efficiently run, well-administered, and soundly beneficial programs receiving well-deserved praise. Indeed, congressional restoration of the proposed budget cuts of \$19 and \$82 million for the school lunch and special milk programs served as eloquent witness of the Congress' awareness and interest in this vital area. As Chairman Cooley has said, "Both programs have worked well and have contributed to the health of many children."

Title II of the Child Nutrition Act incorporates the special milk program. I am not sure that this is desirable. Rather, I would prefer to see the special milk program remain separate and made permanent.

Though the program is basically a nutritional program, undoubtedly it has also assisted in raising the income of the dairy farmer by encouraging consumption of fluid milk, thus bringing about balance between supply and demand. This side effect is obviously desirable in that milk production has been dropping at a most alarming rate.

In April it was down 3.8 percent from that of April 1965; in March, down 4.6 percent; in February down 5.8 percent; and in January down 5.3 percent. I also note that as of January 1966 there were 6 percent fewer dairy cows on U.S. farms, in total the smallest number since 1900.

Because of the proven past success and effectiveness of the special milk program, I feel that it would be best to make this program permanent. This relatively modest investment in the health of our children should not be a temporary program nor subject to limitation and/or curtailment due to budget manipulations.

At this time I might also note that I do not think we should affix a "means test" to determine which schoolchild can receive his pint of milk under the program. In the era of the "Great Society" it appears somewhat incongruous that discussion is raised suggesting that an economically discriminatory program has to be launched.

Judging the special milk program on its past performance, we might easily conclude that the program should be made permanent, remain separate, and receive a graduated annual appropriation. This will insure its continued effectiveness in the ultimate and immediate interest of our Nation and its youth.

Mr. Chairman and gentlemen, I was pleased to note Chairman Cooley's remarks earlier this year when he took strong exception to providing the means test. I believe his words were:

The idea of a child having to be identified in a school as coming from a poor family to get a glass of milk is an affront to the child and his family.

One little aside I would make on that in conclusion. In a recent trip in my district I met with a young attorney who said that his own recollections of the depression years of the thirties were limited to one thing that was very vivid in his mind. He said:

I came from a family where fortunately my father had a job. I knew people were out of work but I was a little too young to understand the full impact and meaning of the economic depression.

He said:

I do recall as a student in grade school there came a time in the forenoon of the school day when certain of my classmates were called out by name to leave the room. The purpose of it was that they be given their free half pint of milk.

He said:

It wasn't long before these children were singled out and called out for that milk and became quite embarrassed about the fact they were poor children and were being treated differently from others.

He said:

I recall some of them were so embarrassed by it that they didn't want to participate.

I think this illustrates the point that Chairman Cooley made in his statement, to which I subscribe, and I hope that members of this committee do, also. We should not have any program which would indicate the need for a means test to determine who is to receive a half pint of milk.

I thank you for the opportunity of appearing before this committee.

Mr. POAGE. We thank you, Mr. McEwen.

We are very much obliged to you.

Mr. TEAGUE. I would like to commend Mr. McEwen on a very constructive and effective statement.

Mr. McEWEN. Thank you, Mr. Teague.

Mr. POAGE. Our next witness will be Congressman Horace R. Kornegay followed by Mr. Patrick B. Healy, the assistant secretary, National Milk Producers Association.

STATEMENT OF HON. HORACE R. KORNEGAY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NORTH CAROLINA

Mr. KORNEGAY. Mr. Chairman, I want to thank you and the other members of the committee for allowing me the opportunity to appear here today.

I know that this committee has many bills to consider and many witnesses to hear, so I will not indulge myself too long on your time and your patience.

However, I cannot overemphasize the importance of the subject matter before you and in this connection urge your usual very careful consideration of my bill, H.R. 13275, and all other similar proposals designed to permanently establish special milk programs for children.

The Honorable Dan K. Moore, Governor of my home State of North Carolina has said: "Nourishment of the body is an absolute prerequisite to nourishment of the mind, and you cannot teach a hungry child." This, Mr. Chairman is a fact, a reality. This is the foundation for the various special milk bills which rest—temporarily, I hope—with this committee.

H.R. 13275 would, briefly, allow the Secretary of Agriculture to encourage the consumption of fluid milk by children in nonprofit schools, nursery schools, childcare centers, settlement houses, summer camps and other nonprofit institutions which care for and train children.

The cost—\$105 million in 1967 and up to \$120 million after 1969—is minimal, compared with many appropriations passed by this Congress. While we are spending billions of dollars in establishing and maintaining aid programs throughout the far reaches of the world, certainly we can afford to spend \$120 million here at home to improve the nutritional status of our school-age children.

While my bill is national in scope in its application, I will speak more of its effect in the State of North Carolina for I am more familiar with past practices and future potential there.

The administration would redirect efforts in the special milk program by providing Federal assistance only to those schools which are participating in the special assistance school lunch program and would reduce the school milk budget by 80 percent, from \$103 million to \$21 million.

In North Carolina, this would deprive the children in 2,000 of our 2,300 schools of an extra half pint of milk, so vitally needed at the reduced cost of 3 to 4 cents per half pint. With an average price paid the distributor per half pint of 7 cents, this would mean—under the administration's proposal—that schools would have to sell milk for 8 to 10 cents per half pint and exclude those children participating in the special milk program who need it most.

Mr. Chairman and members of this committee, we should not and cannot save money by starving hungry children. Education is not an expense, it is an investment in the future of our country.

Certainly, the wealthiest Nation on the face of the earth can afford to spend this comparably paltry sum in an effort to provide proper nourishment for all our children. I heartily concur in any effort to give greater attention to the needy child who is unable to secure milk and food. But, it is fallacious to claim that only the impoverished child should share at the benevolent breast of his mother country. I say to you that to give a child in one row a glass of milk and say to him that I give this to you because you are poor and to give a glass of milk to the child sitting next to him in the next row and say to him that you must pay for this milk stigmatizes both. Immediately, the Federal Government puts a barrier between these two children and divides the haves and the have-nots in an elementary classroom.

I personally would not like to identify any child as poor or an orphan of the poverty war in order to qualify him as eligible to receive a glass of needed milk and I don't think any of you on this committee would either. I urge favorable action on this bill.

I, again, thank you for the opportunity to present this statement.

Mr. POAGE. Thank you Mr. Kornegay. Now we will hear Mr. Patrick B. Healy.

STATEMENT OF PATRICK B. HEALY, ASSISTANT SECRETARY, NATIONAL MILK PRODUCERS ASSOCIATION

Mr. HEALY. Mr. Chairman and members of the Committee, my name is Patrick B. Healy. I am the Assistant Secretary of the National Milk Producers Association, with offices at 30 F Street NW., in Washington, D.C.

With your permission I would like to file my statement and make a few brief comments on some of the more pertinent points which are raised in it.

Mr. POAGE. Without objection that may be done.

(Mr. Healy's statement follows:)

STATEMENT OF PATRICK B. HEALY, ASSISTANT SECRETARY, NATIONAL MILK PRODUCERS FEDERATION

Mr. Chairman, members of the Committee, I am Patrick B. Healy, assistant secretary of the National Milk Producers Federation, with offices at 30 F Street N.W., Washington, D.C..

The Federation represents cooperatives whose membership is made up of dairy farmers over the Nation. The Federation, therefore, speaks for milk producers.

We appreciate this opportunity to express the views of the nation's dairy farmers with reference to H.R. 13550 (Mr. Cooley), H.R. 12805 (Mr. Stalbaum), H.R. 12907 (Mr. Quie), H.R. 12984 (Mr. Olson), H.R. 13143 (Mr. Dole), H.R. 13204 (Mr. Harvey of Indiana), H.R. 13234 (Mr. Resnick), H.R. 13668 (Mr. Bandstra), which are identical to over 60 bills before the Congress, all of which are under consideration by this Committee and with reference to H.R. 13361.

H.R. 13361, a bill to establish a cooperative federal and state child nutrition program, provides for the following:

1. A national school lunch and child nutrition program quite similar to the program now administered under the National School Lunch Act.

2. A special milk program which, while it is patterned after the current Special Milk Program for Children, makes several significant changes.

3. A pilot program for school breakfasts.

4. A special food service program for children from areas in which poor economic conditions exist.

5. A non-food assistance program under which grants-in-aid can be made to schools to provide for the serving of food.

The National Milk Producers Federation has great concern for the poverty stricken people in the United States and it, without reservation, will support sound and effective measures which will provide needed assistance for this group of our people. In this regard it may be that the judgment of this Committee will result in provisions for exploration of pilot feeding programs in destitute areas and provisions for grants in aid which will allow schools located in economically depressed areas to take advantage of the School Lunch Program and the Special Milk Program for Children as they are now operated without impairing funds appropriated for the purchase of food under either of these programs.

We, therefore, have no objection to Titles 3, 4, and 5 of H.R. 13361. We feel, however, that if there is sufficient need for programs of this type, then they should be considered separately and judged on their merits alone. We do not believe that two programs which have been operated so successfully over so long a period of time as the School Lunch Program and the Special Milk Program for Children should be joined with programs aimed to assist the poverty stricken elements of our society.

We see no need for the Congress to consider re-writing the National School Lunch Act, as is contemplated in Title 1 of H.R. 13361, nor do we see any improvement in the Special Milk Program for Children as it is presented in Title 2 of H.R. 13361. It is, therefore, our recommendation that Titles 1 and 2 be stricken from the bill and that the Committee consider Titles 3, 4, and 5 on their merits as aids to children of destitute families or children who live in poverty stricken areas of this country.

H.R. 13550 (Mr. Cooley), H.R. 12805 (Mr. Stalbaum), H.R. 12907 (Mr. Quie), H.R. 12984 (Mr. Olson), H.R. 13143 (Mr. Dole), H.R. 13204 (Mr. Harvey of Indiana), H.R. 13234 (Mr. Resnick), H.R. 13668 (Mr. Bandstra), and some 60 similar bills are currently before this Committee. These bills make permanent the Special Milk Program for Children as it is now operated, provide authorization for funding the program with sufficient money to allow for a steady reasonable growth, and give the Secretary of Agriculture broader authorization in the re-allocation of funds. The National Milk Producers Federation fully supports these bills because the objectives of the Special Milk Program, as set forth by Congress, now are being realized. The stated purpose was to encourage children in schools and other nonprofit institutions to consume more milk to improve their diets, as well as helping dairy farmers by providing a market for fluid milk.

Continuation of the program also means that the acquisition of dairy products by the Commodity Credit Corporation is directly decreased, so that the costs for purchasing and storing dairy products under the price support program are reduced.

This program has expanded each year since 1954 when the first school in the Nation to come under the program—a school in Lodi, Wisconsin—served milk to its 530 pupils. Since that time, the number of schools and child-care centers participating has grown rapidly. In 1955, the program reimbursed 41,094

institutions for 449.8 million half-pints of milk. Participation increased to 92,005 outlets in 1965 and the use of nearly 3 billion half-pints of milk.

Certainly the program growth is evidence of overall public acceptance. It will continue to grow if the Congress will provide the needed funds and make the program permanent.

When a program works as well as this, it should be continued. We do not need a new program. Years of successful operation have already proven the worth of this one.

Over the years the Special Milk Program for Children has grown at the rate of approximately 5 percent per year. This is due to increased school enrollment and added participation. If the present growth rate continues, more funds will be required each year. These bills provide authorization to meet such future needs.

Sufficient funds are not available under the present program to reimburse the schools now taking part. The rate of payment to schools was cut to 95 percent in 1965, and was cut again to 90 percent in February of this year as a result of the impounding by the Bureau of the Budget of \$3 million which Congress had appropriated. These cuts have resulted in either a higher cost of milk to children, or to fewer children drinking milk, or both. The health and welfare of the children taking part in the program are too important to be sacrificed.

By making this law permanent as provided in these bills, schools can plan their programs for this year and for succeeding years. Now is the time to make this program permanent, as this modest investment in the health of our children should not be provided by a temporary program nor should it be limited for lack of funds.

While this program is primarily a nutritional program, it also has helped raise the income of the dairy farmer by encouraging the consumption of fluid milk, thereby bringing about a balance between supply and demand. The income of dairy farmers is too low, and as a result many are selling their herds and diverting their farm resources to other alternatives, or taking jobs in industry.

By improving the market for milk through enactment of these bills, we are making an investment in a strong dairy industry, which will be needed if this country is to supply the increasing needs of the American consumer in coming years.

During fiscal 1965, children drank nearly 3 billion half-pints of milk under the program. This amounts to 1.6 billion pounds of milk, about 3 percent of the total nonfarm consumption in this country. This milk represents the balancing factor which provided for badly needed increased farm income. It would be necessary for the Commodity Credit Corporation to purchase this milk in the form of manufactured dairy products, if the program were impaired, with the government paying for the dairy products, as well as the storage bill. Surely, the Children's Special Milk Act provides a wiser course to follow.

Another important provision of these bills is that they authorize the Secretary of Agriculture to re-allocate funds when it appears that a participating state would not be able to fully use the funds allocated to it, thereby providing for maximum utilization of available funds and encouraging optimum participation by children.

Because of this program, many children of destitute families receive milk they otherwise could not afford. More will benefit in the future if this bill is passed. Prices for dairy products will be stabilized because of a continued market for the milk used by the children. The farmer, who has been forced to accept low prices in the past, will be assured of this market for fluid milk.

To continue this program, which already has received such wide acceptance, and to provide for adequate financing, we support these bills. In authorizing the funds for the fiscal year ending June 30, 1967, and thereafter, these bills will insure that all nonprofit schools and nonprofit nursery schools, child-care centers, settlement houses, summer camps, and similar nonprofit institutions devoted to the care and training of children can continue to provide for them the nutritional benefits available under the program.

The National Milk Producers Federation sincerely appreciates the interest of this Committee in this further study of the Special Milk Program for Children, and it appreciates the efforts of this Committee which are evidenced by this study to provide the best possible legislative authority for this program. It is our judgment, however, that the program can best be administered and provide the most good for the greatest number of children if it remains separate from the National School Lunch Act and separate from measures designed to aid the destitute. We, therefore, continue in support of the legislation now pending before this

Committee which would provide continuing authority for the Special Milk Program for Children as a separate program under separate Congressional authority and funded separately.

In essence, what we are recommending is a continuation of a program which has enjoyed tremendous success as it is now instituted. We, of course, believe that there must be a continuing increase in authority for funds sufficient to meet the growing demands, such as is provided for in these bills.

May we again express our appreciation to this Committee for its concern over these programs which provide so vital a part in the development of a national sound nutrition program for children.

Mr. HEALY. The National Milk Producers Federation is a national farm commodity organization made up of dairy farmer co-operatives doing business in every State in the Union. We appreciate this opportunity to express the views of the Nation's dairy farmers on some 60 bills, 8 of which were introduced by members of this committee, which are designed to make the special milk program for children a permanent program.

We also appreciate the opportunity to express our views on H.R. 13361, the child nutrition program, and I would like to address myself to that bill first. H.R. 13361 provides five things:

First, a rewrite of the national school lunch program, which is quite similar to the one now administered under the School Lunch Act.

Second, a special milk program which, while it is patterned after the current program, makes several significant changes.

Third, a pilot program for school breakfast.

Fourth, a special food service program for children in areas in which poor economic conditions exist.

Five, some nonfood assistance under which grants in aid can be made to schools.

The National Milk Producers Federation has great concern for the poverty-stricken people of this country and we will support sound and effective measures to provide assistance to this group of people within our population. We therefore have no objection to titles III, IV and V of H.R. 13361. However, we do feel that if a real need exists for the types of programs outlined in these last three titles of the bill, then they should be judged separately on their own merits. We see no need to rewrite the National School Lunch Act as is contemplated in title I of the bill, nor do we see any improvement in the special milk program as it is presented in title II. Instead we feel that title II contains many provisions which would seriously impair the special milk program.

We were happy to hear Secretary Freeman say yesterday:

If the Committee would prefer to substitute for Title II language that of existing authority under which the Special Milk Program is administered, we have no objection.

It of course would be necessary to provide continuing authorization for the special milk program because the authority runs out in June of next year. Such authority is contained in these 60 bills which are currently pending before your committee. These bills make the special milk program permanent. They provide authority for appropriations in the amount of \$110 million for the fiscal year ending 1967, \$115 million for 1968, and not less than \$120 million for 1969 and thereafter.

The bills also provide authority for the Secretary of Agriculture to reallocate funds when he finds that they can be used better in other States.

It is indeed a pleasure to come before the Congress to plead a case for a program which has been so eminently successful. In 1955, under the special milk program, milk was served in about 41,000 institutions, and there were about 450 million half pints of milk served.

In 1965, 10 years later, 92,000 institutions had adopted the program, and over 3 billion half pints of milk were served under it.

This represents a growth rate of about 5 percent per year, and such a growth rate is evidence of complete acceptance by all concerned of this program. It is evidence of acceptance by the Congress which has continued to provide funds for it; by the administration which has continued to administer it in the best possible way; the schools have accepted it; the general public has accepted it, as have the people who supply the program.

Therefore, without qualification we in the National Milk Producers Federation support these some 60 bills which would provide continuing authority for the special milk program for children as a sound program, one under separate congressional authorization and one funded separately.

What we are saying, is that we have two fine programs working in the Nation's schools—the School Lunch Act and the school milk program. These should continue as separate programs so they can enjoy the acceptance which they have enjoyed heretofore, and therefore no action need be taken on the School Lunch Act. Action is needed on the special milk program and it should be taken on the bills which continue it as a separate program so it can be operated where we can watch it and where you can watch it and we can continue to see that it is operated in such a way as was intended.

Third, if there is a need for special assistance programs for destitute children or children who live in areas in which poor economic conditions exist we, of course, support that. However, let us not ruin or impair two fine programs merely to gain consideration for programs which may be needed.

That concludes what I have to say.

Mr. POAGE. Thank you very much, Mr. Healy.

Questions?

Mr. O'NEAL. Do I detect from what you have said, perhaps between the lines, that you like the Ellender amendment better than you do the House bill?

Mr. HEALY. Somewhat. But, Mr. O'Neal, I testified in the Senate on Tuesday, somewhat as I am testifying here.

In this H.R. 13361 I think we have a complete statement of what the administration would like to do with these two programs. We would not like to put them together because as soon as you get them together you get a big fund of money—

Mr. O'NEAL. The Ellender amendment would separate them, would it not?

Mr. HEALY. No, sir, it puts the school milk program in the School Lunch Act. Also section 18 of this S. 3467, which is the Ellender bill, section 18 of that bill writes the Economic Opportunity Act into the school milk program, which we object to very much.

Mr. O'NEAL. I didn't realize that and I am glad you pointed that out.

Mr. HEALY. In this bill, for instance, here is one of the prime things we would object to, page 13—

Mr. O'NEAL. What are you reading from?

Mr. HEALY. H.R. 13361, page 13. Section 203 sets up priorities under which funds under the special milk program can be disbursed, you see.

It says:

First funds must be made available to schools without a food service; second, they must be made available for needy children in schools with a food service; third, if available funds permit to schools and non-profit institutions for all children.

Such things would completely impair this program and it has been so good and has done so much not only for the nutrition of school-children but it is a very real part of the dairy price-support program and one upon which the dairy farmers of this country depend to a very great extent. I think it would be disastrous to the program to mix it in and put limits and priorities on it.

Mr. O'NEAL. Could bring about trouble?

Mr. HEALY. Very, very much trouble; yes, sir.

Mr. O'NEAL. That is all.

Mr. POAGE. Thank you, Mr. O'Neal.

If there are no further questions we are very much obliged to you, Mr. Healy, and we appreciate your statement.

Mr. HEALY. Thank you.

Mr. POAGE. Mr. Stratton has come in. We will be glad to hear from you now, Mr. Stratton.

STATEMENT OF HON. SAMUEL S. STRATTON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

Mr. STRATTON. Thank you very much, Mr. Chairman.

I have a brief prepared statement but I think in the interest of time perhaps I can just summarize my sentiments. I have introduced H.R. 13439 which is legislation similar to that introduced by a number of other Members of Congress entitled "The Children's Special Milk Act of 1966" and my sentiments echo those of the previous witness and I believe several of the other witnesses who have testified; namely, that I feel strongly as a representative of a major dairy constituency that we ought not to change the special milk program for children to one that would be directed specifically toward needy children, but rather should continue it in the present fashion. That basically is what this legislation is designed to do and, in effect, it would prevent any future attempt to alter this purpose by adjustments in the budget request.

Of course, this year, as we all know, the action of the Congress has continued the special milk program, in spite of the President's recommendations to the contrary. But it was my feeling, and I am sure other Members felt the same way, that perhaps we ought to nail down our intention along this line somewhat more firmly in legislation rather than let the program be subject to budget recommendations on a year-to-year basis.

I have not had a chance to study in detail the chairman's legislation, the Child Nutrition Act of 1966, H.R. 13361, but my general impression after a rather hasty review of it, is that it does tend to alter the emphasis of the programs that we have had in the past, particularly the milk program, from one of providing milk to all children regardless of economic status, to one that is basically a welfare or an economic opportunity program. I think that change would be a mistake. I think in practice the idea of lining children up in the school restaurant so that those who are in one economic category would go through one milk line and those in another economic category would go through another milk line would be most improper and indefensible.

We who have had an opportunity to learn something about the dairy industry realize that milk is certainly the basic and most nourishing food. Children should have plenty of it regardless of their economic status. The school milk program has been one of the best devices that we have had in the past, not only for helping those youngsters that may not get adequate nourishment at home because of lack of economic resources, but also for encouraging other youngsters who might otherwise spend their money on less nourishing types of beverages to drink the milk that they do need.

I think it is also perfectly clear that this special milk program has not been without its help to the dairy farmers as well. Our dairy farmers, at least until recent months, have had great difficulty in trying to deal with a problem of surplus milk. We have seen the struggle they have made to obtain additional markets for their product. Well, over the years the school milk program has been a pretty reliable market. To make any drastic cut in that program now would not only hurt the schoolchildren of the Nation but it would also hurt the dairy farmers as well.

For that reason, too, I oppose the suggestion that we ought to reduce our special milk program to one limited only to needy children. Instead I believe we should continue it on a permanent basis. That is what my legislation would do.

Mr. POAGE. Thank you very much, Mr. Stratton.

Questions?

If not we are very much obliged to you and delighted to have you before our committee, Mr. Stratton.

Mr. STRATTON. Thank you very much, Mr. Chairman.

I would like to file my prepared statement for the record.

Mr. POAGE. Without objection, that will be done.

(The statement follows:)

STATEMENT OF HON. SAMUEL S. STRATTON, A REPRESENTATIVE IN CONGRESS
FROM THE STATE OF NEW YORK

Thank you, Mr. Chairman, I am glad to have the opportunity to testify today on behalf of my bill, H.R. 13439, that would provide for a permanent and expanded school milk program. I would also like to comment generally on the proposals to use our agricultural commodities to assure better nutrition for all our children.

As representative of one of the largest dairy districts in the nation, my interest in the school milk program is twofold. First, I believe these programs have done a great deal toward improving the health of our children and created a far better educational atmosphere in our schools. Secondly, by increasing the use of dairy

products this program assists our nation's dairy farmers whose income presently suffer from a combination of over production and rising costs.

The present school milk and school lunch programs have been perhaps the most successful economic opportunity programs Congress ever established. I believe one of the reasons for their success is due to the fact that they were not conceived as welfare programs or child subsidy programs. Rather this national asset was used to assure all our children with fresh milk and a good lunch. This was done in a way that did not single out disadvantaged children from their more fortunate contemporaries. Every school child was provided more nutritious diets.

I strongly favor making this program permanent and expanding its scope. We recently passed the Food for Freedom Act. I am sure that expanding a domestic program along similar lines would also be well received.

We have seen already how successful these programs have been. With low administrative costs over 5,000 schools in my home state of New York have participated in this program and over one and one half million children in New York State have been assured fresh milk.

These programs should be continued and expanded, but they should not be put on a welfare basis. I think it would be a drastic mistake to say that free milk or low cost lunches would only be given to children with family incomes below a certain level. I am sure that very few people would be worried if children from more fortunate economic circumstances also shared in a program of child nutrition.

I firmly believe, Mr. Chairman, that in the long run the answer to poverty is education, not welfare. I also believe that if we introduce a welfare program into the daily activities of our schools that we will make the job of giving all our children an equal opportunity more difficult. The school should not be forced to dole out welfare. Instead they should be a place where each child is received on an equal footing. Stamp plans or bread lines have no place in our schools. If the program required this it would bring into the schools the stigmas of inequality that continue to plague our society.

I would also like to comment on the importance of this program to the American farmer. I am sure that many of my colleagues have been disturbed as I have been by assertions in recent weeks that somehow the farmer has been responsible for inflation. The truth is that the farmer has instead of becoming richer has become poorer. Maybe the price on the grocery shelf is higher, but the income the farmer has left after paying the increased costs of production out of the return he actually gets has been seriously squeezed.

No sector of the American economy is more clearly preeminent in the world today than agriculture. It is abundantly clear that the American farmer and the American farm industry is the most productive and most efficient in the world today. Our nation's superiority in this field has caused many domestic problems of surplus commodities and farm income. The Food for Freedom and expanded child nutrition programs will put this abundance to work. Instead of apologizing for our success in the field of agriculture we should exploit it. In doing so we will improve the nutrition of all our children, boost the income of our farmers, and improve our image around the world.

In conclusion, Mr. Chairman, I strongly urge the expansion of these programs and recommend that every effort be made to put them on a basis from which all children will benefit.

Thank you again, Mr. Chairman, for the opportunity to testify and for the attention of the Committee members.

Mr. POAGE. I understand Congressman Kastenmeier has asked that we insert his statement in the record.

Without objection, that will be done.

(The following statements and letter were also submitted to the committee:)

STATEMENT OF HON. CHARLES E. BENNETT, A REPRESENTATIVE IN CONGRESS
FROM THE STATE OF FLORIDA

Mr. Chairman, not all Americans are fortunate enough to choose what and when they eat, and many young people today lack a basic nutrition intake, which hampers their growth to maturity.

As a member of the Armed Services Committee, I see that almost one-half of the young people who fail the pre-induction examination for military service are

turned down because of physical deficiencies. This is a great detriment to our national defense, and perhaps through programs such as the Child Nutrition Act this percentage of physical rejects may be cut.

I am sure you are aware that my state of Florida is the source of seventy percent of the nation's citrus products, and our citrus production is expected to double in the next five years. Leaders in the Florida citrus industry assure me that enactment of the Child Nutrition Act, which I understand may specify the use of citrus in the breakfast program, will not place a drain on the nation's citrus supply. They anticipate that greater volume consumption will bring about an eventual price reduction for the general consumer. It is undisputed that very few, if any, other foods hold the vitamin content of citrus, and I think all American children should have the opportunity to have the advantage of vitamin-filled citrus products in their diets.

STATEMENT OF HON. FRANK HORTON, A REPRESENTATIVE IN CONGRESS FROM
THE STATE OF NEW YORK

Mr. Chairman, it is a great privilege for me to have the opportunity to appear here today before you and the other distinguished members of your Committee to speak in behalf of my bill, H.R. 12804, the Children's Special Milk Act.

I shared the concern of the Nation when the Special Milk Program was threatened by the proposed cut in the Agriculture appropriations for Fiscal Year 1967. The funds for this Program would have been slashed from \$103 to \$21 million, thus destroying the program.

I, likewise, shared the relief and joy of the Nation when the House of Representatives passed the Agriculture Appropriations for Fiscal Year 1967 with the funds necessary for the continuation of this program restored.

Although a portion of my purpose in introducing H.R. 12804 would be satisfied by the enactment of the Agriculture Appropriations bill as we passed it, I do not feel it is sufficient to merely extend the program for one more year. My bill provides for the permanent establishment of the Children's Special Milk Program.

The Special Milk Program, which was originated in 1954, has been an important and effective element in improving nutrition among our children. In Fiscal Year 1965 the program was used by 29,005 schools and child care institutions where nearly 3 billion half pints of milk were consumed. Nearly 22,000 more schools and child care institutions participated in this program than in the School Lunch Program. The Special Milk Program benefited approximately 16 million children.

These facts alone are sufficient to show the far-reaching importance of this program to the health of our children, for the nutritious benefits of milk need no discussion.

The Special Milk Program has a further benefit: it provides a fluid milk market for our dairy farmers. Rather than providing direct subsidy to the dairy farmers, this program stimulates the consumption of milk, thereby reducing the need for Government purchases and price supports. The program likewise reduces the necessity for subsequent sale of manufactured dairy products to the Commodity Credit Corporation. In my home State of New York, as elsewhere, milk used for fluid purposes returns more money to dairy farmers than the same milk if manufactured into such products as butter, cheese, or non fat dry milk. The price difference in New York to the dairy farmers is approximately \$3 million per hundredweight. Consequently, last year alone the dairy farmers in New York received \$4.5 million additional from sales of milk made through the Special Milk Program for Children. At the same time, the children who participated in the more than 6,000 outlets in the State purchased their milk at approximately 3 cents per half-pint less than the market price.

The exceptionally effective Special Milk Program is well established and has proved highly beneficial to the school children of America as well as to the dairy industry. To reduce or remove a program which has cost so little when considering the benefits it has provided would be, indeed, unfortunate. The continuing encouragement of the growth of this program is essential both to the health of our children and the welfare of our dairy industry.

Mr. Chairman, I urge your Committee's favorable consideration of my proposal to make the Children's Special Milk Program permanent.

STATEMENT OF HON. ROBERT W. KASTENMEIER, A REPRESENTATIVE IN CONGRESS
FROM THE STATE OF WISCONSIN

Thank you, Mr. Chairman, for the opportunity to testify here today in favor of my bill, H.R. 13273, the Children's Special Milk Act.

The school milk program is universally accepted and depended upon throughout America. Originally set up as only a school program, this special milk program was later expanded to include summer camps, nursery centers, and other child-care institutions. It is estimated that upwards of 26 million children in approximately 93,000 schools throughout our Nation consumed over 3 billion half pints of milk, providing them with necessary and essential nutritional benefits. Although the program is not compulsory, it encourages children to drink more milk by making it available at a price that most children can afford.

Recently, the House successfully restored the proposed cut in appropriations for the existing school milk program. This program is so much a part of school life that there is little doubt that Congress will allow any reduction. Congress, however, can and should go one step further by giving the program full Congressional endorsement on a permanent basis.

Furthermore, I would like to emphasize what I consider to be a most crucial and far-reaching effect that a permanent school milk program will have on America's dairy industry. This program has provided the dairy farmer with a market for his products. Today, however, due to the proposed increases in cheese imports and only moderate price support levels, the dairy farmer is facing an economic crisis. This type of crippling policy prevents the dairy farmer from getting a fair return for his efforts and his investment. The farmer already in dairying is tempted with attractive real estate prices for his land, employment opportunities in nearby towns and high meat prices for his cattle. It is practically impossible to encourage young men to go into dairying. As a matter of fact, a large scale exodus away from dairy farming is now in progress. The decrease in production which began in the last part of 1965 is still continuing. The May 1966 figures show Wisconsin production down some 6 percent below that of 1965, Minnesota, a 7 percent decrease and Iowa, a 7 percent decrease.

We must stimulate markets for our dairy products and the enactment of a permanent school milk program will not only provide our youngsters with nutrients essential for good health but also, insure a continuing market for dairy products and provide needed assurance that Congress supports programs of full parity for the dairy farmer.

STATEMENT OF HON. ANCHER NELSEN, A REPRESENTATIVE IN CONGRESS FROM
THE STATE OF MINNESOTA

Mr. Chairman, Members of the Committee, I appreciate this opportunity to present a statement in support of my bill, H.R. 12846, which provides for a permanent special milk program for children. My bill would expand and permanently establish the present Special Milk Program, which will expire at the end of the 1967 fiscal year unless new authorizing legislation is adopted.

Last year Congress appropriated \$103 million for the school milk program. However, the Bureau of the Budget decided to withhold \$3 million of that appropriation, thus forcing a cut in the Federal reimbursement rate in the face of the clear mandate from Congress to expand the program. As we all know, the House voted earlier this year to reject the proposed gutting of the program suggested by the same Bureau of the Budget and the Department of Agriculture by refusing to go along with a cut in the appropriations from \$103 million down to \$21 million.

Mr. Chairman, my bill would authorize the appropriation of not less than \$110 for the school milk program for the 1967 fiscal year; not less than \$115 million in fiscal 1968; and not less than \$120 million in each succeeding fiscal year after 1969. The bill would not change the existing program, but it would provide for adequate funding in future years to allow for expanding school enrollments and for increased participation by schools, nurseries, summer camps and childcare institutions not now receiving program assistance.

My bill would also extend the benefits of the school milk program to the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa in addition to the fifty States and the District of Columbia. I understand that there is some reluctance on the part of the Department of Agriculture to carry the school milk program into some of these areas because of a shortage of raw

milk locally. I am sure that our dairy industry possesses the knowhow to make available to these milk-deficit areas any number of forms of milk which can be easily stored and shipped. The million of gallons of milk which have been provided to children through various government and private food-aid programs are mute testimony against this line of reasoning. Surely if these products can be made available to children in countries in which the United States has no legal obligations, they should be made available to children in our territories.

Mr. Chairman, the Special Milk Program was never intended as a relief program nor was it designed to provide nutrition only for those children who could not acquire these products for themselves. The Agricultural Act of 1961, which altered the financing aspects of the program, authorized the appropriation of "such sums as may be necessary to enable the Secretary of Agriculture to encourage consumption of fluid milk by children in the United States." As any nutrition expert will tell you, poor children are by no means the only children who need to be encouraged to improve their diets.

The Special Milk Program established in 1954 was not intended as a temporary program. Because of the program, schools in all income levels built expensive facilities in order to participate. Any change now which would have the effect of making the program economically unfeasible in many school districts because of the rising costs of all other aspects of modern education will pull the rug out from under hard-pressed school boards and leave the children high and dry. The enactment of my bill would, once and for all, settle the question of the level of appropriations for the children's milk program.

While the primary purpose of this program is to improve the diets of our schoolchildren and thus better enable them to profit from their education, it is obvious that any cutback in the program would have serious effects on our dairy industry. Last year, the Special Milk Program consumed over 3 billion half-pints of milk. This rate of consumption is important for an industry which is losing many of its best dairy farmers because of low returns on their investments. Low dairy income has driven so many dairy farmers into other occupations that milk production reached a 26-year low last month. At a time when the milk shortage is growing steadily worse, it would be a very unwise and short-sighted policy indeed to slash dairy income and thus force more producers out of business.

Mr. Chairman, I am becoming increasingly confused as to just where the Administration stands on the Special Milk Program. We are all familiar with the efforts this year to cut the program back drastically; efforts which have not yet ceased. The Director of the Bureau of the Budget, Charles L. Schultze, is now complaining about the House's action to restore funds for the program. The Senate Agriculture Committee is still being urged by Administration spokesmen to cut the funds. And now the Secretary of Agriculture has testified before this Committee in connection with the Child Nutrition Act that while the milk program included in that legislation would cut the overall program back, on the other hand, "if the Committee would prefer to substitute for the Title II language that of the existing authority under which the Special Milk Program is administered, we would have no objection."

So round and round we go on the credibility merry-go-round. At any rate, I want to make my position on the Special Milk Program quite clear. I favor and would urge the Committee to take favorable action to extend and make permanent the Special Milk Program as outlined in my bill, H.R. 12846, either as separate legislation or as part of the Child Nutrition Act if H.R. 13361 is reported out by the Committee. We should not and will not sacrifice the well-being of our schoolchildren in order to finance new, questionable Great Society programs. Positive action by Congress is needed to end the confusion and keep the school milk program operating.

Again I thank the Chairman and the Committee for this opportunity to express my opinions concerning this important legislation.

STATEMENT OF HON. WILLIAM L. SPRINGER, A REPRESENTATIVE IN CONGRESS
FROM THE STATE OF ILLINOIS

Mr. Chairman, I appreciate this opportunity to testify briefly in support of my bill, H.R. 14439, to provide a permanent special milk program for children. This is one of numerous bills before your committee which would accomplish the same purpose: make permanent the type of program we have had under temporary legislation since 1954. The bills differ in detail but all would strengthen a program that has been a major influence in improving the health of our children.

Unlike the Administration's proposal my bill will benefit all children, not just a certain class of children. When it comes to milk all children are needy. Although the special milk program originated during the Eisenhower Administration as a measure designed to assist our dairy farmers by promoting increased consumption of surplus milk, it proved to be an effective means of achieving higher standards of nutrition for America's schoolchildren. Through this program 25 million children in 93,000 schools received more than 3 billion one-half pints of milk in 1965.

Under the President's proposal, only children in schools not having lunch programs, and only a certain class of children in schools with lunch programs, would be eligible for low-cost milk. I wholeheartedly favor the appropriation of sufficient money to assure full participation of children from impoverished families and schools in impoverished areas in both the special milk and lunch programs. But I believe this financial assistance should be extended without jeopardy to the nutritional requirements of all our children.

In any Gallup poll on the popularity of federal aid programs I am confident that the special milk program would rank close to the top of the list. It is a good investment in America's future. Let's keep it.

STATEMENT OF HON. WILLIAM B. WIDNALL, A REPRESENTATIVE IN CONGRESS
FROM THE STATE OF NEW JERSEY

Mr. Chairman and members of the Committee, I appreciate the opportunity to appear before your Committee today during your hearings on H.R. 13361 and 65 other bills dealing with extension of the school milk program.

This school milk program is a matter of deep concern to New Jersey citizens, many of whom have supported my own bill, H.R. 13006, to provide a permanent school milk program for children. They have strongly opposed the budget cut proposed by President Johnson for the year 1966-67 which would reduce the appropriation for the school milk program from \$103 million to \$21 million. A report by the New Jersey Agricultural Experiment Station shows that such a cut would force a reduction of 9 million half pints of milk in the school lunch program in New Jersey, and a reduction of 20 million half pints of milk in the school milk program of New Jersey.

Such a drastic cut cannot be justified, at a time when many less important and less worthy programs are being funded by the Congress at the request of this Administration. In its report on the Department of Agriculture Bill for 1967 the Appropriations Committee, which restored the full amount of the cut, and provided the entire \$103 million, said the proposed Budget cut was one of the most drastic reductions presented to the Committee in the 1967 budget, and pointed out that it would deny supplemental milk to about 80 percent of the school children now receiving such milk. The Committee's report added that the cut would place a stigma on those children receiving milk which could "substantially reduce the number of children who would participate."

On May 7, this year, the New Jersey State Federation of District Boards of Education adopted a resolution at its annual delegates meeting which declared that "the taking of food or milk (nutritional staples) from children is a disservice to the health and welfare of youth" and petitioned the State's representatives in Congress to "maintain the food services and without a decrease in financial support".

The New Jersey Youth Division on March 3, this year, advised me that it was opposed to the proposed cut in the school lunch and school milk programs which could adversely affect the health of many children in New Jersey, and made the following points in explanation of its stand:

1. No school lunch program or special milk program will be able to operate at the present cost to students without either local or State subsidy.
2. Past experience and studies clearly demonstrate that raising the cost to students cuts their participation in these programs.
3. Many children, regardless of economic level, go to school without breakfast. The unavailability of a school lunch will deprive many students of the opportunity for adequate nutrition.
4. The school lunch and special milk programs were established as an educational tool for teaching children good nutrition, and such education needs to be strengthened, not cut back.

Included among the statements of opposition to the proposed budget cuts in the school lunch and school milk programs which I have received are letters from—

- State Federation of District Boards of Education of New Jersey
- State of New Jersey Youth Division
- Washington Township Board of Education
- Ramapo Regional High School District
- Board of Education, Borough of Ringwood, N.J.
- Warren County Board of Agriculture
- Board of Education, Mansfield Township
- Warren County School Superintendents Association
- Stanhope Board of Education
- Board of Education, Township of Saddle Brook, Bergen County
- Washington Township Parent-Teacher Association
- Garden State Milk Council
- Board of Education, Rutherford, N.J.
- Readington Township Board of Education
- Lebanon Township Board of Education, Califon, N.J.
- Board of Education, Borough of Hopatcong
- Dairymen's League Cooperative Association
- Memorial Junior High School

STATEMENT OF JOHN C. YORK, GENERAL MANAGER, EASTERN MILK PRODUCERS COOPERATIVE ASSOCIATION, INC.

My name is John C. York. I am General Manager of Eastern Milk Producers Cooperative Association, Inc., whose offices are located in Syracuse, New York. The mailing address is Kinne Road, Syracuse, New York 13214.

Eastern Milk Producers Cooperative Association, Inc., has a membership of approximately 10,000 dairy farmers who are engaged in the production of milk suitable for fluid consumption, that is, for sale as bottled milk or cream. Their farms are situated in the Northeast, and preponderantly in the States of New York and Pennsylvania. That portion of the milk which is destined for fluid consumption is sold in the New York-New Jersey market and in other markets in the northeast. The portion which is not so disposed of finds its way into manufacturing channels.

EASTERN'S POSITION

Our Association strongly favors the continuation of the Special Milk Program as it has operated heretofore, and in accordance with the action of the House of Representatives on April 6, 1966, whereby it approved an appropriation of \$103 million for the Special Milk Program for fiscal 1967.

The budgetary proposal this year to reduce the appropriation to \$21 million has engendered turmoil and consternation, as this Committee is well aware. Protests against the proposal were made not only by dairy farmers, but even more so by school officials, school children and people from every walk of life. They were perplexed and hurt by what was proposed.

To settle this matter once and for all, we urge the enactment of the proposed "Children's Special Milk Act of 1966" as set forth in the several bills before this Committee. The enactment of the proposed measure would make assurance doubly sure that the children's milk program is a permanent thing, and that it is not to be tampered with according to the whim of executive offices. It would spare us in the years to come the anguish and confusion we experienced this year. Furthermore, it would provide for the expansion of the program in an orderly manner as the population expands.

There is also pending before this Committee the proposed "Child Nutrition Act of 1966." We support the enactment of this measure. We suggest, however, that the milk program be provided for separately through the enactment of the proposed "Children's Special Milk Act of 1966," rather than be made a part of the other measure.

BASIS OF EASTERN'S POSITION

The position of Eastern Milk Producers Association in favor of a children's milk program is well known. Most recently this position was set forth in our statement published in the Congressional Record of June 16, 1966, beginning at page 12853.

In that statement we showed that, unless the children's milk program is continued as heretofore, the loss in income to dairy farmers would amount to approxi-

mately \$26 million yearly. This is based on the fact that milk not distributed to school children would be converted to manufactured dairy products. The return to dairy farmers for this milk would thereby be reduced by \$1.99 per hundred-weight of milk.

In the New York-New Jersey market, where most of our milk is shipped, 47.3 percent of all deliveries by producers during 1965 was used to make manufactured dairy products, or was sold as non-farm-inspected cream. During March 1966 the corresponding figure was 47.4 percent. Obviously, whatever the supply conditions in other parts of the country may be, there is no shortage of fluid milk in the New York-New Jersey area.

We are still struggling with a surplus problem. Hence, a reduction in the volume of school milk distributed in our area would increase still further the proportion of milk used for the lower-priced manufactured products, with a consequent loss of income to dairy farmers.

In the statement published in the Congressional Record, we said as follows, and I will quote only a few sentences:

"Milk producers supplying the New York City area have had a quarter of a century of experience with the Federally-sponsored children's milk program. A program of this type was first introduced in New York City in 1940 and was known as the "School Milk Program", and, more popularly, as the "Penny Milk Program". Children in schools paid one cent for a half-pint of milk. The Federal payment which made this possible came from funds appropriated by Section 32.

"From New York City the program spread to other sections of the country, but it was suspended during the period of World War II.

"The Children's Milk Program now in operation was authorized by the Agricultural Act of 1954. To distinguish this program from the earlier 1940 program, the Department of Agriculture gave it the name of 'Special Milk Program'.

"The importance which the Congress placed on Federal assistance to increasing the consumption of milk by children of school age is indicated in its declaration of policy in the Agricultural Act of 1954. The Congress stated: 'The production and use of abundant supplies of high quality milk and dairy products are essential to the health and general welfare of the Nation'.

As indicated before, we support the enactment of the proposed "Child Nutrition Act of 1966." There can be no better investment than money spent for the improvement of the nutrition of children. The enactment of the "Child Nutrition Act" should not be effected, however, at the expense of the children's milk program. Nor should it be necessary to dismantle the milk program in order to initiate some other nutrition program, any more than it is necessary to tear down this beautiful Capitol in order to extend the west front.

In other words, our position is that the 25 year old children's milk program should be continued as heretofore, and that any other nutritional programs, should be introduced as separate operations. The basis for our position is that the milk program covers all children, irrespective of income status and should continue to do so, while some of the other feeding programs would, in the nature of things, have to be limited to needy children.

CONCLUSION

To conclude, I wish to reiterate that we favor the enactment of both measures under consideration, and urge that they be treated separately.

Mr. Chairman, I wish to thank you and the Committee for affording me the opportunity to appear before you.

CALIFORNIA DEPARTMENT OF AGRICULTURE,
Sacramento, Calif., June 24, 1966.

Hon. HAROLD D. COOLEY,
*Chairman, House Committee on Agriculture,
House Office Building, Washington, D.C.*

DEAR CONGRESSMAN: I wish to take this opportunity to urge the approval of H.R. 12806 and H.R. 13888, introduced by Congressmen B. F. Sisk, and John V. Tunney, respectively, both from California, and also introduced by many other Congressmen.

This legislation makes permanent the Special Milk Program and authorizes the appropriation of funds needed to expand the program to keep pace with our population growth.

The accomplishments of the Special Milk Program in improving the nutritional food habits of our children are very great. Milk is a vital and necessary element in the diet of children. Many children get no milk or very little milk at home and must look to the Special Milk Program to supply this essential food.

The Program has operated successfully in California, as well as in other parts of the country since its inception. It would be a tragedy to fail to continue or to reduce its effectiveness.

Also, we are fully in accord with the purposes of the proposed Child Nutrition Act of 1966, H. R. 13361, which you have introduced, and S. 3467 introduced by Senator Allen J. Ellender, and which will fill a great need in improving the overall child nutrition program. This program gives high priority to children in low-income or poverty areas not now being reached by the Special Milk or the present School Lunch Program. We believe this to be extremely important, but we urge that it not be done at the expense of curbing the existing Special Milk Program.

Accordingly, we respectfully request that the Committee on Agriculture approve H. R. 12806 and H. R. 13888, the "Childrens Special Milk Act", and further request that this letter be made a part of the hearing record on this important Act.

Sincerely,

CHAS. PAUL, Director.

Mr. POAGE. Is there anyone else this morning who wishes to be heard?

(No response.)

Mr. POAGE. I know of no other witnesses who care to be heard this morning.

I am advised we have others who would like to be heard at a future date.

The committee, then, will stand in recess subject to the call of the chairman of the committee.

(Whereupon, at 11:45 a.m., the committee adjourned subject to the call of the Chair.)





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